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Meeting: 1390th meeting (December 2020) (DH)

Item reference: Action Plan (16/10/2020)

Communication from Turkey concerning the group of cases of OPUZ GROUP v. Turkey (Application No. 33401/02) (appendices in Turkish are available at the Secretariat upon request).

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Réunion : 1390^e réunion (décembre 2020) (DH)

Référence du point : Plan d'action (16/10/2020)

Communication de la Turquie concernant le groupe d'affaires OPUZ c. Turquie (requête n° 33401/02) (des annexes en turc sont disponibles auprès du Secrétariat sur demande) (**anglais uniquement**)

DGI

16 OCT. 2020

SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

ACTION PLAN
Opuz v. Turkey Group of Cases (no. 33401/02)

I. CASE DESCRIPTION

1. There are currently four judgments supervised under the *Opuz* group of cases.

2. These cases mainly concern the failure of the authorities to protect the applicants or their deceased relatives from domestic violence. The Court found violations of Articles 2 and 3 mainly on the following grounds:

a. The legislative framework fell short of the requirements inherent in the State's positive obligations to establish and apply effectively a system punishing all forms of domestic violence and providing sufficient safeguards for the victims;

b. The authorities had not taken the necessary preventive/protective measures to protect the applicants or their deceased relatives from domestic violence, despite the real and imminent risk of assault they knew or ought to have known;

c. The criminal investigations and subsequent proceedings against the perpetrators lacked promptness and diligence.

3. In the cases of *Opuz* and *M.G.*, the Court found that discrimination on the basis of gender against the applicants and/or their deceased relatives on account of the failure of the State to protect them against domestic violence (violation of Article 14 in conjunction with Articles 2 and 3). In this respect, the Court referred to certain NGO reports which suggested that domestic violence against women was tolerated by the authorities and that the available remedies mentioned by the Government did not function effectively, affording impunity to the aggressors. The Court therefore concluded that there existed a prima facie indication that domestic violence affected mainly women and that the general and discriminatory judicial passivity in Turkey created a climate that was conducive to domestic violence. In the case of *M.G.* the Court also noted that the former legislative framework did not afford the same level of protection to divorced women as it did to married women.

II. INDIVIDUAL MEASURES

4. Firstly the Turkish authorities would like to reiterate its submissions with respect to individual measures indicated in the revised action report dated 05/10/2018.

5. Having assessed the aforementioned action report with respect to individual measures; the Ministers' Deputies on its 1331st meeting 4-6 December 2018 (DH) requested all necessary measures to be taken in order to ensure the swift conclusion of the criminal proceedings in the *Durmaz* and *M.G.* cases including submission of information on their outcome and it was also invited, noting the importance of continuing to monitor the applicants' safety in the cases of *Opuz* and *M.G.*, since their former husbands are not in detention, the Turkish authorities to provide updated information in this regard.

6. In accordance with the Deputies' decisions the following individual measures have been taken:

a. Just Satisfaction

7. The just satisfaction amounts awarded by the Court in each case within *Opuz* group of cases have been paid within the deadlines set in the judgments. It is recalled in this respect that the Court awarded just satisfaction in respect of non-pecuniary damage sustained by the applicants. The Turkish authorities consider that the applicants were therefore redressed for the non-pecuniary damage sustained. As regards the pecuniary damage, the Turkish authorities would like to remind that the Court did not discern any causal link between the violations found and the pecuniary damages alleged; it therefore rejected these claims.

b. Other Individual Measures

The Case of Durmaz (3621/07)

8. As stated in the last revised action report İzmir Chief Public Prosecutor's Office *ex officio* reopened a fresh investigation and filed on 23 October 2015 a bill of indictment with the İzmir Assize court accusing the perpetrator 'Oğuzhan Ovaloğlu' of killing his wife. The criminal proceedings have resulted in the perpetrator's acquittal on 19/11/2018. The judgment has been appealed against and still pending before the 4th Chamber of the İzmir Appellate Court. No application invoking the Law No. 6284 to obtain any preventive or protective cautionary order was made by Ümran Durmaz.

The Case of Opuz (33401/02)

9. With regard to the applicant's current situation in the case of *Opuz*, the authorities would like to inform the Committee of the fact that no criminal complaint so far was made by the applicant and she did not apply for any preventive or protective cautionary order within the scope of the Law No. 6284. Nor did she apply for social aid services provided by the Municipality and Administrative Social Support Units.

The Case of M.G. (646/10)

10. The applicant's ex-husband was sentenced to 3 years' imprisonment for the offence of intentional injury and 12 years' imprisonment for the offence of deprivation of liberty by the 6th Chamber of the İstanbul Assize Court before which he was tried. The decision is still under appellate review. The applicant's ex-husband is not detained at the moment.

11. On the basis of the up-to-date information obtained from the prosecutorial offices, the authorities would like to highlight that, after 2014 onward, M.G did not make any complaints to the law enforcement forces and the prosecutor's office that she had been subjected to violence, and during the said time period she also did not request to be placed in a women's shelter.

12. The last protective measure issued on behalf of M.G. is the one submitted in the action report of 05 October 2018, namely on 26 January 2018 by the 4th Chamber of the İstanbul

Family Court for a period of 3 months. No further request for the extension of the measures was made by the applicant so far.

13. The Bahçelievler Municipality provided monetary aid for the applicant in the amount of 3600 TL (390 EUR) and food aid between 2018-2020.

14. In view of the above, the Turkish authorities consider that no further individual measures are necessary.

III.GENERAL MEASURES

15. The Turkish authorities would like to reiterate its submissions with respect to general measures indicated in the revised action report dated 05/10/2018.

16. Having examined the Ministers' Deputies decisions on its 1331st meeting 4-6 December 2018 (DH) regarding general measures, the Turkish authorities have envisaged and taken a number of measures. These measures are explained below in detail.

A) LEGISLATIVE MEASURES

1) The law on protection of family and prevention of violence against women (Law No. 6284)

17. At the outset, the Turkish authorities would like to note that Turkey is the first country ratifying the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention).

18. Following the ratification of Istanbul Convention, in order to align domestic legislation with the Convention requirements, Turkey introduced a new legislation in 2012, namely the Law No. 6284 on the Protection of Family and Prevention of Violence against Women.

19. This enactment was a major step forward in Turkey's response to the violence against women. This legislation involves significant legislative provisions concerning the prevention of domestic violence and protection of victims, which are the major issues examined under OPUZ group of cases.

20. In particular, a set of protective and preventive measures are provided in a comprehensive manner.

21. In Article 3, the protective measures to be taken by the administrative authorities are listed. In this respect; an appropriate shelter to the victim and if necessary to the victim's children in the vicinity or in some other location, financial aid, psychological, professional, legal and social guidance and counselling services might be provided by the administrative authorities. Furthermore, if there is a life threatening danger a temporary protection upon a request of the relevant person or ex officio might be secured. In addition, if deemed necessary; four months of day care, maximum two months for those who have a job, is provided to children of the protected persons to support the person's integration into working life. In cases where delay is considered to be risky, these measures can also be taken by related law enforcement chiefs as well. Accordingly, it has become possible to take prompt

action in violation cases and to rapidly take urgent protective measures without awaiting a judicial decision.

22. In Article 4, the protective measures to be taken by the judge are set forth in a non-exhaustive manner. In this respect the judge may decide the change of applicant's work place, settlement in a house different from the shared one if the person is married, to put an annotation to the title deed as a family house, upon the request of the protected person, change of the applicant's identification and other related information and documents based on the informed consent of the relevant person as per the provisions of the Witness Protection Law No. 5726 dated 27/12/2007 if it is determined that there is a life threatening danger for the protected person. If need be, the judge can also decide another measure other than the ones listed here.

23. In Article 5, the preventive measures to be decided by the judge are listed in a comprehensive manner. The measures demonstrated here are not provided in an exhaustive manner, if need be, the judge can also decide another proper measure other than the ones listed here.

24. Subject matter of the preventive measures is the perpetrator's possible violent acts whereas protective measures mentioned above aim at providing an effective protection to the victim. In this respect, the judge may order the perpetrator not to exhibit an attitude and behaviours including the threats of violence, insult and humiliation against the victim of violence, perpetrator's move from the shared dwelling or the vicinity immediately and allocation of the shared dwelling to the protected person, not to approach to the protected persons and to their residences, schools and workplaces. If there is a previous decision to allow having a personal connection, the judge may order that personal connection with the children shall be conducted together with a company or that the personal connection is restricted to revoked completely. The perpetrator's approach to the friends or relatives and children of the protected person even though they have not been subject to the violence might also be restricted. In cases where delay is considered to be risky, these measures can also be taken by the relevant law enforcement chiefs as well. The law enforcement chief shall present the report to the judge for approval no later than the first work day after the decision is taken.

25. Other preventive measures to be decided by the judge have been listed in Article 5 as follows: not to damage the personal belongings and household goods of the protected person, not to cause distress to the protected person by means of communication instruments or alternative channels, to hand over the officially permitted and authorized weapons to the law enforcement officials, to hand over the weapon to the employing institution no matter if the person is in a profession of public service that requires carrying a weapon, not to use alcohol, drugs or stimulants in places where the protected people are present or not to approach the protected people and their whereabouts while under the influence of these substances and to ensure to have a medical examination and treatment including in-patient treatment in case of the addiction, to apply to the health centre for examination or treatment and to ensure having a treatment. With the measures identified within this Law, the judge is authorized to take a decision on protective and preventive measures as contained within the Child Protection Law no. 5395 dated 3/7/2005 and on the issues of guardianship, custody, alimony and personal connection as per the provisions of Law no.4721. If the perpetrator of violence is the person who at the same time is the provider of or contributor to the family's livelihood, the judge

may *ex officio* decide on a temporary alimony by taking into consideration of the living standards of the victim.

26. According to Article 8, decisions with respect to the protective or preventive measures provided under Articles 3, 4 and 5, are taken for the six-month period at most initially. However, if it is established that there is a continued risk of violence, the measures shall be extended, modified, abolished or kept *ex officio* or upon a request of the protected person or the officials of Ministry or law enforcement agencies. No evidence or report proving the violence is required to warrant an order involving protective measures. The decisions as to the preventive measures shall be taken without delay.

27. The law enforcement unit is responsible and authorized to implement the protective measure decision on providing a temporary protection and the preventive measure decision taken for the perpetrator of violence and to protect the residential area of the protected persons or its location or the place where the measures shall apply (Article 10 § 3). While implementing the decisions taken in respect of the Law no 6284, the technical means and methods may be used with a judicial decision. However, the audio-visuals of the persons cannot be monitored and recorded in this way (Article 12).

28. If the perpetrator of domestic violence breaches a decision concerning a protective or preventive measure or not complies with an order warranted in this respect, he/she shall be subject to the preventive imprisonment from 3 to 10 days by the judicial decision depending on the nature and severity of the violated measure even if the act constitutes another crime. In each recurring action contrary to the requirements of such a decision, the period of the preventive imprisonment shall be from fifteen to thirty days. But the period of the preventive imprisonment cannot be more than six months.

Statistics on the implementation of the Law No. 6284

29. Some statistical information on the implementation of the Law No. 6284 between 10.01.2016-12.10.2020 is provided in the end of the action report in a very detailed way. As can be seen therein, 2,457.405 preventive and protective cautionary orders in 2,198.546 cases have been issued in given times. For a comprehensive look at all data, please consult the table presented in the last page of the action plan.

30. In addition, the below table displays how many victim has been provided with shelter with the aim of protection from domestic violence:

YEAR	PROTECTIVE CAUTIONARY ORDER (BY VICTIM)			
	PROVIDING SHELTER TO VICTIMS OF VIOLENCE AND THEIR CHILDREN	TEMPORARY PROTECTION OF THOSE WHO HAVE LIFE DANGER	TOTAL	
	DECISIONS	DECISIONS	DECISIONS	PERSONS
2017	15.899	34.859	50.758	72.799
2018	16.153	31.562	47.715	80.912
2019	18.492	34.887	53.379	86.794
2020 (9 MONTHS)	15.060	48.346	63.406	93.829

31. The above figures demonstrate how strictly and diligently the Law on the Protection of Family and Prevention of Violence against Women is implemented to safeguard the vulnerable members of the family and to create a chilling and deterrent effect on the perpetrators of violence.

2) Turkish Criminal Code (Law No. 5237)

32. Apart from the application of the Law no. 6284, if the offender's act further constitutes an offence; a criminal investigation shall separately be commenced by the public prosecutor as well.

33. The Turkish authorities are of the opinion that the current Criminal Code involves deterring penalties concerning the offences related to the cases examined under *Opuz*, notably the offences of intentional killing and intentional injury.

34. Under Article 81 of the Turkish Criminal Code (TCC), it is provided that any person who intentionally kills another shall be sentenced to life imprisonment. If the act of intentional killing is committed against a direct ascendant, direct descendant, spouse or sibling the offender shall be sentenced to aggravated life imprisonment (Article 82§1 (d)). Furthermore, if the act of killing is committed with the motive of tradition the offender shall be sentenced to aggravated life imprisonment (Article 82§1 (k)).

35. Therefore, intentional killing of a spouse is provided as an aggravated circumstance of the offence. In this respect, this act results in an aggravated punishment. Same is also valid for so called killings of honour or custom.

36. As regards the offence of intentional injury, in Article 86§1 of the TCC it is provided that any person who intentionally causes another person physical pain or who impairs another person's health, or ability to perceive, shall be sentenced to a penalty of imprisonment for a

term of one to three years. Where an intentional injury is committed, against a direct antecedent, direct descendant, spouse or sibling (86§1 (a)) and against a person who cannot defend himself physically or mentally (86§1 (b)) the penalty to be given shall be increased by one half and shall not require a complaint.

37. In this respect, the acts of domestic violence, within the context of direct descendant and spouse, and violence against women, in so far as it is committed against a person who cannot defend himself physically or mentally, are provided as aggravating circumstances of the offence of intentional injury. As such, the penalty to be imposed is also aggravated. Furthermore, the public prosecutors shall *ex officio* open an investigation into these acts even if the victim presented no complaint.

38. The act of psychological violence within the meaning of Article 33 of the Istanbul Convention, which is described as the intentional conduct of seriously impairing a person's psychological integrity through coercion or threats, might be prosecuted within the context of offences of torment (Article 96), threat (Article 106), blackmail (Article 107), coercion (Article 108), defamation (Article 125) and ill-treatment (Article 232), on the basis of the facts involved in the case file.

39. If the act of violence, both in the senses of physical or psychological violence, is committed in a systematic manner it might result in the offence of torment. Under Article 96, it is provided that any person who performs any act which results in the torment of another person shall be sentenced to a penalty of imprisonment for a term of two to five years.

40. Where the acts falling under the above paragraph are committed against a child, a person who is physically or mentally incapable of defending himself or pregnant women; or a direct ascendant, direct descendant, adoptive parent or spouse, a penalty of imprisonment for a term of three to eight years shall be imposed.

41. In order to qualify the acts of perpetrator as torment it is required that the behaviours towards a person shall be incompatible with human dignity and that will cause bodily or mental suffering and humiliation. In fact, these acts can also be result in the offences of intentional injury, defamation, threatening and sexual harassment. However, these acts are single isolated acts. If they are committed systematically and within a certain process similar to the characteristics of torture, which is an offence that can be committed only by the state agents, then it has devastating effects on the psychology and mental health of the victim. For this reason, these acts are qualified as the offence of torment, which requires a higher prison sentence compared to the intentional injury. In such a case, the perpetrator of domestic violence could be sentenced to imprisonment for a term of three to eight years.

42. As a consequence, the Turkish authorities would like to note that the Turkish Criminal Code set out deterrent punishments with respect to the offences relating to the cases under *Opuz* group of cases.

Statistics as to the implementation of the Law No. 5237

43. Some statistical information on the implementation of the Law No. 5237 in respect of domestic violence and violence against women (in respect of offences of femicide, felonious injury, torture, torment, sexual abuse and harassment, threat, blackmail, violation of freedom

of work and labour, discriminatory behaviour, defamation, violation of privacy, recording of personal data, unlawful delivery or acquisition of data and cruelty) is provided as follows:

Year	Investigation	Perpetrators	Victims	Investigations resulted in prosecution	Average length of the investigations
24.04.2017-	567.883	691.564	602.519	242.678	163
2018	908.204	1.070.218	934.276	374.536	135
2019	933.086	1.073.047	946.156	366.294	106
11.10.2020	600.737	668.751	600.319	171.237	45

44. As can be seen, it is highly noteworthy that the average length of the investigations into domestic violence displays a dramatic fall between 2017 and 2020 from 163 days to 45 days. Those figures undeniably reflect the increased capacity of the judicial authorities in giving swift response to domestic violence cases.

45. Furthermore, it should be noted that unlike the previous years we can observe a slight decrease in the numbers of the investigations, perpetrators and even victims in 2020. It would not be wrong to infer from these figures that the general measures taken and mainly presented here started to yield positive results.

3) Directive On the Implementation of the Law On Protection of Family and Prevention of Violence Against Women (Directive No 154/1)

46. The Ministry of Justice updated on 17/12/2019 the directive with respect to efficient implementation of the Law No 6284. In this directive, with a reference to the *Opuz* judgment, it has been clearly stated that inactivity of the responsible authorities results in violations of the Convention. It is underlined that an efficient coordination between the responsible authorities is of utmost importance to achieve effective application of the preventive and protective measures taken under Law No. 6284.

47. In this respect, the Directive set out the points to be taken into account by the public prosecutors in a detailed way. The significant points can be summarized as follows:

- A special bureau of domestic violence and violence against women shall be set up within the Public Prosecution Offices. Unless otherwise strictly necessary, the public prosecutors assigned to this bureau will be specialized on the Law No. 6284 and shall only conduct investigations in this respect.
- Public prosecutors shall not transmit the complaints to the law enforcement without taking a detailed statement of the applicant.
- The preventive and protective cautionary decisions could be notified by the law enforcement officers, which will ensure a swifter notification than by post.
- Investigations shall be conducted effectively by means of authority delegated in the Code of Criminal Procedures to the public prosecutors. All evidence, report and witness statements concerned shall be collected with no delay.

- The whole history of the violation shall be examined. It is absolutely necessary to examine whether there happened similar acts of violations in the past. The measures in the Law No. 6284 should be assessed in view of the severity of the violation in this respect. If the perpetrator's previous acts of violations are found out, the measure to be taken must be proportional to the risk sustained by the applicant.
- In case of a life-threatening situation, the administrative authorities shall *ex officio* be informed so that necessary precautions could be taken without a delay in accordance with Article 3 of the Law No. 6284.
- The submissions of victims of violence should be heard in the judicial interview rooms in the presence of an expert if they have a high level of anxiety according to the nature of the incident,
- Upon the lodging an application with the Public Prosecutor's Office for the allegation of having been subjected to the violence;
 - a) The persons' detailed submissions should be heard; a detailed social research report should be requested from the Provincial Directorate of Ministry of Family, Labour and Social Services pursuant to Article 15 of the Law no. 6284; and the proper preventive and protective measures should be requested to be taken with determination by taking the victim's submissions into account at that stage,
 - b) "The Domestic Violence and Violence against Women Incident Report" should be requested to be filled diligently and in full in respect of the persons who apply to the law enforcement units; and a detailed social research report should be requested to be issued from the Provincial Directorate of Ministry of Family, Labour and Social Services. At that stage, the incident report should be taken into account and the decisions on preventive and protective measures should be delivered with determination.
 - c) After the submissions of the persons who applied to the Public Prosecutor's Office or the law enforcement units have been heard, they should be referred to the ŞÖNİM by the law enforcement officers, if they request such.
- Pursuant to Paragraphs 2 and 3 of Article 15 of the Law no. 6284, detailed research reports concerning victims and perpetrators of violence, which establish the individual's background, family, environment, education, economic status and psychological condition as well as the risk posed by perpetrators of violence to the society, should be submitted to courts and adequate measures should be requested to be ordered,
- In addition to protective measures in respect of victims of violence, preventive measures should be implemented in respect of perpetrators of violence; in particular, alternative measures should also be requested such as counselling, rehabilitation, treatment and examination measures aimed at changing approaches and behaviours by raising awareness on managing anger, overcoming stress and preventing violence,

- In case of repeated stalking which causes a person to feel scared and desperate and to fear for his/her safety, then measures which are suitable to the case should necessarily be requested,

- While requesting a measure within the scope of the Law no. 6284, it, in particular the measure of counselling, should also be requested pursuant to the Juvenile Protection Law no. 5395 by having regard to the children's psychology, social and educational life and need to maintain a relationship with their parents in suitable environments in accordance with the principle of the child's best interest,

- In case there is a life-threatening danger against persons protected within the scope of the Law no. 6284 and it is understood that other measures would prove insufficient to avert that danger, a request should be filed with the judge for issuance of a decision ordering the measure of changing the identification card and other relevant information and documents pursuant to Article 4 of the same Law with the informed consent of the concerned person; and the decision in question should be notified to only the person under protection,

- The concerned persons should be cautioned to comply with the rule of confidentiality in order to achieve the aim and interest sought to be achieved by the decision ordering the changing of identification card and other relevant information and documents, and it should be reminded that acting to the contrary would engage liability for the offence of "disclosing a secret concerning duty" pursuant to Article 258 of the Turkish Criminal Code,

- While requesting protective and preventive measures, an inquiry should necessarily be performed in the records concerning measures in the UYAP as to whether any other measure was previously ordered in respect of the party requesting the measure or the party against whom the measure is requested,

- Regard should be had to the requirement to not use the address details of ŞÖNİM in the notifications to be made to the person under protection,

- Pursuant to Paragraph 6 of Article 8 of the Law no. 6284, where necessary, the identity details and address of the person under protection or other members of that person's family, the information capable of revealing their identity and the other information which is significant for the effectiveness of the protection should be kept confidential in the official records as ordered upon request or *ex officio* together with the decision on measure,

- The record of the new address, if any, of a person in respect of whom a measure is ordered should be obtained and regard should be had to the fact that in view of the characteristics of the case and the nature and classification of the decision on measure, it is possible to duly employ different methods of notification, in particular notification via the law enforcement officers within the scope of "cases where any delay would be detrimental" as set out in Article 2 of the Notification Act,

- The person liable to the measure should be reminded of the requirement to comply with the measure and of the outcomes of breach of the decision on measure, such as preventive imprisonment; and he/she should be informed that in the course of this process, a separate social investigation will be conducted and the decision of the court will be reviewed,

- In order to ensure that the measures ordered within the scope of the Law no. 6284 are expeditiously and effectively implemented having regard to the purpose of the Law;

a) In the event of a request by the Public Prosecutor's Office for protective and preventive measures, the decisions on measure issued by the court should be sent to the Public Prosecutor's Office in order to be transmitted to the relevant institutions and the law enforcement units for the purposes of monitoring and supervision of the decisions in question,

b) The requests for preventive and protective measures of the law enforcement units, the concerned person or the local authority shall directly be sent to the judge or the court. This request should not be transmitted through the Public Prosecutor's Office; instead, they should be sent directly to the judge or the court for prompt action,

c) Implementation of decisions on preventive measures should be monitored through the law enforcement units,

d) In order to make the necessary preventive and judicial interferences against repeated incidents of violence, implementation of measures should be effectively monitored from the beginning of the investigation until the completion of enforcement,

e) Pursuant to Paragraph 5 of Article 35 of the Implementing Regulation of the Law no. 6284, it should be diligently examined, without waiting for the expiry of the time-limit, whether the measures ordered are enforced in the manner envisaged in the decisions, and the necessary action should be taken in that regard,

f) Notification of the decisions granting requests for protective and preventive measures should be notified by the court to the perpetrator of violence and the person under protection, and the decisions dismissing such requests should be notified to only the requesting party,

g) In the event that a measure is ordered to ensure the accommodation of the person under protection, the decision should be sent to ŞÖNİM with a view to its notification,

h) ŞÖNİM should be informed through UYAP about the applications concerning measures and the decisions accepting or dismissing such applications,

1) Enforcement of a decision on preventive measure issued by the judge should be started on the day it is delivered to the unit responsible for its enforcement since there is no impediment to the implementation of such decisions in cases where they have not been pronounced or notified,

j) The annotation indicating that "preventive imprisonment shall be imposed in case of acting in breach of the decision" should be added to the notification document in order to enable imposition of preventive imprisonment for violations of the decisions on measure,

- Decisions on preventive imprisonment;

1) Should be notified by the court to the concerned person taking into account the facts that an objection may be filed against these decisions and that they cannot be executed until their finalisation,

2) Should be executed in closed penitentiary institutions pursuant to Article 8 of the Regulation on Placement in Open Penitentiary Institutions, and cannot be subject to execution practices such as conditional release and probation,

- Pursuant to Article 15 of the Law no. 6284, ŞÖNİMs may be requested to draw up and send reports on the results of the decisions on measure and their impact on the concerned persons.

4) Law No. 6136 on Firearms and Knives and Other Devices

48. Another noteworthy development aiming at providing the best possible safeguard to the victims of domestic violence in Turkey is that the legal amendment made on 24/10/2019 in the Law No. 6136 on Firearms and Knives and Other Devices. Article 7 of the said Law provides for that “those who have been given a cautionary decision within the scope of the Law on the Protection of Family and Prevention of Violence Against Women dated 8/3/2012 and numbered 6284 are not allowed to carry and keep firearms during the cautionary decision, and if any, the procedures regarding the issuance and renewal of a license are suspended. Their licensed weapons are kept by the general law enforcement officers until the cautionary decision is lifted.”

49. The same wording has been added to Additional Article 1 of the Law No.2521 on “the manufacture, purchase, sale and possession of rifles, aim guns and hunting knives used in hunting and sports” on 24/10/2019 as well. That is to say, the perpetrators of domestic violence have to hand over their guns and other devices capable of wounding and/or killing to the police once a cautionary order is issued against them.

50. The Turkish authorities would like to note that all necessary measures, in particular the legislative measures, were taken to ensure efficient application of the Law No. 6284. The Directive, as a secondary legislation, clarified all points to be considered in the practice.

B) CAPACITY BUILDING MEASURES

51. On 10 June 2020, another department called “the Department for Legal Support and Victim Services” by virtue of the Presidential Decree No. 63 on “the Support of the Victims of Crimes” has been formed within the Ministry of Justice. The aim of this department is to duly inform those subjected to crimes, to support victims, to realise compensatory practices against effects and traces of the exposed incident, to develop specific intervention programs for the victims, to provide the vulnerable victims of crimes with psycho-social services and to prevent any secondary trauma of the victims.

52. On 27 December 2019, The Council of Judges and Prosecutors by virtue of the Law No.6284 has set up “courts of cautionary decisions” in order to centralise the determination and the effective implementation of the preventive and protective cautionary decisions ordered under the Law No.6284.

53. By virtue of Directive dated 01 January 2020 issued by the Ministry of Internal Affairs, the importance of the swift notification of the preventive and protective cautionary decisions has been highlighted to the security directorates. Furthermore, on 11/11/2015 “units for

combating violence against women and domestic violence” has been set up in 81 Provincial Police Department Public Security Branch Directorate in order to ensure that services related to combating violence against women and in the family are carried out more effectively, to determine the problems experienced in practice, to determine standard investigation methods, to improve existing services, and to implement measures for victims with a multi-faceted understanding. 5900 personnel have been allocated to these units so far.

54. The "Domestic Violence Registration Form" has started to be filled by the law enforcement officers through which the risk assessment of violence against women and in the family was classified as "high risk red, medium risk yellow, standard risk in gray" and, if danger is anticipated, protective and preventive measures would be taken without delay.

55. A pop-up system has been activated in the UYAP which would enable the users to be aware, during the new data-input, of the fact that whether there is any other preventive and protective cautionary decision about the person in question. This pop-up and warning would facilitate for the prosecutorial offices and the courts to better assess the situation and to seek for / deliver the best preventive and protective cautionary decision.

56. Where it is considered that the risk of recurrence of violence is high and that the other measures are less likely to be able to protect the victim(s), the use of electronic handcuffs would be the case under Article 12 of the Law No. 6284 in terms of ensuring the adoption of effective and rapid measures to protect the women victims of violence. It's put in place in 15 cities (Ankara, İzmir, Antalya, Bursa, İstanbul, Gaziantep, Adana, Aydın, Eskişehir, Denizli, Malatya, Mersin, Samsun, Sakarya and Trabzon) and is envisaged to be used in all cities by January 2021. It should be noted that the number of persons who were handcuffed electronically on a court decision as of 09/10/2020 is 176 (one hundred seventy-six).

57. It's worth mentioning here that Woman Support Application (KADES)” which women victims of domestic violence and women victims of violence can download on their smart phones has been developed in this scope as well. With the application that has been developed so that women can reach Helpline 155 Police Emergency Call Centre, calls for help are assessed immediately and team and patrol closest to the location of women demanding help is dispatched, and intervention is made in a speedy and effective way. Through the aforementioned application, it is possible that the calls of women victims of violence and under risk of violence are responded in the fastest way. Firstly, the law enforcement forces immediately intervene in the incident and provide necessary service; and then the notification is directed to the relevant units of the MoFLSS. ŞÖNİMs or Provincial Directorates of the MoFLSS provide counselling, consultancy and guidance support as well as strengthening and supportive services for women victims of violence or under risk of violence and their accompanying children.

58. The Turkish authorities are of the opinion that having the below table at the Committee's disposal would be of great use.

Woman Support Application (KADES) (09.10.2020)	
Number of persons downloaded the application	539.145
Number of Notices	43.613

59. As publicly announced in May 2019, the improvement of women rights practices in justice system is envisaged in the Judicial Reform Strategy Document. To that end, it is planned that the practices aiming at better protection of women in justice system shall be improved and that the contents of the pre-service and in-service courses on the women rights shall be redesigned.

60. As of March 2020, "ALO 183 Social Support Line" has started to give priority via dialling "0" to those in urgent need of help due to domestic violence. This line can also provide help via "WhatsApp" on 24/7 as of May 2020.

The Centres for Prevention and Monitoring of Violence (ŞÖNİM)

61. The Centres for Prevention and Monitoring of Violence (ŞÖNİM) entered into service in accordance with the Law no. 6284 to Protect Family and Prevent Violence against Women. In these centres, services such as support for the victim of violence, temporary financial assistance, guidance and counselling services, supervision and monitoring of temporary protection in life-threatening situations, child care assistance, legal support, medical support, support for employment, scholarship for children, education-training support are provided within the scope of the Law no. 6284 on Protection of Family and Prevention of Violence against Women.

62. As of September 2020, the work is ongoing for the Centers for Prevention and Monitoring of Violence (ŞÖNİM) which provide service in 75 provinces, to provide services in 81 provinces.

63. The ŞÖNİM provided service to;

THE NUMBER OF THE PERSONS WHO WERE PROVIDED WITH SERVICES BY ŞÖNİM					
YEAR	THE NUMBER OF ŞÖNİM	WOMEN	MEN	MINOR	TOTAL
2013	14	14853	381	3949	19183
2014	14	17777	1938	5058	24773
2015	40	20846	2436	7506	30788

2016	49	37680	2446	10711	50837
2017	68	72832	5711	13872	92415
2018	79	107070	10462	17740	135272
2019	81	164945	9494	19012	193451
2020 (01.01.2020-30.09.2020)	81	140821	12235	10963	164019
Total	81	576824	45103	88811	710738

2. Guesthouses for Women

64. Guesthouses for women are social service organizations which protect women from physical, emotional, sexual, economic and verbal abuse or violence, solve and strengthen the psychosocial and economic problems of women, meet the needs of the women together with their children and provides temporary accommodation for women and their children during these processes.

65. The purpose of guesthouses for women is to conduct professional studies in order to enable women admitted to the institution to deal with the trauma they experience in a non-violent environment and to maintain healthy relationships and to continue their lives in accordance with their own demands after they have left the women's guesthouses.

66. In women's guesthouses, on the basis of the applicant's statement, women who are victims of physical, sexual, psychological or economic violence are given service without any discrimination.

67. As of September 2020, a total of 145 guesthouses for women with the capacity of 3.482 persons in total provided service. 110 of these houses were affiliated to the Ministry of Family and Social Services and had a capacity of 2717 persons, 32 of them were affiliated to local governments and had a capacity of 703 persons, 1 of them was affiliated to civil society organisations and had a capacity of 20 persons, and 2 of them was affiliated to the Directorate General of Migration Administration and had a capacity of 42 persons. The opening of 11 new guesthouses in 9 provinces is underway.

C) CASE LAW DEVELOPMENTS

1) The Court of Cassation

68. The Turkish authorities would like to note that the Court of Cassation's case law is aligned with the European Court's judgments. To illustrate, some sample judgments are presented below:

69. In many judgments, the Court of Cassation (the CC) quashed the first instance courts' judgments on the basis of error of judgment with respect to the legal qualification of the crime and leniency in the sentences.

70. For example, in a recent judgment rendered on 12/12/2019 (Appl. No. 2019/14972 see Annex 1) the 3rd Chamber of the CC found that another investigation with respect to offence of torment had to be initiated for the acts of systematic violations such as beating, isolating and urinating on the applicant's face. In view of the fact that the prescription period had not been expired yet and this shortcoming could be remedied by initiating an investigation in this respect. However, the perpetrator's acts of beating the applicant in an isolated place and compelling her to drink a chemical substance, which might be poisonous depending on the amount taken, should have been identified as an attempt to intentional killing rather than intentional injury. On this basis, the CC quashed the first instance's judgement and remitted the case file.

71. In another judgment (Appl. No. 2018/8979, Final on 14.02.2019, Annex 2) the 3rd Chamber of the CC similarly quashed the first instance criminal court's judgment on account of the fact that the latter qualified the acts of the perpetrator as intentional injury whereas the severity of the acts indicated that it was an act of attempt to intentional killing.

72. Likewise, in several judgments the 3rd Chamber quashed the first instance courts' judgments on the ground that the acts of the perpetrators should have been qualified as torment whereas the court held that being intentional injury. On this basis, the CC remitted the case file to the first instance indicating that the perpetrator was sentenced leniently. For instance, with respect to an application (Appl. No. 2015/24137, Final on: 08/02/2016, Annex 3), the 3rd Chamber found that the acts of intentional injury, threat and defamation constitutes the offence of torment in case that those are perpetrated in a systemic manner and result in the victim's physical or psychological suffering. In the instant case the acts of applicant's spouse, such as beating the applicant after tying her hands with a cable, covering her face with a nylon bag causing her barely breathing, burning the applicant's foot heels after sitting on her legs constituted the offence of torment. Hence, the instant court's legal qualification of the offence, intentional injury, was wrong. Similarly, in the application of 2015/10330 (Final 08.09.2015, Annex 4), the 3rd Chamber found that the perpetrator's acts should have been assessed within the context of the offence of torment in view of the fact that the perpetrator's crime records indicated that he committed the acts of intentional injury against the victim in different times.

73. Against this background, the Turkish authorities would like to note that the Court of Cassation developed a consistent and coherent case-law as regards the offence of torment. As noted above, this court coherently indicated that the acts constituting independent offences such as, intentional injuring, threat, defamation, sexual assault etc. shall be identified as torment when committed systematically for a while causing victim's physical or psychological suffering as the acts are committed in a manner that is not compatible with human dignity. The 8th Chamber of the Court of Cassation, dealing with cases concerning the offence of torment, consistently found in a case (Appl. No. 2018/7210, Final On: 21.06.2018, Annex 5) that the first instance court's judgment was against law on the ground that this court held, without considering that the perpetrator's acts of threat and intentional injuring constitutes as a whole the offence of torment, that the perpetrator shall be sentenced

separately for each offence and that the pronouncement of the judgment was suspended. On this basis, the CC quashed this judgment and remitted the case file.

74. In the application of 2020/863 (Final on. 16.09.2020, Annex 6), the CC upheld the first instance court's judgment. The court highlighted that in his statement the perpetrator indicated that he has sporadically beaten the applicant for about one year. Accordingly, his acts should be defined as torment.

75. Again, in another case (Appl. No. 2019/9553, Final on 4/7/2019, Annex 7), the Chamber held that the scars and bruises on the victim's body appeared in various times according to the medical reports at hand. In addition, the witness statements disclosed that the applicant was beaten by the perpetrator at different dates. In this respect, the perpetrator's acts, as a whole, should have been assessed as torment and the prison sentence had to be determined higher than the minimum level set in the Criminal Code in view of the gravity of the perpetrator's acts. On this basis, the Chamber quashed the judgment of the first instance criminal court and remitted the case file.

76. In another application (Appl. No. 2017/25367, Final on. 10.05.2018, Annex 8) the perpetrator committed acts assessed within the context of the offence of torment. Moreover, he compelled his spouse to stay at home despite the victim decided to leave the perpetrator. Accordingly, there were two different offences, notably torment (Article 96) and deprivation of liberty (Article 109). Nonetheless, the first instance criminal court sentenced the perpetrator's imprisonment only on account of the offence of torment. On this ground, the Chamber quashed the judgment and remitted the case file.

77. There are numerous judgments where the 8th Chamber of the CC applied similar criteria concerning the offence of torment. The Turkish authorities would like to note that the CC developed a well-established case-law. For further examples please see the judgments annexed as sample (Appl. No. 2019/28678, Final 16.03.2020, Annex 9; Appl. No. 2019/5164, Final 18.03.2019, Annex 10; Appl. No. 2018/12107, Final 07.02.2019 Annex 11, Appl. No.2020/2648, Final 15.06.2020, Annex 12).

78. The 3rd Chamber of the CC also highlights that in cases where multiple aggravating circumstances are in question, the amount of the prison sentence shall not same as the minimum limit of the sentence determined in Article 86 of the TCC. In a recent judgment dated 09.07.2020 (Appl. No. 2020/6005, Annex 13), the Chamber noted that the perpetrator used a bucket when injuring the applicant. This item should have been qualified as a weapon¹. Therefore, the minimum amount of the imprisonment sentence cannot be imposed since that the applicant is the perpetrator's spouse is also an aggravating circumstance. Similar approach has been noted in many judgments. For instance, in various applications, (Appl. No. 2020/5508; Final on. 30.06.2020, Annex 14; Appl. No. 2020/6705, Final On. 15/06/2020, Annex 15; Appl. No. 2019/1548, Final on. 02.05.2019, Annex 16; Appl. No. 2017/17682, Final on. 28.06.2018, Annex 17) the 3rd Chamber identified items such as spoon, ashtray, jug,

¹ According to Article 6 of the TCC any instrument, not having been specifically manufactured for the purpose of attack or defence, which may be used for such purpose can be identified as weapon.

hose as a weapon and decided that the imprisonment sentence should have been decided in a higher level.

2) The Constitutional Court

79. The authorities would also like to indicate that in 2012, the possibility to lodge individual application before the Constitutional Court has been introduced in Turkish legal system. This application can be filed in respect of violation of human rights. It is recalled in this respect that the European Court found that the individual application to the Constitutional Court should be considered an effective remedy as of 23 September 2012 (Hasan Uzun, application no. 10755/13).

80. The Constitutional Court has competence not only to examine the application within the context of the Constitution but also to award compensation if appropriate.

81. The Constitutional Court held that the personal inviolability, corporeal and spiritual existence of the individual are safeguarded by Article 17 of the Constitution. Accordingly, everyone has right to secure his/her corporeal and spiritual existence. This right, along with Article 5 of the Constitution which provides for the fundamental aims and duties of the State, burdens the State negative and positive obligations (Serpil Kerimoğlu ve diğerleri, B. No: 2012/752, 17/9/2013, §§ 50, 51). State's positive obligation to individuals' corporal and spiritual existence requires that it should set up efficient judicial mechanisms safeguarding fair and effective judicial proceedings (Semra Özel Üner, B. No: 2014/12009, 26/10/2016, § 36; Ö.T., § 29²).

82. The CC held in many judgments (for example Semra Özel Üner, § 39; A.Z.Ö., § 76; Ö.T., § 32) that the Law No. 6284 put in place a legal framework where the protection of the family and effective prevention of violence against women are safeguarded in accordance with international conventions to which Turkey is a party to provide rapid and efficient protection system to the person who is under the risk of domestic violence. Within the framework of Law No. 6284, it is observed that the procedures and principles and sanctions concerning the measures are taken to protect women, children and family members who are victims of violence or who are at risk of violence and to prevent violence against such persons. Accordingly, it is understood that the necessary legal infrastructure has been put in place as part of the State's duty to protect those who are victims of violence or who are at risk of violence. According to the Constitutional Court the legal framework outlined in this respect provides requisite protection and seems to be efficient.

83. On this basis, the Constitutional Court delivered violation judgments in several cases where the applicants' request for protective measure was dismissed as the legal provisions had not been applied properly. For example, in K.Ş. (Appl. No. 2016/14613, final on. 17/7/2019³) the applicant, who was a teacher in a public school, lodged an application under the protective measures set out in Law 6284 with the Family Court requesting her transfer to another district so that she would not encounter with her husband. The Family Court dismissed this request on the ground that this was an administrative issue rather than judicial. As the applicant's appeal was also dismissed by the Izmir Family Court she lodged an individual application with the

² <https://kararlarbilgibankasi.anayasa.gov.tr/BB/2014/12009?BasvuruNoYil=2014&BasvuruNoSayi=12009>

³ <https://kararlarbilgibankasi.anayasa.gov.tr/BB/2016/14613?BasvuruNoYil=2016&BasvuruNoSayi=14613>

Constitutional Court. This court, as a result, found that Article 17 of the Constitution was violated since Article 4 (1) of the Law no 6284 provided that the applicant's working place could be changed as a protective measure. In spite of this provision the dismissal of the applicant's request indicated that the Law in question was inefficiently applied by the first instance court.

84. In another judgment, Ö.T. (Appl. No: 2015/16029, Final on: 19/2/2019⁴), the CC also found a violation of Article 17 on the ground that the applicant's request for application of Article 13 of the Law No. 6284, where coercive measures are provided, was dismissed. The CC held that preventive imprisonment of the perpetrator should have been decided as the applicant was beaten again in spite of the family court's decision of taking preventive measures.

85. In the case of A.Z.Ö (Appl. No: 2014/546, Final on: 19/12/2017⁵), the applicant, who was under threat of domestic violence due to the divorce case pending at the material time, was placed by social services in a new house with no expense on the part of the applicant and she was granted a new job. During the divorce case the applicant's address was revealed by mistake, that is why she was placed another house. As a consequence of the applicant's another application, the family court decided that applicant and her younger son's identities should be changed and temporary financial aid with respect to this child had to be paid to the applicant. The applicant lodged an individual application with the Constitutional Court on the ground that the judgment rendered by the family court was executed with an excessive delay. As a consequence, the CC found that Article 17 of the Constitution was violated on account of the delay in implementation of protective measures. The CC particularly noted that the applicant's son's identity handed within 10 months of the decision and that the financial aid decided by the family court was paid with a nine-month delay. Therefore, it is noteworthy that the CC also examined whether the protective and preventive measures are implemented in an efficient way.

3) The First Instance Courts

86. The Turkish authorities would like to point out that the first instance criminal courts adopted a convention-compliant approach in domestic violence and violence against women cases and effectively sanction domestic violence. In this respect, the criminal courts render prison sentences without suspension of the punishment. Some illustrative sample judgments are presented below:

87. In many criminal court decisions where the defendants were charged with domestic violence, the discretionary mitigation factors and/or suspension of pronouncement of sentences were not applied because of the defendants' criminal records and their lack of regret along with the way the crimes were committed (See 34th Criminal Court of First Instance of İzmir, Case No. 2018/1083, 23/05/2019; No. 2016/866, 30/05/2017, Annex 18; 48th Criminal Court of First Instance of İzmir, No. 2019/373, 17/12/2019; No. 2019/62, 03/01/2020; No. 2019/52, 16/01/2020; No. 2019/527, 21/01/2020, Annex 19; 7th Assize Court of İzmir, No:2020/242, 16/09/2020, Annex 20)

⁴ <https://kararlarbilgibankasi.anayasa.gov.tr/BB/2015/16029?BasvuruNoYil=2015&BasvuruNoSayi=16029>

⁵ <https://kararlarbilgibankasi.anayasa.gov.tr/BB/2014/546?BasvuruNoYil=2014&BasvuruNoSayi=546>

88. In an investigation conducted by İzmir Public Prosecution Office, the case in which the victim had been subjected to a systematic insult and violence by her husband was classified as a torment rather than a basic assault (Investigation No.2018/116123, Annex 21). In another one, the accused husband was charged with torment on account of the fact that he, while drunk, punched his wife in the face until she became unconscious for being unfaithful, then dragged her by hair to the kitchen when she recovered and went on punching her there for a while (Investigation No. 2018/15818, Annex 22).

89. In another investigation conducted in İzmir, a father was charged with the offence of torment on account of having forced his son to stay in the family store instead of going to school. In the case the father would cut the daily allowance of his son to dissuade him, he would send his son to the family store to work while studying at home and he would always yell at him before his friends saying “the school matters nothing but the family store will make them earn money to live off” (Investigation No. 2019/138157, Annex 23)

90. In the case No. 2019/334, the Ankara 7th Criminal Court of First Instance did not prefer to reduce the defendant’s sentence under Article 62 of the TCC, providing judge with a discretion to reduce the sentence, because of his post-crime behaviours (Annex 24).

4) Family Courts

91. According to the Law no. 6284 on Protection of Family and Prevention of Violence against Women, which was adopted on 8 March 2012 and took effect on 20 March 2012, the Family Courts are the major judicial authorities with respect to domestic violence. These courts issue preventive and protective orders within the context of Law No. 6284. The sample decisions presented below illustrate Turkish Family Courts’ responsible and active approach with respect to domestic violence.

92. Between 10.01.2016-12.10.2020, family courts have issued preventive imprisonment upon the breach of 34.135 cautionary orders. The below ones have randomly been selected to merely display the current practice.

93. The İzmir 1st Family Court imposed on 11/06/2020 three-day preventive imprisonment decision on a persistent stalker on account of the breach of a preventive cautionary order issued by the family court banning him from stalking (Miscellaneous No. 2020/88, Annex 25).

94. On 10/02/2020 İzmir 1st Family Court decided the perpetrator to be sent to prison for a term of three days for harassing the applicant on phone despite a preventive court order banning him from doing so (Miscellaneous No.2020/271, Annex 26). The same approach is witnessed in the Miscellaneous No. 2019/35 of İzmir 19th Family Court delivered on 23/10/2019 as well (Annex 27).

95. On 01/07/2020 Ankara 15th Family Court imposed a three-day preventive imprisonment on the offender for having violated the court order banning him from approaching to the victim’s residence (Miscellaneous No. 2020/20, Annex 28). Ankara 17th Family Court delivered on 05/07/2019 the same decision on the basis of the similar facts (Miscellaneous No. 2019/306, Annex 29)

96. In addition, Ankara 17th Family court also issued on 19/08/2019 a three-day preventive imprisonment against the person who phoned to and threatened the victim despite the presence of a preventive cautionary order which had been notified to him not to call to her (Miscellaneous No. 2019/369, Annex 30)

5) The Ombudsman Institution

97. The ombudsman institution was established in Turkey, following the adoption of the Law on the Ombudsman Institution on 14 June 2012. According to the Law, the Ombudsman Institution is accountable to the Parliament no one shall issue instructions to it. It shall examine complaints and make recommendations on the functioning of the administration with regard to the rule of law and human rights.

98. The purpose of the institution is to establish an independent and efficient complaint mechanism regarding the delivery of public services and to investigate research and make recommendations about the conformity of all kinds of actions, acts, attitudes and behaviours of the administration. Natural and legal persons may lodge complaints with the Ombudsman Institution.

99. The establishment of the Ombudsman's office is a potentially important addition to the range of institutions available to the public to file human rights complaints against public officials. In this connection, 11 (eleven) applications have been lodged with the Ombudsman Institution between 2017 and 2020.

100. In the application no. 2017/14750, the applicant requested her and her three kids' identity be changed by the Ministry of Internal Affairs as a protective measure and a friendly settlement between the parties has been reached in the end. In the application no. 2019/4053, the applicant's request, who is a teacher and for whom a protective cautionary order had been issued, to be officially transferred to another province because of the continuation of threats was admitted by the Ministry of National Education.

101. In the application no. 2019/17388, the ombudsman referring to the *Opuz* judgment stated that, where an allegation of domestic violence exists, it is not only the judicial authorities' responsibility to make a careful risk assessment to protect the complainant(s), but also the administrative authorities should also bear responsibility to this end. From this point of view, it pointed out that the dismissal of the applicant's request without further examination on account of the lack of a court order under the Law No.6284 could be defined, as established by the ECtHR, as "not taking reasonable measures with real hope".

D) THE ACTIVITIES AND THE TRAININGS ORGANISED FOR AWARENESS RAISING

102. Within the framework of fight against violence against women, various programs and projects are carried out:

103. For the purpose of fighting against violence to women more effectively, the pilot implementation, in which the person who inflicts violence and the victim of violence are monitored together through electronic monitoring system infrastructure and the system for electronic bracelet, which have been established within the Department of Probation at the

Directorate General of Prisons and Detention Houses of the Ministry of Justice, still continuous in the provinces of Ankara, Antalya, Bursa, Gaziantep, İstanbul and İzmir in cooperation between MoFLSS, the Ministry of Interior and the Ministry of Justice.

104. For the purpose of raising awareness and ensuring mental transformation, trainings and seminars on equality of women and men have been held for personnel working at the public institutions and organizations and for university students all over the country with a view to strengthening equality and preventing violence against women; and protocols have been signed between the Ministries of Justice, Interior, Health and National Defence, the General Command of Gendarmerie, the Presidency of Religious Affairs, and the Ministry of Family, Labour and Social Services to ensure continuity of trainings. As a result of the “Training Protocols” signed between the Ministries of Interior, Health, Justice and the Presidency of Religious Affairs, trainings have been provided to the staff members of the said Ministries and the Presidency.

105. Since the beginning of 2018, it has been ensured that approximately 30,000 public officers have awareness on the matter by means of “Education Seminars on Combating with Violence against Women” which is held simultaneously in 81 provinces with a view to raising the information and awareness of public officers in terms of combating violence against women.

106. In addition, Turkey has taken many different steps to exclude the gender stereotypes from the education materials and continues to do so. The text books and teaching materials prepared by the Ministry of National Education are prepared with an approach that supports human rights and freedoms and rejects all kinds of discrimination. Presentation of people and events in the teaching" style or in the examples is based on the principle of gender equality. Elements that may violate the rights and freedoms of individuals are not included in the content, and visuals and phrases that are against human rights, discriminative and judgemental are not used. The names of individuals used in textbooks are not expressed in such a way to represent only a limited part of the society, and there is a gender balance in the examples given and the characters used. Also, value judgments, dressing and living style of society is objectively reflected in the expression, visuals and drawings and expressions that may create prejudice are not included.

107. As far as the pre-service trainings of the judges and prosecutors are concerned, in 2018 and 2019, 6141 candidate judges and prosecutors were intensively provided, by the Turkish Justice Academy which is the sole institution in charge of pre-service and in-service trainings of judges and prosecutors, with pre-service trainings on “the application and practices of the Law No.6284 on the Protection of Family and Prevention of Violence against Women. Furthermore, 5547 candidate judges were given lectures on “disputes stemming from the Family Law” between 2018 and 2020.

108. With regard to the in-service trainings of judges and prosecutors, 4183 judges and prosecutors benefited from the seminars held in the various cities on “the protective and preventive measures given under the Law No. 6284 on Protection of Family and Prevention of Violence against Women” and on “the disputes stemming from the Family Law” between 2018 and 2020.

The Radio and Television Supreme Council

109. The Radio and Television Supreme Council founded in 1994 as an administratively and financially autonomous and impartial public legal authority for the regulation and supervision of radio, television and on demand media services which are under the jurisdiction of Republic of Turkey.

110. Within the context of raising awareness on the issue of the violence against women and domestic violence, 12 television spots covering domestic violence have been advised to be broadcast by TVs.

111. In the last five years, media service providers have been sanctioned 414 times under the Law No.6112 on the Establishment of Radio and Television Enterprises and Their Media Services for having breached Article 8 (2) of the Law which stipulates that “in radio and television broadcasting services, the programmes, which might impair the physical, mental or moral development of minors and young people, shall not be broadcast during the time intervals they are likely to watch and without the presence of a protective symbol.”

112. In addition, media service providers have been sanctioned in last five years 34 times for having breached Article 8 (1) (s) banning a TV programme from containing any programme against the gender equality, encouraging the oppression over and exploitation of women”.

113. Furthermore, the Regulation on the Procedures and Principles Regarding the Encouragement of Family and Child Friendly Production and TV Series entered into force after being published in the Official Gazette No. 30415 on 8 May 2018. In this context, joint studies are carried out by the Supreme Council and the Ministry of Family, Labour and Social Services. It is planned to award family and child friendly productions and series in 2021.

114. Last but not least, awareness raising programs on “Representation of Women in Media” will be organized for the staff of Supreme Council. Last year, the subjects of women and media were included in the trainings of the experts / assistant experts on duty, and on 19 September 2019 a total of 17 personnel, 16 women and 1 male, were given awareness training on “Women's Representation in Media”.

Political Messages

115. The Government publicly reiterates its commitment to combat against domestic violence and violence against women. In this respect, high level political messages are frequently delivered.

116. For instance, the President of the Republic clearly announced that the Government would maintain its zero tolerance to violence against women policy⁶.

117. On 25 November 2019, the the International Day for the Elimination of Violence against Women, a meeting was held in Presidential complex and First Lady Erdoğan noted

⁶ <https://www.tccb.gov.tr/en/news/542/122226/-we-carry-out-our-combat-in-fighting-violence-against-women-with-a-multifaceted-approach-and-with-the-principle-of-zero-tolerance->

that not only physical but also psychological and economic aspects of violence against women must be addressed. We have things to do in all areas extending from judicial regulations to the interpretation of cultural norms⁷.

118. On the same date, Monitoring Committee on Violence Against Women held a meeting with participation of the Ministers of Justice, Interior and Family and Social Policies. The Minister of Justice highlighting the commitment of the Government to the zero tolerance policy indicated that the authorities were ready to amend even the Constitution if need be⁸.

The Role of Ministry of Family Labour and Social Services (MoFLSS) in Judicial Proceedings

119. According to Article 20 of Law No. 6284, Ministry of Family, Labour and Social Services (MoFLSS) can, if deems necessary, participate in an administrative, criminal and civil lawsuit or ex parte proceeding opened due to the violence or violence threat against women, children and family members. In this scope, MoFLSS lawyers involved in 11.477 law suits in 2016 in 46.880 law suits in 2017 and 69.337 law suits as of August 16, 2018 which constituted a crime under Law No. 6284. With this practice, it is assessed that the victims feel safer during the court proceedings and are encouraged to report the crime in Turkey.

120. On the other hand, as indicated above, the victim of domestic violence may apply to the Ombudsman Institution if she experienced any unjust treatment within scope of services (protection/prevention activity, attitudes and behaviours of the officials, etc.).

D) MEASURES TAKEN TO ASSESS EXISTENCE OF A REAL AND IMMINENT RISK AND TO TAKE ALL NECESSARY MEASURES URGENTLY

121. Turkey is well aware of the fact that risk assessment is one of the indispensable and significant elements of response to violence against women. With this awareness, works regarding data sharing have primarily been accelerated. Data Sharing Protocol was signed between MoFLSS and Ministry of Interior General Directorate of Security in September 2017. With this Protocol, it is planned to ensure electronical sharing of the Registration Form for Incidents of Domestic Violence and Violence against Women within Scope of the Law No 6284" arranged by General Directorate of Security and "Data regarding injunction orders issued under the Law No 6284" with MoFLSS. Data integration works are maintained by the IT departments of MoFLSS and Ministry of Interior.

122. With "Registration form for Incidents of Domestic Violence and Violence against Women within Scope of the Law No 6284 arranged by law enforcement for victims of violence and those committing violence, law enforcement is conducting risk analysis with the aim of issuing injunction order in non-delayable cases. In order to investigate and evaluate risk factors based on incidents; works regarding electronical sharing of this form with MoFLSS are underway within framework of the protocol signed. It is expected that the aforementioned data integration work will shorten the period of reaching victims of violence, and enhance efficiency of protection.

⁷ <https://www.tccb.gov.tr/en/news/542/113656/first-lady-erdogan-psychological-aspects-of-violence-against-women-must-also-be-addressed->

⁸ <https://hhgm.adalet.gov.tr/Home/SayfaDetay/kadina-yonelik-siddet-insanliga-hakarettir>

123. An important element of risk assessment and management practices is, as understood, data integration. Within this context, data integration works, which ensure electronical automation of injunction orders issued within scope of Law No 6284 from UYAP system into data system of MoFLSS were completed in 2016; and following the pilot scheme, “6284 Order Follow-up System” was extended throughout 81 Provincial Directorates of the MoFLSS and all ŞÖNİMs in 2017. Training activities were carried out for the users of Follow-up System.

124. As a result of the recent UYAP integration works, protective and preventive injunction orders issued under the Law No 6284 have electronically been forwarded to Provincial Directorates and ŞÖNİMs and duration of accessing violence victims has been shortened. Improvement works for the given data integration are underway.

125. Law No. 6284 has defined violence and regulated "protective and preventive cautionary orders" having the characteristics of “urgent protection order” as per the Convention. It is possible to issue injunction orders out of working hours, during weekends and holidays since the Law has authorised Law enforcement to take injunction orders in non-delayable cases. In this respect, without any delay and seeking evidence and document for those women victims of violence and their children in life- threatening situations. a shelter is provided and they can be taken under temporary protection.

126. Besides, preventive orders such as those ruling for the perpetrator not to approach the women victim of violence, to be suspended from the residence, not to approach the victim’s work place or school, can be implemented without any delay.

127. In order for the provisions of this regulation to be implemented efficiently, existence of Specialised Service Units is of crucial importance. In this respect, specialized institutional mechanisms such as Investigation Bureaus of Domestic Violence Crimes affiliated with 257 Family Courts, Public Prosecution Offices, Department of Combating Domestic Violence and Violence Against Women within Public Security Branch Offices of 81 Provincial Directorates of Security , units of “Child and Woman Sections within Provincial Gendarmerie Commands, Violence Prevention and Monitoring Centres provide risk assessment oriented Services and accomplish measures necessary for effective protection for victims of violence.

128. In fact, one of the effective tools utilized in order to prevent recurrence of violence and acts of violence against women, which result in death, is the monitoring of protected persons within scope of Law No. 6284 and perpetrators or potential perpetrators through technical means and methods.

129. In Turkey, electronic surveillance and monitoring systems for effective protection of victims have been implemented as pilot scheme since 2012 and investigations about similar implementations abroad have been carried out.

130. Currently, in cooperation with Ministry of Justice, Ministry of Interior, Ministry of Family, Labour and Social Services, pilot scheme of electronic bracelet has been implemented. According to this System, victim of violence is given "a victim unit" and the perpetrator is tagged with an “electronic bracelet, and they are simultaneously monitored by Electronic Monitoring Centre on a 7/24 basis. And if there is a case of violation, the victim is protected with the intervention of relevant law enforcement.

131. In this respect, it should be paid special attention to use surveillance practices through technical methods in cases with high risk of life safety and frequent recurrence of violation. System of surveillance through technical methods is being implemented in most populous cities, namely Ankara, İzmir, İstanbul, Bursa, Gaziantep and Antalya, and within framework of assessments to be conducted; It is planned to extend this System to all provinces in the following years.

132. It is seen that model examples such as the use of electronic handcuffs by Turkey are effective in terms of ensuring the adoption of effective and rapid measures to protect the women victims of violence.

133. ‘Woman Support Application (KADES)’ which women victims of domestic violence and women victims of violence can download on their smart phones has been developed in this scope. With the application that has been developed so that women can reach Helpline 155 Police Emergency Call Centre. Calls for help are assessed immediately and team and patrol closest to the location of women demanding help is dispatched, and intervention is made in a speedy and effective way. Through the aforementioned application, it is possible that the calls of women victims of violence and under risk of violence are responded in the fastest way. Firstly, the law enforcement forces immediately intervene in the incident and provide necessary service; and then the notification is directed to the relevant units of the MoFLSS, ŞÖNİMs or Provincial Directorates of the MoFLSS provide counselling, consultancy and guidance support as well as strengthening and supportive Services for women victims of violence or under risk of violence and their accompanying children. As a result of assessment by the specialist staff, women are placed to the women’s shelters upon women’s free will as well.

E) OTHER MEASURES TAKEN OR ENVISAGED TO BETTER SAFEGUARD WOMEN

134. Turkey is aware of the importance of reflecting the achievements in the legal field to the practice. Within this framework, ‘‘Women’s Empowerment Strategy Paper and Action Plan’’ for the period 2018-2023, which was prepared very comprehensively in order to empower women in Turkey, have been enacted with the aim of strengthening women’s participation in economic and social life, ensuring that they enjoy rights, opportunities and facilities equally and incorporating gender equality into all main plans and policies.

135. Turkey is aware that one of the most significant tools to combat violence against women is incorporating the principle of zero-tolerance for violence against women into all relevant fields. To this end and with the perspective of protecting and empowering women, girls, children victims of violence, 3rd National Action Plan for Combating Violence Against Women (2016-2020) and Coordination Plan for Combating Violence Against Women (2020-2021), which involves the Ministry of Family, Labour and Social Services, Ministry of Justice, Ministry of Internal Affairs, Ministry of National Education, Ministry of Health and Presidency of Religious Affairs, have been drafted and robustly is being implemented

136. In order to examine acts of violence against women resulting in the death of women, as mentioned in Article 35 of GREVIO report, a working group composed of representatives of relevant bodies has been established under the coordination of the MoFLSS. Under the

scope of the initiative, it is aimed to analyse national legislation of different states and the EU states in particular in order to identify how the acts of violence against women resulting in death are covered particularly by criminal codes and other relevant legislation; to assess the implementation of appropriate, rapid and effective protection measures for women and the risk analysis and measures such as immediate enforcement of barring orders by comparing and analysing the femicide data and to analyse data on the investigation, trial and punishment of perpetrators of femicides. Within this scope, the resources proposed by GREVIO and other initiatives undertaken in this field in other countries have acted as a guide for the initiative carried out under the coordination of MoFLSS.

137. Another noteworthy development in the field of combating domestic violence and violence against women which was put in place by the Ministry of Justice is that the notification of the release of those convicted for domestic violence to the law enforcement officers⁹. According to this new practice, the release of those convicted for murder, sexual exploitation of minors, sexual assault and torment would be notified without delay by the penitentiary institution officials to the police officers located in the place where the person in question lives, with a view to necessary precautions and measures be expeditiously taken.

138. Furthermore, those who are in penitentiary institutions for violence against women are subjected to anger management programs by the institution's psycho-social service. If the psycho-social service considers that the person in question still has a tendency to violence and poses a potential risk to the victim(s), the relevant information is shared with the Provincial Directorate of Family, Labour and Social Services in order for the protective measures for the victim(s) to be planned ahead.

139. The authorities would also like to draw the Committee's attention to the fact that Ministry of Justice has at first stage set up, on 10 June 2020, in 105 courthouses "the Directorate for Legal Support and Victim Services" by virtue of the Presidential Decree No. 63 on "the Support of the Victims of Crimes". The aim of these Directorates are that the victims do not feel themselves alone in the course of judicial process. Within these directorates, forensic interview rooms (AGO) were established in order for the victim to express herself more comfortably in the courthouse without coming face to face with the defendant, under expert support and in private settings. The number of forensic interview rooms and the victims interviewed therein reached to 76 and 18.540 respectively.

140. Given the application time of the 3rd National Action Plan (2016-2020) is due to expire, preparation for a new one has started. The cooperation and exchange of views meetings which aimed at assessing the implementation of the current action plan and collecting the necessary information for a new one were held with the stakeholder institutions and organisations. It is envisaged that the 4th national action plan for combating violence against women (2021-2025) and its strategy paper will very soon be completed and be put in place.

141. When it comes to the effective and efficient implementation of the 3rd national action plan across the country, the provincial action plans for combating violence against women has been prepared in respect of the 81 provinces. In these actions plans which are in

⁹ <https://basin.adalet.gov.tr/siddet-faillerinin-tahliyesi-kolluga-aninda-bildirilecek>

effect as of August 2019, the following headings were covered: the effective application of the legislation, the awareness raising, the development of the institutional mechanisms, the comprehensive activities targeting the increase of the coordination and cooperation.

142. The Provincial Coordination, Monitoring and Evaluation Commission for Combating Violence against Women, set up in 2016, has been convening two times a year under the chairmanship of the city governor. Their meeting minutes are being transmitted to the Directorate General on the status of women, on the basis of which general monitoring reports are prepared.

143. What's more, 1.911.992 officials including 1.353.943 privates and non-commissioned officers, 56.000 public servants, 100.800 religious commissary, 145.907 health officials, 256.062 law enforcement officers were given trainings and seminars on combating violence against women since 2007.

F) MEASURES TAKEN TO COLLECT STATISTICS

144. The MoFLSS continues efforts to record the injunction orders ruled under the Law No. 6284 in a common data system through an integration activity between the institutions within scope of the activity that "Inter-institutional database will be built with the aim of effective monitoring of data on violence against women." in the 3rd National Action Plan on Combating Violence Against Women.

145. Data received from statistics produced within the scope of Law No 6284, is compiled upon gathering it from UYAP environment within scope of Judicial Databank. Statistics are produced according to breakdown of protective and preventive measures taken within scope of Law No 6284, whether these measures are taken upon demand or ex officio, in what capacity these measures are taken, reason of cancellation of these measures, department cancelling these measures, duration of measure, date of decision and measure cancellation decision. And with regards to system improvement Works. In doing so Turkey would be able to monitor and analyse information based on appropriate data collection including for which types of violence measures are taken, whether any measure is demanded by the victim or not, average period of protection order issued ex officio, renewal number of protection orders demanded by the same victim (or upon demand of authorities), number of protection orders given by law enforcement in case of an emergency, violation of protection orders (each of which are regulated by the Law No 6284) and whether sanctions are duly applied for all violations or not.

146. As of April 24, 2017, crime-victim matching was made, and the entry of data to the National Judiciary Informatics System (UYAP) was made compulsory.

IV. CONCLUSION

1. The Turkish authorities will maintain submitting further information on the individual and the general measures taken or envisaged to be taken in due process. In this respect, the CM will be kept informed on further developments.

TABLE concerning the data on the implementation of the Law No. 6284

The protective and preventive cautionary orders issued under the Law No. 6284 10.01.2016-12.10.2020					
Year	Protective / Preventive	Type of cautionary order	Number of Case	Number of Cautionary Order	Number of Person
2016	Protective	Hiding Personal Identity Information	850	1 048	951
		Determination of a separate residence	221	241	237
		Providing Health Services	73	74	73
		Change of identity and other relevant information and documents in accordance with the provisions of the Witness Protection Law	67	77	72
		Placing Family Residence Annotation on the Land Registry	38	38	38
		Changing the workplace	425	439	430
	Preventive	Not using alcohol or drugs or stimulants, or not approaching the protected persons and their places while under the influence of these substances, providing examination and treatment, including hospitalization in case of addiction	3 424	3 534	3 339
		Applying to a health institution for examination or treatment and providing treatment	1 458	1 488	1 426
		Handing over weapons that are legally permitted to be kept or carried to law enforcement	3 921	4 096	3 803
		Participation in Education and Rehabilitation Programs	40	40	40
		Personal relationship is accompanied by a companion, restricted or removed completely	517	546	513
		Do not approach the protected persons, their residences, schools and workplaces	55 372	58 232	50 551
		Do not damage personal belongings and household items of protected person	8 140	8 545	7 876
		Do not approach the protected person's relatives and children even if they have not been subjected to violence	30 649	32 217	28 631
		Not disturbing the protected person by means of communication or other means	19 187	20 319	18 237
		Attending Vocational Training Courses	1	1	1

		Removing the family house or its location and allocating it to the protected person	30 961	32 219	28 981
		Even if he performs a public duty that is obliged to carry a gun, s/he should deliver the gun to his institution	691	730	689
		Giving Alimony (Requirement of Law No. 4721)	153	155	152
		Monitoring with Technical Methods	28	28	26
		Not behaving violently or in a way which may cause fear	147 147	155 932	130 429
2016			301 413	319 999	276 495
2017	Protective	Hiding Personal Identity Information	1 467	2 189	1 896
		Determination of a separate residence	193	223	218
		Providing Health Services	38	39	38
		Change of identity and other relevant information and documents in accordance with the provisions of the Witness Protection Law	50	79	77
		Placing Family Residence Annotation on the Land Registry	40	42	42
		Changing the workplace	281	284	281
	Preventive	Not using alcohol or drugs or stimulants, or not approaching the protected persons and their places while under the influence of these substances, providing examination and treatment, including hospitalization in case of addiction	5 432	5 795	5 024
		Applying to a health institution for examination or treatment and providing treatment	3 206	3 404	2 808
		Handing over weapons that are legally permitted to be kept or carried to law enforcement	6 348	6 828	5 955
		Participation in Education and Rehabilitation Programs	23	24	23
		Personal relationship is accompanied by a companion, restricted or removed completely	1 139	1 256	1 046
		Do not approach the protected persons, their residences, schools and workplaces	76 131	83 527	70 143
		Do not damage personal belongings and household items of protected person	11 257	12 278	10 903
		Do not approach the protected person's relatives and children even if they have not been subjected to violence	46 382	50 949	43 389
		Not disturbing the protected person by means of communication	26 058	28 753	25 002

		or other means			
		Removing the family house or its location and allocating it to the protected person	37 859	40 459	35 592
		Even if he performs a public duty that is obliged to carry a gun, s/he should deliver the gun to his institution	1 693	1 858	1 425
		Giving Alimony (Requirement of Law No. 4721)	102	103	101
		Monitoring with Technical Methods	27	39	25
		Not behaving violently or in a way which may cause fear	159 127	175 444	143 762
2017 Total			374 575	413 573	347 750
2018	Protective	Hiding Personal Identity Information	2 609	4 206	3 580
		Determination of a separate residence	417	540	523
		Providing Health Services	37	40	40
		Change of identity and other relevant information and documents in accordance with the provisions of the Witness Protection Law	73	101	97
		Placing Family Residence Annotation on the Land Registry	45	45	45
		Changing the workplace	350	370	363
	Preventive	Not using alcohol or drugs or stimulants, or not approaching the protected persons and their places while under the influence of these substances, providing examination and treatment, including hospitalization in case of addiction	5 629	6 145	5 202
		Applying to a health institution for examination or treatment and providing treatment	4 103	4 389	3 639
		Handing over weapons that are legally permitted to be kept or carried to law enforcement	6 683	7 403	6 285
		Participation in Education and Rehabilitation Programs	53	55	55
		Personal relationship is accompanied by a companion, restricted or removed completely	1 159	1 314	1 118
		Do not approach the protected persons, their residences, schools and workplaces	96 718	108 266	89 835
		Do not damage personal belongings and household items of protected person	13 750	15 346	13 424
		Do not approach the protected person's relatives and children even if they have not been subjected to violence	59 608	66 541	56 328

		Not disturbing the protected person by means of communication or other means	35 508	40 120	34 536
		Attending Vocational Training Courses	5	6	6
		Removing the family house or its location and allocating it to the protected person	44 425	47 974	42 201
		Even if he performs a public duty that is obliged to carry a gun, s/he should deliver the gun to his institution	1 941	2 192	1 746
		Giving Alimony (Requirement of Law No. 4721)	129	132	130
		Monitoring with Technical Methods	65	82	60
		Delivery through law enforcement of personal belongings and documents to the relevant persons	141	144	140
		Not behaving violently or in a way which may cause fear	192 167	215 752	174 199
2018 Total			461 827	521 163	433 552
2019	Protective	Hiding Personal Identity Information	3 501	5 912	4 864
		Determination of a separate residence	298	414	390
		Providing Health Services	44	51	49
		Change of identity and other relevant information and documents in accordance with the provisions of the Witness Protection Law	51	70	64
		Placing Family Residence Annotation on the Land Registry	40	40	39
		Changing the workplace	315	326	319
	Preventive	Not using alcohol or drugs or stimulants, or not approaching the protected persons and their places while under the influence of these substances, providing examination and treatment, including hospitalization in case of addiction	4 763	5 185	4 566
		Applying to a health institution for examination or treatment and providing treatment	3 588	3 817	3 416
		Handing over weapons that are legally permitted to be kept or carried to law enforcement	7 325	8 291	7 163
		Participation in Education and Rehabilitation Programs	66	72	71
		Personal relationship is accompanied by a companion, restricted or removed completely	881	1 014	925
		Do not approach the protected persons, their residences, schools and workplaces	114 530	130 254	106 571
		Do not damage personal belongings and household items of	15 524	17 735	15 602

		protected person			
		Do not approach the protected person's relatives and children even if they have not been subjected to violence	68 185	77 123	64 801
		Not disturbing the protected person by means of communication or other means	45 265	52 445	44 537
		Attending Vocational Training Courses	7	7	7
		Removing the family house or its location and allocating it to the protected person	49 930	54 467	47 317
		Even if he performs a public duty that is obliged to carry a gun, s/he should deliver the gun to his institution	1 469	1 694	1 473
		Giving Alimony (Requirement of Law No. 4721)	202	204	200
		Monitoring with Technical Methods	85	108	79
		Delivery through law enforcement of personal belongings and documents to the relevant persons	321	330	322
		Not behaving violently or in a way which may cause fear	209 052	238 843	189 679
		2019 Total	520 940	598 402	492 454
2020	Protective	Hiding Personal Identity Information	3 492	5 875	4 904
		Determination of a separate residence	318	465	434
		Providing Health Services	29	30	28
		Change of identity and other relevant information and documents in accordance with the provisions of the Witness Protection Law	55	74	73
		Placing Family Residence Annotation on the Land Registry	39	40	39
		Changing the workplace	349	362	353
	Preventive	Not using alcohol or drugs or stimulants, or not approaching the protected persons and their places while under the influence of these substances, providing examination and treatment, including hospitalization in case of addiction	4 992	5 293	4 794
		Applying to a health institution for examination or treatment and providing treatment	2 269	2 350	2 200
		Handing over weapons that are legally permitted to be kept or carried to law enforcement	8 153	9 436	8 219
		Participation in Education and Rehabilitation Programs	86	89	88
		Personal relationship is accompanied by a companion, restricted or removed completely	880	964	897

	Do not approach the protected persons, their residences, schools and workplaces	117 724	135 233	110 142
	Do not damage personal belongings and household items of protected person	12 397	14 527	12 618
	Do not approach the protected person's relatives and children even if they have not been subjected to violence	76 647	87 684	73 196
	Not disturbing the protected person by means of communication or other means	37 906	44 813	37 694
	Attending Vocational Training Courses	3	3	3
	Removing the family house or its location and allocating it to the protected person	49 466	53 975	46 654
	Even if he performs a public duty that is obliged to carry a gun, s/he should deliver the gun to his institution	1 258	1 444	1 277
	Giving Alimony (Requirement of Law No. 4721)	162	165	158
	Monitoring with Technical Methods	223	285	209
	Delivery through law enforcement of personal belongings and documents to the relevant persons	484	502	491
	Not behaving violently or in a way which may cause fear	210 341	240 659	193 439
	2020 Total	522 724	604 268	497 910