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PRESS RELEASE OF THE APPLICATION SUBMITTED TO THE COUNCIL OF STATE BY REPUBLICAN PEOPLE’S PARTY WOMEN’S WINGS AGAINST THE DECISION TO WITHDRAW FROM ISTANBUL CONVENTION.....3

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29.03.2021

Press release of the application submitted to the Council of State by Republican People's Party Women's Wings against the decision to withdraw from Istanbul Convention

Distinguished Members of the Press,

As the Women's Wings Headquarters of the Republican People's Party (CHP), together with the Provincial Heads of Women's Wings coming from 81 provinces and the members of Women's Wings Central Administrative Board, we are gathered here to announce our application submitted this morning to the Council of State regarding the Istanbul Convention. We have with us our Deputy Chairpersons, Group Deputy Chairpersons, Members of the Party Assembly, Members of the Parliament, Members of the High Disciplinary Board, Ankara Provincial Chairperson and provincial administrators.

As the Republican People's Party family, our position on the Presidential decision to abolish the Istanbul Convention on the part of the Republic of Turkey is very clear: This decision is null and void!



Distinguished Members of the Press,

The full name of the "Istanbul Convention", which has been unreasonably distorted, targeted and discredited in the public eye for some time now, is the "Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence". It was the middle of the night when we learned about the attempt to abolish the Convention on the part of the Republic of Turkey. Signed by Erdoğan, the decision was

published in the Official Gazette on March 20th. This one-sentence decision does not contain any justification, nor an explanation...



During Erdoğan's rule in the last 18 years, at least 7,500 women were murdered simply because they were women. Less than 12 hours after the announcement of abolishment, which we do not and will not recognize, six more women have been killed.

It is exactly for this reason that the Istanbul Convention is a lifesaver for women. As women who have received equal rights much earlier than in many developed countries in the world thanks to our founding father Mustafa Kemal Atatürk, will never allow our rights to be hijacked.

A smear campaign is being carried out based on false statements about the Convention. Now allow us to talk about some lies that are thought to be true, along with the real facts:

- It is claimed that the Convention promotes homosexuality. As mentioned by Lawyer Özlem Zengin, the Deputy Chairperson of Justice and Development Party (AKP), there is no provision in the Convention that promotes homosexuality. It must be stated clearly that the Convention guarantees the rights of all victims without discrimination on any ground. It upholds the human rights of everyone, including LGBTi+ people.
- It is argued that a vast majority of the society is disturbed by the Convention, and they want it to be abolished. The truth is, contrary to this claim, there is a high level of support in the society for the Istanbul Convention. According to a survey conducted in July 2020, 64% percent of the respondents are in favor of the Convention*.

- It is argued that there are reactions from people all over the world. However, as this Convention is the most comprehensive convention that has a policy of zero tolerance to violence, it is regarded as the “gold standard” not only in Europe but also worldwide. So far, 45 countries and the European Union have signed the Convention. Efforts are underway to increase the number of signatory countries.
- It is claimed that because of the Convention, men are put in prison solely upon women’s testimony, without requiring any other evidence. However, according to the Convention the only decision that can be rendered upon women’s testimony is the decision to issue an “injunction”, and no prison sentence can be issued upon women’s testimony.
- It is claimed that the Convention increases divorces. There’s no provision in the Convention that encourages marriage or divorce. The main reason for divorce is domestic violence.
- It is argued that violence has increased because of the Convention. Yet, the Convention has not increased violence, but has made it visible.
- It is argued that the Convention is against our customs, our culture, and it is not compatible with our society. However, violence against women cannot and should not be a custom in this country.
- It is argued that because of the Convention, women are able to get protection measures issued arbitrarily and that there should be a limit to that. However, the applications of 41,383 women who filed for a protection measure were denied in 2019. Thousands of women were subjected to violence and killed because no protection measure was issued.
- It is argued that the Convention victimizes men. However, there is no sanction provided in the Convention against men who do not inflict violence. Those who have received restraining orders are violent and threatening offenders.

Distinguished Members of the Press,

I was an MP in 2011, the year when the Convention was signed, and also in 2014, when it was ratified by the Parliament. At that time, we all supported the Convention without distinction between political parties, and we ratified it at the Parliament by a large consensus, and not even one member of the parliament voted against it. But then what happened? One night, without negotiating with anyone, without asking for the opinion of women or women’s organizations, with a baseless decision that was announced abruptly, we were told that we are no longer a party to the Istanbul Convention. But is that really the case?

Just examine the decision signed by Erdoğan. The decision reads: “The Convention signed on 11.05.2011 and approved by the decision of the Council of Ministers”. They are trying to conceal and confess something. The ratification of this Convention was approved by Law No. 6251. Is there any reference to this Law in the decision? No! So why isn’t it referred to? They are also very well aware that without reference to the Law, the President’s decision shall not be valid.

Our Constitution provides for the ratification of international conventions on fundamental rights by a law to be enacted by the Grand National Assembly of Turkey and has conferred this task principally to the Parliament. It was like this before and it is like this now. Can we pull out of a Convention to which we joined by a Law, with an administrative decision? Of course not.

They argue, "You do not know the first thing about law. You should read Article 3 of the Decree No. 9." Our answer to these arguments is very clear: We have read both the Decree in question and its Article 3, and we know it. What about you, have you read the Constitution? Show us where in the Constitution it says that the President is assigned with such authority! Show us, without cutting corners, without making a fuss.

You cannot show it. All you can say is that, it is in Decree No. 9. *"The authority used to belong to the Council of Ministers, now it belongs to the President"*. Do you know what they would say to that in the old times? They would say "a bad example doesn't set an example". This rule has been wrong all along, so it will not help you.

You have made a huge mistake, both in principle and in procedure. You will come to realize that in time. Instead of asking yourselves "What can we do to keep women alive?" in a country where one woman is murdered every single day, you have put women and children in a psychologically vulnerable position because of your ideological obsessions, your outdated conspiracy theories and by trying to design politics in your own way!

After the Presidential decree was published in the Official Gazette, as CHP, we announced that we would take this decision to the Council of State. We underlined that we would not allow the re-murdering of thousands of women who were killed in their homes, the safest place for them to be, or even out in the streets, despite protection measures and restraining orders. We would like to announce that we have submitted an application to the Council of State as of this morning.

As CHP Women's Wings, with this case we have filed to the Council of State, we expect the functioning of the rule of law to be proven and demand the immediate reversal of this decision which cannot be justified by any means.

It should be known very clearly that the Istanbul Convention is in force. The Istanbul Convention, which was unanimously enacted by all parties in the Parliament, cannot be annulled by ignoring the will of the Grand National Assembly of Turkey, in other words, the will of the nation. Turkey cannot pull out of an international Convention to which it is the first signatory, by legislative procedures that do not exist. This practice is anti-constitutional. There is no other precedent in the world or among member states of the Council of Europe of withdrawing from a human rights convention which is named after its own city and which has the purpose of protecting women from violence, in such a way that is against both the domestic law and the international law. There cannot be!

The "Law on the Protection of Family and the Prevention of Violence Against Women" No. 6284, which was prepared on the basis of the Istanbul Convention, is in force. The Law No. 6251 on the approval of the ratification of the Istanbul Convention is in force. We call on all judicial bodies to continue to recognize the effectiveness of the Istanbul Convention in domestic law as it has been the case so far, and to carry on with the decisions and practices aimed at improving the protection it provides, by making direct reference to this important Convention, which is very effective in preventing violence against women.

After all, the life of even one single woman precedes and matters more than your meaningless politics. When our party comes to power in the first elections, it will fully comply with the requirements of the Convention.

As the Republican People's Party, we will not allow 42 million women to be stripped of their right to life. Indeed, the YaşamHak (Right to Life) project, which we started implementing in our headquarters, serves precisely this purpose. In addition, our Party Program envisages that all measures to stop violence against women should be taken without delay. Also, the "Call for the Second Century Declaration" adopted by the CHP at its last Convention emphasizes equality of opportunity between men and women, defines women's rights as a human rights issue and rejects the notion that men and women are not equal.

One of the founding objectives of CHP Women's Wings is "To ensure the implementation of gender equality in all walks of life, to fight for the prevention all forms of violence against women, to lead the women's movement by contributing to the participation of women as free and equal individuals in all areas of social life...". In other words, it is the duty of CHP and the CHP Women's Wings to defend and protect the human rights of women. Therefore, as CHP Women's Wings, we are exercising our right to due process against this decision, which constitutes a violation of our interests.

Let us repeat: the blood of every sister who has been murdered, is now in the hands of those who are trying to annul this Convention.

And looking at the one-man government, we shout out "Women are greater than one". We do not and will not recognize Erdoğan's decision to withdraw from the Istanbul Convention by ignoring the law and the nation's will.

By the virtue of our relentless struggle carried out with an awareness of solidarity, we will be a party and remain a party to this Convention, and its requirements will be fulfilled so that every inch of our country will be a safe place for women and children. Again, we repeat: The Istanbul Convention saves lives!

*<https://konda.com.tr/rapor/istanbul-sözleşmesi/>