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**MIGRANT WOMEN’S SHELTERS: A COMPARATIVE
ANALYSIS OF GERMANY AND TÜRKİYE**

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MIGRANT WOMEN’S SHELTERS: A COMPARATIVE ANALYSIS OF
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I hereby declare that all information in this document has been obtained and presented in accordance with academic rules and ethical conduct. I also declare that, as required by these rules and conduct, I have fully cited and referenced all material and results that are not original to this work.

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ABSTRACT

MIGRANT WOMEN’S SHELTERS: A COMPARATIVE ANALYSIS OF GERMANY AND TÜRKİYE

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The intersection of migration and domestic violence is a crucial field in migration studies, however, some aspects have not yet been addressed. This study analyzes the role of women's shelters in supporting immigrant women in Germany and Türkiye through an analysis of the historical process, national and international policies, and institutional frameworks. The study takes intersectional theory as its theoretical underpinning, which argues that women are oppressed by not only gender but through the intersection of multiple identities, such as migration statuses. This theory also discusses the challenges that immigrant women experience with violence, as well as the challenges faced by intersecting identities in political and structural contexts.

The thesis aims to understand the differences between the practices in Germany and Türkiye and to analyze the protection mechanisms immigrant women have against domestic violence. Thus, the qualitative comparative analysis method is used to compare women's shelters for immigrant women in Germany and Türkiye. Within the scope of the method, historical time, legal protection, the status of shelters, and the GREVIO reports on the Istanbul Convention were identified as factors. In Germany, the needs of immigrant women in women's shelters are more often addressed in the context of intersectionality. There are specialized services and efforts to address language barriers and special needs. However, it is not yet possible to talk about an intersectional approach for shelters in Türkiye. Although both countries have measures to address domestic violence, there are bureaucratic barriers and inclusion gaps for immigrant women in Turkish shelters.

In this context, by positioning women's shelters as key protection centers, this research contributes to a comparative debate between Germany and Türkiye on the provision of inclusive and accessible support services for immigrant women.

Keywords: Domestic violence, migration, women's shelters, immigrant women, intersectionality

ÖZET

GÖÇMEN KADIN SIĞINMA EVLERİ: ALMANYA VE TÜRKİYE ÜZERİNE KARŞILAŞTIRMALI BİR ANALİZ

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Göç ve aile içi şiddetin kesişimi göç çalışmalarında önemli bir alandır, ancak bazı yönleri henüz ele alınmamıştır. Bu çalışma, kadın sığınma evlerinin Almanya ve Türkiye'deki göçmen kadınları desteklemedeki rolünü tarihsel süreç, ulusal ve uluslararası politikalar ve kurumsal çerçeveler üzerinden analiz etmektedir. Çalışma, kadınların sadece cinsiyetleri nedeniyle değil, göçmenlik statüleri gibi çoklu kimliklerin kesişimi yoluyla da baskı altında tutulduğunu savunan kesişimsel teoriyi teorik dayanak olarak almaktadır. Bu teori aynı zamanda göçmen kadınların şiddetle ilgili yaşadıkları zorlukların yanı sıra siyasi ve yapısal bağlamlarda kesişen kimliklerin karşılaştığı zorlukları da tartışmaktadır.

Tez, Almanya ve Türkiye'deki uygulamalar arasındaki farklılıkları anlamayı ve göçmen kadınların aile içi şiddete karşı sahip oldukları koruma mekanizmalarını analiz etmeyi amaçlamaktadır. Bu bağlamda, Almanya ve Türkiye'deki göçmen kadınlara yönelik kadın sığınma evlerini karşılaştırmak için nitel karşılaştırmalı analiz yöntemi kullanılmıştır. Yöntem kapsamında, tarihsel süreç, yasal koruma, sığınma evlerinin

durumu ve İstanbul Sözleşmesi'ne ilişkin GREVIO raporları faktörler olarak belirlenmiştir. Almanya'da kadın sığınma evlerinde göçmen kadınların ihtiyaçları daha çok kesişimsellik bağlamında ele alınmaktadır. Dil engellerini ve özel ihtiyaçları ele almak için özel hizmetler ve çabalar bulunmaktadır. Ancak Türkiye'deki sığınma evlerinde kesişimsel bir yaklaşımdan bahsetmek henüz mümkün değildir. Her iki ülkede de aile içi şiddeti ele alan tedbirler olmasına rağmen, Türkiye'deki sığınma evlerinde göçmen kadınlar için bürokratik engeller ve kapsayıcı eksiklikler bulunmaktadır.

Bu bağlamda, kadın sığınma evlerini kilit koruma merkezleri olarak konumlandıran bu çalışma, göçmen kadınlar için kapsayıcı ve erişilebilir destek hizmetlerinin sağlanması konusunda Almanya ve Türkiye arasında karşılaştırmalı bir tartışmaya katkıda bulunmaktadır.

Anahtar Kelimeler: Aile içi şiddet, göç, kadın sığınma evi, göçmen kadın, kesişimsellik

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To Myself...

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LIST OF ABBREVIATIONS

AKP	Adalet ve Kalkınma Partisi (Justice and Development Party)
ASHB	Aile ve Sosyal Hizmetler Bakanlığı (Republic of Türkiye Ministry of Family and Social Services (MoFSS))
BMFSFJ	Bundesministerium für Familie, Senioren, Frauen und Jugend (The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth)
BKA	Bundeskriminalamt (Federal Criminal Police Office)
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
EU	European Union
FHK	Frauenhauskoordinierung (The Association of Women's Shelters)
GDR	German Democratic Republic (East Germany)
GREVIO	Group of Experts on Action against Violence against Women and Domestic Violence
IC	Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)
ICMPD	International Centre for Migration Policy Development
IOM	International Organization for Migration
KSGM	Kadının Statüsü Genel Müdürlüğü (Directorate General on the Status of Women)
NGO	Non-Governmental Organization
OECD	Organisation for Economic Co-operation and Development

QCA	Qualitative Comparative Analysis
PMM	Republic of Türkiye Ministry of Interior Presidency of Migration Management
SED	Socialist Unity Party
UN	United Nations
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
VPMCs	Violence Prevention and Monitoring Centers
WAVE	Women Against Violence Europe
WHO	World Health Organization

CHAPTER 1

1. INTRODUCTION

Violence against women is an issue that has been hidden and ignored in the context of the historical process, but it has evolved into a reality that has been addressed in the national and international arena (García-Moreno, Zimmerman, et al., 2015). It has both long-term and short-term physical and psychological effects on women. Besides, it can also economically impose difficulties on women. Therefore, discussing violence against women as a violation of both social and human rights is a significant issue. Violence against women is deep-rooted in gender and power inequalities, and one of the most common forms of this inequality shows itself as domestic violence. Domestic violence includes “physical, sexual, psychological, or economic violence” (Istanbul Convention, 2011:3) against women in their closest relationships, often by a spouse or partner which affects women’s rights and freedom (Kaur & Garg, 2008; Kapoor, 2000). A husband, partner, or other family members, generally male members perpetrate violence and exert pressure on women through a patriarchal structure (Dobash & Dobash, 1998). The inadequacy of systemic deficiencies in preventing violence and oppression brings the approach and importance of this issue to the forefront both internationally and nationally.

The awareness of violence against women in the international arena has emerged with the development of feminist movements in countries. The second-wave feminist movement of the late 1960s and early 1970s brought about strategic efforts to address violence against women, and during this period awareness of women's shelters began to develop. The strategic goal was to ensure that women and their accompanying children were provided with a safe place to live that would protect them from the traumas they experienced within the family. For this reason, women's shelters began to be opened across countries and were first established in London in 1972. Subsequently, they were founded in Berlin in 1976, Australia in 1978, and Sweden in 1979 (Logar; 2022:12). Following time,

the third-wave feminist movement focused on social rights and equality which gave rise to a new theory of feminist scholars to explain how the combination of a person's various identities creates social oppression and discrimination (National Women's History Museum, 2020, June 23; Zack, 2007). As identities started to be emphasized more by the feminist movement, Kimberlé Crenshaw (1991) introduced the intersectional feminist theory. She focuses on the causes of oppression of women not only by their gender but also by their color, race, migration background, and any other related differences. She also highlights the oppression and discrimination experienced by immigrant women due to their multi-identity intersections. To better understand this, it is necessary to comprehend the political and structural intersectionality in Crenshaw's theory.

Crenshaw (1991) focuses on the profound inequalities grounded on race, gender, class, sexuality, or migrant status and the presence of multiple forms of pressure, simultaneously overlapping to understand the relationships between them. *Structural intersectionality* addresses the dependence of immigrant women on their husbands, either because they are married for citizenship or because they settle with them in the host country. In such a situation, if a woman also faces a language barrier and is subjected to domestic violence, she will find it difficult to ask for help from society. *Political intersectionality* explains that institutional policies are not adequately equipped for immigrant women and lead to further discrimination against those who are subjected to violence. Besides cultural stereotypes create obstacles to understanding the needs of immigrant women (Crenshaw, 1991; Bilge & Denis, 2010). Various steps have been taken over time to establish ways and mechanisms for immigrant women to combat domestic violence in their country of residence. However, crucial steps in the international area began by recognizing violence against women. For instance, in "1981, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)" was ratified. It accepts violence as a form of discrimination and sets standards to protect women, but gaps in recognizing women's strengths and needs remain in practice (WAVE, 2018). The most

fundamental obligation that this Convention places on States Parties is the requirement to keep data on violence and to report this to legislation and protection services. Apart from this, various developments have also taken place in the international arena.

In 1993, NGOs working in the field of women's issues united to defend women's rights at Vienna's United Nations World Conference on Human Rights. At this conference, European activists noticed that women's organizations in Latin America were better organized in transnational networks than in Europe. This observation provided the impetus to establish the European Network Women Against Violence Europe¹ (WAVE) in 1994 (Logar, 2022). WAVE is gathering data and publishing regular reports on women's support services in Europe to ensure a more consolidated European network for its work on violence. Thereafter, in 2011, the Istanbul Convention (IC) was adopted, emphasizing *the prevention of violence, protection of survivors, prosecution of perpetrators, and implementation of coordinated policies* (Istanbul Convention, 2011). The Convention requires state parties to develop corresponding policies and institutional cooperation and ensure that the rights of survivors of violence are centralized. Extensive data collection, research, survivor support services, and effective investigation processes are required on a general spectrum. Considering Europe's most comprehensive legal framework, it necessitates states to provide accessible and trained support services (Istanbul Convention, 2011; Vatavu, 2023). In such a case, both CEDAW and the IC highlight the responsibilities of states to prevent violence and increase protective factors. They also emphasize systematic data collection, policy development, and institutional capacity building to address cases of violence (Arat, 1994; OECD, 2021; Kocabay et al., 2022; Council of Europe, n.d.).

¹In order to get more information about the WAVE its official website (<https://wave-network.org>) should be visited. It is important to note that the WAVE has 179-member organizations in 46 EU countries where Germany and Türkiye also have member organizations.

While international awareness of women survivors of violence has increased over time, the most critical gap is that the needs of survivors are often not adequately recognized. This is related to the measures and capacity-building policies taken by countries, but also to how they have dealt with violence historically. Service providers, including police and social services, frequently fail to respect survivors' concerns, and simultaneously, women seeking support can face mistrust, victim-blaming, and inadequate responses from authorities. Furthermore, marginalized women, such as undocumented migrants or women with disabilities, face even more significant challenges in accessing appropriate support (WAVE, 2018). In this context, it is necessary to mention the overarching protection factors of the Istanbul Convention, which emphasize the intersection of women's multiple identities, such as both gender and migration status. Furthermore, in terms of inclusiveness and protection, women's shelters stand out as important organizations.

One of the protection mechanisms emphasized by the Istanbul Convention (IC) is women's shelters, which support a range of services, such as providing safe spaces where women who are experiencing violence can apply and receive inpatient services. However, this is not the first time the IC has proposed these institutions. Each country has opened such institutions according to its standards and history of violence. Administrative processes also vary in countries and are usually carried out by the central state administration, local authorities, and civil society organizations. For greater inclusiveness and specific standards, the IC sets out general characteristics for these inpatient institutions and emphasizes their importance for state parties. For instance, Article 22 of the Convention articulates that state parties should provide, “immediate, short and long-term specialist support services to any victim subjected to any of the acts of violence” (Council of Europe, 2011:8) including women’s shelters and take various legislative and related measures (Council of Europe, 2011). Article 23 commits the state parties to provide safe accommodation for women and their children in

shelters and to take legislative and associated measures to ensure their adequate number and accessibility (Council of Europe, 2011, 2022).

In more detail, women's shelters are inpatient centers where women can apply without having to prove the violence they have been subjected to. The length of stay should allow women and accompanying children to stay as long as they need without causing any pressure. While staying in shelters, women should also receive a range of support to enable them to build an active and independent life. From arrival at the shelter, crisis support should include individual counseling, legal advice, and health services. Additionally, it should consist of support for the role of motherhood, assistance in areas such as housing, financial matters, employment, and education, and appropriate support for migrant, refugee, ethnic minority, and disabled women to ensure access to cultural, sporting, and leisure time activities (WAVE, 2017). In simpler terms, the services provided to women and their accompanying children during their stay should be comprehensive, holistic, and supportive of building an independent life. The role and importance of shelters play an important role within this context. However, access to and knowledge about shelters is a challenge even for native women, while for immigrant women there are additional barriers. The experiences of women with migration backgrounds when they are subjected to violence cause them to struggle with multiple challenges. Violence that manifests itself during or after the migration process can affect women's lives psychologically, economically, or physically. Immigrant women may have difficulties accessing social service centers or adequate mechanisms due to cultural and language barriers (Ciurak, 1985). Moreover, they are reluctant to report violence if they are undocumented or dependent on the perpetrator (OECD, 2024). In order to protect immigrants struggling with domestic violence, there should be services to raise awareness, ensure that survivors report violence without stigmatization, and provide sustainable protection measures. It is also important to develop monitoring activities to better recognize the range of violence and best tailor the policy response (OECD, 2024).

When all these are taken into consideration, it is understood that there is limited research on immigrant women's access to protection mechanisms. For this reason, the question of how policies and practices for women with a migration background differ in countries was emphasized at the beginning of the thesis. Since shelters are recognized as a mechanism for protection and support, the main concern of the thesis is the accessibility of immigrant women to them. Adequate language facilities and the system's support for women's accessibility to protection and prevention mechanisms are accepted as factors. Thus, this thesis presents a comparative analysis of women's shelters considering intersectional feminist theory in Germany and Türkiye. It focuses on the practical and structural conditions of the shelters that are providing specialized services for women with a migration background. Therefore, to avoid misunderstandings, rather than mentioning refugee women, migrant women, or asylum seeker women I will use immigrant women to refer to all those who have a migration background and are faced with domestic violence in the host country.

Of the countries with a history of migration and host country characteristics, Germany and Türkiye are selected as cases. In both countries, attitudes towards violence that started with the feminist movement have changed over time. The adoption and execution of the Istanbul Convention and the related Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) reports are important indicators. Although Türkiye withdrew from the convention, it recognized domestic violence in its national law and created a legal framework accordingly. In Germany, this protection is not based on a national law but directly on the Istanbul Convention. Both countries also have high levels of migration flow. While Germany has been experiencing intensive migration since the 1960s with the initiatives on labor migrants, Türkiye faced a mass influx in 2011 with the Syrian crisis. The fact that Germany's migration flow started earlier in the historical process compared to Türkiye has caused it to develop more in migration governance. Cooperation with non-governmental

organizations and more extensive work on violence against women and domestic violence are also factors that have influenced its improvement.

The research question is “*How do women's shelters in Germany and Türkiye differ in their effectiveness in supporting immigrant women?*” Accepting this as the main research question the sub-question asks “*What institutional, social, and policy factors influence women's shelters in Germany and Türkiye?*”. The thesis uses Qualitative Comparative Analysis (QCA) as a research method. In this way, in-depth knowledge in each case has been analyzed and the results of the mixed situations in the countries have been examined. To answer these questions, firstly, the literature on the subject was reviewed. It was determined which factors are considered in similar studies and which ones create a gap. Chapter II constitutes the literature review of the thesis and includes previous studies, the theoretical background of the thesis, and international measures and conventions related to violence. Details of the Istanbul Convention, which is crucial for intersectionality, are detailed. Chapter III discusses the methodology used in the research and development of this thesis. How qualitative comparative analysis fits into this thesis and why it was chosen is the subject of this chapter. As specified in the methodology chapter, it requires identifying factors about cases. Since this study focuses on immigrant women and domestic violence, the common characteristics of the countries are selected based on their attitudes toward domestic violence.

Chapter IV examines the role of the feminist movement and the relationship between civil society and the state in the historical process of violence against women and domestic violence in Germany and Türkiye. In this context, the historical process in Germany and Türkiye is discussed, considering the feminist movements on violence against women. It is seen that even though Germany and Türkiye have some similarities in feminist grassroots in the historical process, Türkiye’s monopolized structure has created significant challenges over time. An essential difference between the two countries is that while Germany's

studies on migration and violence against women have existed in the historical process, this situation has not yet developed in Türkiye. The collaboration between a strong civil society movement and the state structure has resulted in progress in addressing violence against women in Germany, along with the establishment of specialized organizations aimed at supporting immigrant women.

This chapter provides a detailed analysis of women's shelters that offer protection to women who are exposed to violence. These protective structures, which were brought to the forefront by the feminist movement, have become widespread in countries over time. Women's shelters are one of the most fundamental practices included in the Istanbul Convention, which establishes a system for women to be away from violence, to meet their accommodation needs, and to create their future in a safe space. In Germany and Türkiye, women's shelters have existed under the leadership of the feminist movement and the work of NGOs has ensured that the state has also understood this structure. From this point of view, access to women's shelters is taken as the main outcome of the thesis and a detailed analysis of the issue is presented in this section. Beginning with the historical process, Chapter IV follows with the legal measures taken against domestic violence in both countries and their intersections with immigrant women. Then, the relationship of both countries with the Istanbul Convention, the most comprehensive international convention to prevent violence against women and domestic violence, is examined. A review of the GREVIO reports which was established in connection with the existence of this convention, is presented as the last title in this section.

Chapter V discusses the strengths and shortcomings of the two countries by presenting a comparison of the historical process, feminist movements, the special situation of women's shelters for immigrant women, legal structure, the Istanbul Convention, and GREVIO reports, which were identified as factors of the thesis. Under these circumstances, it is understood that Germany's shelter

practices for immigrant women have a more historical structure in terms of migration and the cooperation of feminist movements with the state. This is a factor that explains why it has a better-designed and well-established structure.

In conclusion, this thesis highlights the successes and challenges of women's shelters in Germany and Türkiye as one of the most important protection mechanisms against violence. By comparing the practices in the two countries, it evaluates best practices for immigrant women in this field. Accordingly, it discusses the problems and successes in the countries and makes recommendations.



CHAPTER II

2. LITERATURE REVIEW

In this chapter, I will discuss violence and intersectionality, how political and structural forms shape violence, and how this is addressed in identity intersections. Within this scope, intersectional feminist theory, which is prominent in the chapter and constitutes the theoretical background of the thesis, is elaborated. Intersectional feminist theory was first introduced by Crenshaw. She states that women's discrimination is not only gender specific but also due to other multiple identities like their migration statuses. In addition, due to the language barrier and unfamiliarity of the support systems immigrant women experience difficulties on both structural and political levels when they are subjected to domestic violence. In the context of this thesis, Crenshaw's theory of intersectionality suggests that women are discriminated against not only because they are women but also the intersection of their immigrant status, which supports the perpetuation of violence. Thus, it provides a comprehensive theoretical background for understanding the challenges immigrant women face from the individual to the institutional level.

This chapter then analyses how practices have been taken to address domestic violence against women in international migration governance mostly by discussing the IC and the GREVIO, which align with the concept of intersectionality.

2.1 Domestic Violence Against Women

Domestic violence is a global concern that includes a diverse combination of factors at the individual and societal levels (Richardson & Feder, 1996). Individual causes of domestic violence include issues such as psychological disorders, while the social layer includes factors such as gender inequality and discrimination (McNeely et al., 2001). Among the most sensitive aspects of

defining domestic violence is to focus on women's well-being and being free from power relations and social pressures (Muehlenhard & Kimes, 2014). Domestic violence is characterized as the physical, sexual, economic, or psychological acts of one partner against another in a controlling and power relationship (WHO, 2012). It comprises types of abuses; including verbal, emotional, sexual, economic, spousal and partner violence, genital mutilation, prostitution, stalking, rape, and murder (Burgess, 1996; Dobash & Dobash, 1998; Angello, 2014). Commonly, husbands, male intimate partners, or other male family members (WHO, 2021) perpetrate violence. In such a case, women's equality, freedom, and dignity are violated and this is considered as a violation of human rights (Kapoor, 2000; Agnello, 2013).

Galtung (1969), who theorized all systematic structures of types of violence, introduced the triangle of violence approach. According to him, cultural and structural violence leads to direct violence, which is visible. Cultural violence consists of beliefs and attitudes that have been taught since childhood through socialization. This violence surrounds people in their everyday lives and creates a power relationship. Structural violence is the denial of rights and freedoms by a group based on its power over relevant factors such as gender and minorities (Galtung, 1969). Structural violence can refer to the broader concept of poverty, social exclusion, and sexism (Dilts et al., 2012). The cultural imposition of gender roles on individuals from birth, the acceptance of men as the head of the family, and the support of unequal policies in social, economic, and political fields (Wild, 2020) create a pathway for direct violence against women.

Additionally, Galtung's (1969) structural violence refers to situations in which gender inequality and minority rights are systematically ignored or denied, and individuals are prevented from accessing their fundamental rights, while cultural violence is fostered by social norms and ideologies that legitimize and perpetuate these injustices (Dilts et al., 2012; Wild, 2020). As an individual-level reflection of these two forms of violence, domestic violence reinforces violations of rights,

especially against women and minority groups, and makes them even more invisible within the social structure. Even though a family, the smallest entity of society (Öztürk, 2014), is a place where individuals can feel love, safety, and trust, it is also a place where violence can manifest itself with severe destruction. Violence within the family is predominantly perpetrated by men against women (Kapoor, 2000), with power and control being central factors in this dynamic (Hamberger et al., 2017). Regardless of country, culture, and socio-economic differences, violence can exist in every part of a woman's life (Casique Casique & Furegato, 2006).

Factors such as limited policy structures, gender-specific socialization, access to education, and women's economic dependence on their husbands are factors in the prevention of domestic violence (Heise et al., 1994). The diversity of women is one of the matters that should be considered in studies conducted in this scope. Therefore, it is necessary to understand and analyze the needs of women with different identity intersections (Lockhart & Danis, 2010), including migrant women.

2.2 Domestic Violence against Immigrant Women

Immigrant women who have experienced physical, sexual, verbal, psychological, or economic violence struggle with various traumas and difficulties just like native women (Ciurak, 1985; Erez, Adelman, & Gregory 2009). However, they are disadvantaged because of a lack of language skills and unfamiliarity with the structural order they are in. The persecution of women becomes even more silent due to the structural features. Generally, social services, law enforcement, and legal systems cannot handle a multicultural society (Ciurak, 1985). In addition to structural problems, normative gender hierarchies, patriarchal systems, and gender inequality reveal that women also suffer social injustice (Hunnicut, 2009).

When unequal life chances (Galtung, 1969) intersect with migration, women's experiences become more complex.

“On the structural side, gender relations within or around migration systems were seen as structurally pre-fixed so that the gender-specific modes of inclusion or exclusion of migrants were just one additional aspect of the systemic production of inequality” (Bürkner, 2012:198).

Cultural and structural violence theory is cohesive in migration research, especially in immigrants' access to resources, health, safety, housing, education, and social services (Schneider et al., 2017; Peters, 2021). Ciurak (1985) states that most immigrant women have difficulties accessing information due to their limited education, low literacy rates, and lack of language skills. In this case, women are unaware of social service mechanisms and emergency shelter centers.

Furthermore, regarding migrants' conditions by gender, Bui and Morash (1999) claim that immigrant women are more disadvantaged than immigrant men concerning social equality and accessibility to resources. Although they are aware of their rights and available social services, they are unable to access these services as they are dependent on their spouses or partners. Their dependency consists of various issues such as economic dependence on their husbands, legal status, or fear of losing their children (Ciurak, 1985; Crenshaw, 1991). Besides, the host society's stereotypical judgments of the immigrant community pay no attention to patriarchal power and accept violence as a cultural norm. The social role of women in immigrant communities is another important aspect, as in some groups women's behavior within the family is considered a moral indicator. During the acculturation process in new settlements, immigrant communities expect women to conform to traditional gender roles in their behavior (Espín, 2013). Under these conditions, immigrant women are oppressed by society's expectations of gender roles.

There have been so many explanations or studies about reasons for domestic violence against immigrant women. For instance, McIlwaine (2023), who analyzes the reasons why immigrant women are exposed to domestic violence, mentions in her article that immigrant women cannot easily access job opportunities because of their lack of language proficiency. Therefore, they lead a life dependent on their husband or partner. In addition to that, Erez, Adelman, and Gregory (2009) claim that immigrant women's experiences of domestic violence are often characterized by difficulties in accessing legal, economic, and social services. On the one hand, some women are dependent on the abuser, both economically and due to their migration status; thus, they have to or might choose not to report. On the other hand, due to the lack of availability or capacity of social services and support, women cannot get help. Women fear that even if they access these systems, they will face less support from their home communities or discrimination from the host community.

To comprehend how domestic violence against immigrant women is positioned within the system and how policymakers respond to this, it is necessary to understand that women are not only subjected to gender-based violence but also that this situation is intertwined with many factors. Various policies are being developed, such as in 1994, when the US took a legal measure to prevent abuse against immigrant women with The Violence Against Women Act. In Britain, as another example, some grassroots organizations play an influential role in preventing domestic violence against immigrant women. However, due to insufficient resources, bureaucratic obstacles, and cultural barriers, these protection mechanisms are not enough to protect immigrant women (McIlwaine, 2023).

In this context, the intersectional feminist approach recognizes that women are subjected to discrimination and inequality not only because of gender but also at the intersection of many statuses and identities.

2.3 Theoretical Approach: From Feminism to Intersectional Approach

Feminism is a movement with a social and political structure that takes a stand against gender discrimination and combats patriarchal structures for women to obtain their legitimate rights in all areas of social life. (Fiss, 1994; Delmar, 2018). First-wave feminism's goal is to lead society to recognize that women are humans like men, but the notion behind this wave was limited to white women. Second-wave feminism which emerged during the 1960s-1970s, criticized traditional gender and family roles, violence, and the right to the body, and abortion became more established during that time (Bennet, 1989; Malinowska, 2020; Zelenko, 2022). With the rise of the postmodernist movement in the 1990s, third-wave feminist studies comprised the view that gender identity exists on a continuum rather than as a fixed binary or a controlled variable (Bürkner, 2012; Boyd & Grieco, 2003; Few-Demo & Allen, 2020). Third-wave feminism, which offers a reaction to the limitations of second-wave feminism, attempts to subvert the notion that all women share a common identity. It reveals the diversity of women's lives shaped by the intersections of race, class, gender, and sexuality. In addition, it emphasizes social contradictions and inequalities in this process where individual experiences are given importance. The rejection of fixed identities adopted by society takes place through this wave, and so the inclusiveness of the intersectionality between multiple identities emerges during the third wave of feminism (Snyder, 2008). Intersectionality, which first appeared in the 1980s (Carbado et al., 2013), offers a framework for comprehending the complex causes of oppression (Bastia, 2014).

Intersectionality theory delves deeper than traditional feminist analysis by focusing on the other side of the coin (McCall, 2005), which is the complex interplay of various disadvantages within persons. According to Few-Demo and Allen (2020);

“Emerging from Black feminist scholarship, intersectionality theory articulates a matrix of domination that is composed of interlocking systematic oppressions that are generated by intersections among race, ethnicity, class, and sexuality across time and geography” (pp. 328-329).

Intersectionality was presented and theorized by Kimberle Crenshaw in the 1990s (Pantea, 2012). Crenshaw's (1989) analysis of anti-discrimination legislation gets the recreation of cumulative understandings of identity. The intersectional feminist approach argues that black women are discriminated against not only because of the grounds of action that represent their position as intersectional subjects, that is, not only because they are women or not only because they are black, but also due to these intersections (Crenshaw 1989, 1991; Nash, 2008). The existing structure fails to fully address the harms suffered by black women because the law only recognizes problems based on race or gender separately. In other words, “the judiciary is unable to recognize that Black women can experience discrimination in ways that are both similar to and different from those experienced by white women and Black men” (Crenshaw, 1989:149) due to the pre-existing legal system. In this context, intersectional theory argues that the oppression and subjectiveness of Black women occur through the interaction of factors such as race and gender.

Crenshaw (1991) categorizes three forms of intersectionality. Firstly, *structural intersectionality* identifies how systems and social structures are biased and perpetuate inequalities within categories like race, gender, and sexuality. These systems and social structures, such as policies and economic systems, can be encountered in daily life. They create inequalities and disadvantages for people at multiple intersections. She says for *structural intersectionality* that,

“(...) the ways in which the location of women of color at the intersection of race and gender makes our actual experience of domestic violence, rape, and remedial reform qualitatively different than that of white women” (Crenshaw, 1991:1245).

Secondly, *political intersectionality* discusses how different power structures such as race and gender intersect and contribute to the exclusion and marginalization of women with multiple identities. It also talks about the existence of conflicts experienced by individuals at the intersection of identities due to a lack of representation. Historically, feminist and anti-racist movements in the US have often collaborated in ways that marginalize the specific issues faced by Black women (Carastathis, 2014). The experiences of women of color differ from the experiences of white women and men of color as their races and genders frequently intersect. While white women experience gender prejudice and men of color face racial prejudice, the two have different practices from those of women of color. They are more likely to experience the intersection of racial and gender prejudices. The political failure of anti-racist and feminist discourses can be explained as the exclusion of the intersection of race and gender that prioritizes the interests of non-white people and women. Under these conditions, one group is ignored while another is privileged (Crenshaw, 1991). Thirdly, *representational intersectionality* concerns how different social identities are represented in various cultural narratives and media forms. It critiques the limited and often inaccurate representations of individuals with intersecting identities, further marginalizing them and silencing their voices (Carastathis, 2014). Considering these three approaches of Crenshaw, intersectionality is based on the intersection of identities, lack of representation, and marginalization within power relations. Therefore, it is possible to summarize intersectional feminist theory's fundamental tenets as inequalities within social structures, power relations, and relationality (Collins & Bilge, 2016;).

Intersectionality provides insights into the experiences of specific groups of women based on gender, race, and class, aiming to recognize how various forms of difference and disadvantage intersect (Prins, 2006; Nash, 2008; Few-Demo & Allen, 2020). Within a more comprehensive manner, intersectionality accepts that individuals occupy multiple social identities based on race, gender, class,

and so on, and the intersections of these identities shape the experiences of oppression (McCall, 2005). Combining all these three concepts that Crenshaw identified, intersectionality is now also accepted as a theory or methodology to search for and examine world phenomena (Carastathis, 2014). This approach, which argues that statuses and multiple identities cause multiple discrimination and inequality for women, is also used to explain the challenges in the context of migration and women.

2.4 Gender, Migration, and Intersectional Feminist Approach

In recent decades, migration studies have incorporated gender into international migration theories. Traditional migration theory aims to research the causes of the migration process rather than focusing on who migrates (Body & Grieco, 2014). The facts have created difficulties in explaining gender-specific experiences in migration studies, such as why women migrate differently from men and why they are subjected to oppression in specific fields of work. For a long time, migration studies have been gender-neutral and biased against women (Bastia, 2014). Immigrants and their families in the 1960s and early 1970s were referred to as male, their spouses, and children (Boyd & Grieco, 2003). In the following decades, especially in the 1970s and 1980s, researchers began to include women, but there has been no significant change in the understanding of whom migrates, how migration is explained, or its possible consequences. Regarding women, one of the key questions was whether migration helped modernize women and liberate them from their presumed traditional values (Thimm & Chaudhuri, 2019).

The 1970s and 1980s marked the emergence of studies that referred to the links between capitalism and patriarchy and to the construction of female identity. In other words, by focusing on social inequality, gender-based studies have led to a cultural shift in the social sciences (Butler, 1990; Bürkner, 2012). In the 1970s, feminist movements addressed the problem of migrant women's inability to find

work and emphasized gender equality on a global scale to address this gap. During this period of the feminist movement, the focus was on multiple identities and differences such as gender, race, and sexual orientation. This has led to the emergence of a research structure specific to multiple and interactive identities (Thimm & Chaudhuri, 2019; Boyd & Grieco, 2003). Gender-oriented studies in the field of migration have been included in the literature in the following period. “(...) the focus on women in migration gained momentum in the 1970s and early 1980s” (Hondagneu-Sotelo, 2000;114). In the mid to late 1980s, feminist migration studies shifted from the study of women to gender. Instead of comparing women to men, researchers focused on gender as a system of relations affected by migration (Nawyn, 2010). With Crenshaw's (1991) introduction of the intersectionality approach, it has been argued that persecution and discrimination are not unidimensional but multidimensional (Bürkner, 2012). In addition, global governance organizations have increasingly addressed gender-based oppression faced by immigrant women, often in conjunction with racial or ethnic discrimination and class oppression, highlighting the intersectionality of migrant status (Basok & Piper, 2012; Bastvia et al., 2023).

Intersectionality currently encompasses a variety of domains where identities intersect, othering is addressed, and intergroup differences are acknowledged (Ekoh & Okoye, 2022). “(...) intersectionality’s occupation with examining transnational realities, (...) have gone through specific stages of power and (in)equality have been placed at very particular intersectional standpoints (non-random)” (Thimm & Chaudhuri, 2019:7). The introduction of intersectional feminist theory has also been used in studies on gender, oppression, and other social inequalities (Grosfoguel et al., 2018).

Intersectionality theory, which recognizes that gender interacts with additional features such as race, class, and sexuality, analyzes how these intersections shape women's migration experiences (Bilge & Denis, 2010). Crenshaw (1991) examines how policies and institutions shaped by patriarchal norms affect

immigrant women's access to civil rights, protection, and resources. Thus, the concepts of structural and political intersectionality are worth mentioning. On the one hand, *structural intersectionality* mentions that immigrant women are frequently dependent on their husbands, either because they marry for citizenship, or they have to migrate with them. At the same time, the language barrier also prevents women from benefiting from social opportunities. Moreover, women's experiences of domestic violence bring further challenges to their lives (Crenshaw, 1991). On the other hand, *political intersectionality* refers to how inequalities and their intersections are shaped in institutional politics. It allows for considering multiple inequalities in policy strategies rather than individual analysis (Cole, 2008; Dennissen et al., 2020). Crenshaw (1991) provides an example to demonstrate how political intersectionality has already been shaped within institutions. In her article, she talks about the application of a Latina woman to a women's shelter living in New York. The Latina woman and her teenage child called the domestic violence hotline, stating that she was seeking shelter for domestic violence and that she was afraid that her husband would kill her and her son. However, the woman is not admitted to the shelter because she does not speak enough English. The authorities responded that they thought the woman would be re-traumatized in the shelter because she would not be able to communicate and that the shelter rules open its doors to those who speak English. Institutions' discriminatory policies can be seen in the difference between a Latina woman who fears for her safety but is denied services because of the institution's strict rules and an English-speaking woman in the same situation who is denied access to services (Crenshaw, 1991). In such a case, it is noteworthy to say that "an intersectional perspective in public policies may target specific groups and frame their needs based on stereotypes about their culture" (Borchorst & Teigen, 2010:22).

Since the institutionalization of migration and states ceasing to play an active role in policies, changes have also occurred in systems. Especially with the rights-based approaches of international organizations (Geiger & Pécoud, 2010),

the problems of specific target groups such as women, children, and immigrants have started to be addressed on a global and local scales (Bastia et al., 2023; Basok & Piper, 2012). Crenshaw's work on intersectionality has made significant contributions to social justice and domestic violence thus concerning this approach studies on immigrant women and domestic violence would be valuable (Kelly, 2013, as cited in Creswick, 2017). In this context, it is important to examine the frameworks of other studies.

2.5 Domestic Violence and Immigrant Women: Insights from Key Studies

Studies on domestic violence against immigrant women have a central role in this thesis. Along with the cultural and social barriers women experience, structural barriers can also lead to the inability to prevent domestic violence. This may occur due to both the social perspective on immigrants, in other words, the acceptance of violence as a cultural phenomenon through stereotypes, and the systemic barriers that immigrant women experience. The studies in this section examine why immigrant women remain silent when they are subjected to domestic violence and how different systems in countries respond to this process. Thus, it is better comprehended how the concepts that constitute the main concern of the thesis have been studied in literature.

Abraham (2000) argues that domestic patriarchy plays an important role in migrant communities where men retain power and control while women are expected to fulfill their traditional roles. However, domestic violence remains an invisible issue in such patriarchal settings due to stereotypical assumptions. This research argues that migrant women's experiences of domestic violence should be addressed socially rather than as a private matter. Bui and Morash's (1999; 2008) research is an example of what Abraham (2000) discusses. They researched partner abuse among immigrant Vietnamese women aged 21 to 69 in the United States and used a qualitative methodology through interviews. According to Vietnamese culture, the reasons that increase violence are factors

such as masculinity, which is damaged by the replacement of men as household providers by women, the desire to control women, and women's gaining autonomy with their involvement in society. The remittances that women send to their families are an additional reason for physical violence (Biu & Morash, 1999, 2008).

In terms of seeking help and support for domestic violence, things become more complicated for immigrant women. Sri Lankan Tamil women living in Toronto, Canada struggle to ask for help from their Sri Lankan relatives, even if they live in the same neighborhood (Guruge & Humphreys, 2009). They remain silent about domestic violence to avoid cultural pressures on breaking their marriages. In addition to that, Tamil women are not aware of or familiar with services such as shelters and legal support systems in Canada. Like Sri Lankan Tamil women's struggles, Burman and Chantler (2005) argue that the intersection of immigration status and domestic violence creates significant barriers for immigrant women in the UK. They say that political structures can also have various restrictions on immigrant women, and they find it difficult to seek help because of the structure and function of policies (Burman & Chantler, 2005). A practice in the United Kingdom is mentioned in the study as an example of this situation. The fact that the husband can deport his wife if the relationship ends within one year empowers perpetrators to use immigration status as a means of control.

Regarding domestic violence and migration policies, studies by Ghafournia (2011), Graca (2017), and Della Giustina (2009) have explored the approaches of various countries. In the UK, there are helplines and translation services for immigrant women facing domestic violence (Ghafournia, 2011). Although they have access to residential services, problems occur due to cultural, structural, or individual factors such as language, education, and race (Graca, 2017). In the US, under the "Violence Against Women Act", immigrant and undocumented women are entitled to apply for asylum, and after, they can benefit from

residential services. In Australia, the “Domestic Violence Prevention Policy” aims to provide support for immigrant women. However, practices in Australia have reported challenges in policy development and the need to consider socio-cultural considerations (Ghafournia, 2011). In Della Giustina’s (2009) study, Russia and Nicaragua are selected because both countries have high ratios of violence against women and domestic violence and have a historical pattern of acceptance of male domination. Accordingly, although domestic violence is high in Russia, the government denies its presence. There is limited state action for survivors of violence, and there are limited shelters and support services. However, Nicaragua is taking essential measures to address domestic violence. The government is developing laws to prevent domestic violence and opening specialized police stations and childcare facilities (Della Giustina, 2009).

In terms of policies and regulations, the “Cultural Encounters in Intervention Against Violence (CEINAV)” project (Magalhães et al., 2015) examines domestic violence policies in Germany, Slovenia, Portugal, and the UK, considering factors such as immigration and ethnicity. In multicultural countries, minority alienation and hierarchical identity structures often influence social policies. Slovenia and Germany have restrictive integration policies, with Slovenia's being particularly discriminatory for non-EU immigrants. In both countries, immigrants face stereotypes, with Slovenian immigrant women’s experiences of violence being misinterpreted as signs of courage, and women of Balkan origin in Portugal stereotyped as submissive. The UK and Germany also experience challenges like language barriers, racism, and Islamophobia, complicating immigrant women’s access to services. Kiamanesh and Hauge (2019) highlight that immigrant women often face cultural misunderstandings, language barriers, and security concerns when accessing social services, emphasizing the need for a holistic approach to support these women. Park et al. (2021) focus on Sweden and the UK, revealing that migration status hinders immigrant women’s access to services. While the UK shows disparities based on visa status, Sweden provides support regardless of immigration status. Both

countries face challenges such as underfunded shelters and difficulty in expressing violence.

Coşkun and Budaichieva (2024) say that Russian, Uzbek, and Kyrgyz immigrant women living in Türkiye face problems in combating gender-based violence in their marriages. Migrant women without citizenship choose not to report violence to the relevant authorities for fear of losing their residence status or being deported. Although there are services such as City Lawyers Associations that provide free legal support to migrant women, women prefer to remain silent. Like Coşkun and Budaivhieva's study (2024), Pekasıl (2022) focuses on immigrant women's problems while accessing help for violence in Türkiye. Similar issues seen in other studies (Bui & Morash, 1999, 2008; Abraham, 2000; Ghafournia, 2011; Kiamanesh & Hauge, 2019; Park et al., 2021; Coşkun & Budaichieva, 2024) are also found in this study, which also calls for a gender-sensitive restructuring of "Türkiye's Law on Foreigners and International Protection and Temporary Protection Regulation". It is emphasized that gender-based violence should be acknowledged as persecution in law and executive regulation and that cooperation with multiple stakeholders is needed to prevent violence against migrant women. Konukman (2017) refers to the IC and says that all immigrant women should benefit from protection and prevention mechanisms for sexual and domestic violence. She points out that immigrant women in Türkiye face many challenges, such as access to social service centers, emergency medical assistance, accommodation, and translation. The absence of gender-sensitive policies is an additional barrier to understanding the challenges faced by women. In addition, the asylum requests of immigrant women who are survivors of domestic violence cannot be met due to barriers such as language and transportation. It is also difficult for women to access the Ministry of Family and Social Services (MoFSS) shelters, and they are first directed to the provincial directorates of the Presidency of Migration Management, where they face bureaucratic obstacles.

Studies highlight the multiple challenges immigrant women face concerning domestic violence, including fear of losing their legal status, dependency on their partners, and societal prejudices that keep them silent. The patriarchal policies and limited legal access hinder their ability to seek help even further. Economic, social, and language barriers often keep women close to their abusers. These women face both structural and political obstacles when dealing with domestic violence, and stereotypes lead to limitations in representation. A common theme across studies is that immigrant women remain silent due to factors such as unfamiliarity with mechanisms for violence prevention mechanisms, fear of deportation, and cultural norms rooted in patriarchy. Furthermore, the studies emphasize the importance of hotlines, shelters, and other protective measures as important violence prevention tools.

In conclusion, it is noteworthy to mention that all these studies support the research topic of this thesis. Immigrant women face problems in accessing violence prevention and protection mechanisms in the country of settlement due to the intersection of their multiple identities. This problem varies across countries, and although they sometimes have historically common movements, systemic developments toward violence differ due to differences in the political system. Therefore, considering all the lessons learned from these studies the following sections of the thesis focus on some critical aspects. Considering the difficulties experienced by immigrant women, the cases in the thesis were selected like Della Gusitina's (2009) selection of Russia and Nicaragua, which have common characteristics. Germany and Türkiye were chosen based on their historical processes, rates of violence, and the intensity of migration. In the following chapters of the thesis, a detailed discussion is made by considering the literature.

2.6 Global Migration Policies and Challenges in Addressing Domestic Violence Against Immigrant Women

The concept of governance does not consist of a single-layer structure. Rather than national and local power relations, international stakeholders are now included in this system. Through the effectiveness of this power relation, stakeholders such as national, international, public, and private sectors (Held, 2013; Davis, 2008) share it. As migration governance developed globally and progressed towards a rights-based approach (Geiger & Pécoud, 2010; Bastia et al., 2023), it found its roots in this multiple structure. With the emergence of liberalism in global change in the 1980s, rights have also found their place in international politics.

In their article, Grugel and Piper (2007) state that global inequalities revealed by the United Nations through rights conventions have brought obligations to states such as law-making and implementation. Although state authority has decreased within this system, which encountered global governance, it is undeniable that global rights and practices are still dependent on civil society organizations and states. Therefore, the role of states is of great significance in evolving global politics and governance as they can implement or prevent reforms (Grugel & Piper, 2007). In this context, according to Cox and Sinclair's (1996) understanding, the perception of the nation-state is not collapsing but is becoming internationalized. It is also possible to talk about this multi-actor structure in migration governance.

Betts (2011) claims that global migration governance exists on three levels. The first level is '*multilateralism*,' where a formal and multilateral governance system governs migration but is not sharply defined. The second level is '*embeddedness*,' which refers to the existence of institutions that measure states' responses to migration, even if not explicitly. The third level is '*informal networks*,' described as a non-binding, flexible structure of global migration

governance that focuses on information sharing, good practices, and capacity building, particularly in addressing irregular migration (Betts, 2011). In addition to these, Betts (2008) argues that the governance of international migration is not organized under a single, standardized structure like health, trade, or money. Like Betts's (2008) argument, Basok and Piper (2012) claim that the weak coordination between the United Nations (UN) and other non-state actors indicates that global migration governance is fragmented. In this multi-actor structure, global governance has become a complex yet regulatory system that includes entities such as the “World Bank”, the “World Trade Organization”, and the “International Monetary Fund” in the fields of international finance and trade, as well as intergovernmental organizations such as the United Nations (Scholte, 2004, 2011).

These are regulated under single organizations while migration governance is not embedded in a unity. There are multiple organizations within the global migration system and the “United Nations High Commissioner for Refugees (UNCHR)”, the “International Organization for Migration (IOM)”, and the “International Centre for Migration Policy Development (ICMPD)” are the most well-known ones. According to Kalm (2010), “there is no UN migration organization at the center of global migration governance, in the way that the UNCHR is for refugees” (Kalm, 2010: 24). IOM exists outside the UN system, paying states for its services. More importantly, it does not provide a regime or system to stabilize formal migration governance (Betts, 2008; Kalm, 2010). ICMPD is predominantly active in the EU but is a small inter-governmental organization (Betts, 2011). Global migration governance also contrasts with the perspective that international organizations should operate within a normative framework based on international law. At the same time, governance units and systems for various categories of migration differ within the structures of states.

Another problem of global migration governance is that policies have moved away from a rights-based attitude and are involved more in security concerns

within this structure. The concern for security means that global governance institutions prioritize control over human rights in human trafficking and domestic violence (Bastia et al., 2023). It is in line with the fact that the gender-based oppression experienced by the survivors of violence is not sufficiently addressed. The fact that global governance institutions have not adequately adopted a gender perspective leads to a policy gap. While women are portrayed as passive survivors in the face of patriarchal discourses, the necessary support cannot be provided to survivors of violence due to insufficient institutional and financial support (Geiger & Pecoud, 2014; Hujo, 2019; Basok & Piper, 2012). Thus, intersectionality also emerged in situations such as domestic violence. While pressures such as migrant status and racial discrimination cause additional difficulties for migrant women, this multiple structure has also led to the creation of conditions of inequality that are difficult to separate (Davis, 2008).

Regarding all these organizations and governance, there is no system in place to keep the rights of women immigrants at the global and national levels by linking them to the principle of intersectionality. However, various international regulations address the different roles undertaken by immigrant women. The “International Covenant on Civil and Political Rights²” and the “International Covenant on Economic, Social, and Cultural Rights³” (Bastia et al., 2023) refer to human rights norms regardless of color, language, race or gender. In addition, the “International Convention on the Elimination of All Forms of Racial Discrimination⁴” and the “Convention on the Elimination of All Forms of Discrimination against Women⁵” (Bastia et al., 2023) argue that women should

²Retrieved April 6, 2024, from:
<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

³Retrieved April 6, 2024, from:
<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

⁴Retrieved April 7, 2024, from:
<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-elimination-all-forms-racial>

⁵Retrieved April 8, 2024, from:
<https://www.ohchr.org/sites/default/files/Documents/ProfessionalInterest/cedaw.pdf>

be equal stakeholders in society. “International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families⁶” refers to the rights of immigrant women (Bastia et al., 2023). This fragmented structure has separate conventions for women's roles in different fields.

Signed in 1951, the “Geneva Convention” came into force when many people became homeless and migrated after the Second World War, and the UN assumed responsibility for migration (Adebayo, 2015). This convention generally defines refugee status, rights, and duties of countries. Still, these definitions involve persons who fled their country of origin caused of events in Europe before 1951. However, the time and place criteria in the aforementioned convention are insufficient to meet the international community's needs. In 1967, the “Additional Protocol to the UN Convention relating to the Status of Refugees (1967 Protocol)” removed the time and place limitations of the Convention (Göç Araştırmaları Derneği, 2021). The definition of the status has led to a broader definition than the Geneva Convention in identifying persons to receive protection and assistance from the United Nations without any historical or geographical limitation (Dost, 2014). At the same time, the androcentric and heteronormative definition in the Geneva Convention fails to recognize the unique experiences of women immigrants. It is also emphasized that the Convention needs to be rewritten to make gender a basis for persecution and that persecution itself needs to be redefined to distinguish the political nature of women's struggle against violence (Fiddian-Qasmiyeh et al., 2014).

In the 1980s and 1990s, after a long period of underrepresentation of gender issues in migration studies, gender-based approaches began to emerge with the increasing importance of women and forced migration studies (Bürkner, 2012). In this process, UNHCR recognized that the Geneva Convention had been

⁶ Retrieved April 6, 2024, from:

<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-rights-all-migrant-workers>

interpreted in the context of male experiences and developed guidelines on gender-sensitive interpretations. In the 1990s, UNCHR published the first guideline, 'Policy on Refugee Women,' to protect against violence (Fiddian-Qasmiyeh et al., 2014). In the ongoing process UNHCR published 'UNHCR Five Commitments to Refugee Women' in 2001, 'Gender Training Kit on Refugee Protection and Resource Handbook in 2002, 'Guidelines for Prevention and Response to SGBV against Refugees, Returnees and Internally Displaced Persons' in 2003, 'UNHCR Handbook for the Protection of Women and Girls' and the 'UNHCR Guidance Note on Refugee Claims Relating to Sexual Orientation and Gender Identity' in 2008 and developed its 'Age, Gender and Diversity Mainstreaming' in 2004 (UNHCR, 2016). Despite these efforts, the absence of an internationally binding instrument that mentions the intersection has continued to perpetuate violence and the lack of legal measures.

In her study, Otto (2006) argues that human rights instruments are preoccupied with men's rights and that women are implicit in the representation of masculinity in early legal texts. It raises the question of the inclusion of women's groups in hierarchies of power and influence in dominant social and power relations. More precisely, it is clear whose voice will be heard more, for instance, between more funded organizations and those not funded at all (Rai, 2004). It also applies to the presence of a gender perspective in the legal process. Gender is often interpreted as power relations between men and women. However, the concept is now intertwined with social differentiation, hierarchy, and stratification (Antijas, 2012). In the international order within the old masculine structure, there is now a legal reproduction of gender binaries (Otto, 2006). More specifically, there is a recognition of the differences between women (Rai, 2004; Davis, 2008). Understanding intersectionality in differences within social and hierarchical structures has provided an additional dimension to the production of fixed gender-specific inequality systems within migration systems, offering a more holistic and integrated approach (Silvey, 2004; Bürkner, 2012).

In such a case, the Istanbul Convention is the first international agreement to act to prevent and stop violence against women and to focus directly on violence (Isik, 2023; Grans, 2018). The Convention adopts a broad understanding of violence against women, including psychological, physical, economic, and sexual violence, as well as stalking, female genital mutilation, forced marriage, and domestic violence. Therefore, it does not only focus on a type of violence but its multiple forms within multiple identities. It is also characterized as a problematic implementation treaty, challenging absolute state sovereignty. However, it has enabled signatory countries to recognize violence against women as a violation of human rights and discrimination against women and to adopt protection measures (Isik, 2023) by focusing on four pillars: prevention, protection, prosecution, and implementing integrated policies (Council of Europe, 2022).

The Convention is not limited to these features but also addresses violence against migrants, refugees, and asylum-seekers. In other words, it emphasizes the non-permissibility of discrimination on grounds such as gender, race, religion, color, migrant status, and language. It states that immigrant women should not be excluded from services, and if there is a language barrier, this should be solved with the support of an interpreter. Thus, it aims to ensure that immigrant women are not exposed to violence or unable to access services (Peroni, 2016). Related to it, Sosa and Mestre (2022) state that;

“(...) although the Istanbul Convention does not explicitly refer to any of these notions, the drafters made reference to ‘multiple discrimination’ in the interpretation of Article 4, paragraph 3. Similarly, GREVIO makes regular use of comparable notions such as women facing compounded difficulties, compounded discrimination, multiple inequalities, interlocking issues, multiple discrimination, intersectional discrimination, and the intersection of potential grounds of discrimination” (Sosa and Mestre, 2022:11-12).

The IC carries the building blocks of the intersectionality approach, as it recognizes many types of violence and aims to prevent discrimination and

violence not only against women but also in many areas that women face, such as religion, language, race, and color or immigrant identities. It requires States Parties to recognize violence against immigrant women as persecution and to ensure that women subjected to such persecution have access to support and asylum services (Peroni, 2016). The following section introduces more details about how the IC applies protection measures and social services for violence against immigrant women.

2.7 Istanbul Convention and Women's Shelters

The Istanbul Convention was drafted in Istanbul in May 2011 upon the signature of States Parties (Kurnaz, 2023). It is an essential instrument of international law and the first legal development to bind Europe together in the sphere of gender-based violence (Council of EU, 2013). It has two interconnected basic principles. Firstly, the convention undertakes to prevent, prosecute, and eliminate all kinds of violence against women. Secondly, it declares that it will fight against all types of discrimination based on gender by defending equality between women and men (Krizsán & Roggeband, 2021). Considered in this context, the IC plays an international binding role with its stance against gender-based violence and discrimination. In addition to that, “The Istanbul Convention can be characterized as a very advanced regulation in terms of combating violence against women and domestic violence” (Canikoğlu, 2015:365). The obligations imposed on countries subject to the Convention will be discussed in this section.

Article 4 of the Convention prohibits any discrimination concerning,

“(…) any ground such as sex, gender, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, sexual orientation, gender identity, age, state of health, disability, marital status, migrant or refugee status, or other status” (Council of Europe, 2011: 3-4).

As it is understood from this article, the IC aims to eliminate discrimination in combating gender-based violence while at the same time preventing discrimination based on different identities such as language, religion, race, or immigration status (Kurnaz, 2023). Part VII of the Convention focuses on the relationship between forced migration and violence against women (Heusel, 2023; Mcquigg, 2019; Kanbur, 2021) and refers to the Geneva Convention. The 1951 Convention is a convention that describes who a refugee is, clarifies the rights of refugees, and includes social rights and obligations (Council of Europe, 2013). As stated in the first paragraph of Istanbul Convention Article 60,

“Parties shall take the necessary legislative or other measures to ensure that gender-based violence against women may be recognized as a form of persecution within the meaning of Article 1, A (2)⁷, of the 1951 Convention relating to the Status of Refugees and as a form of serious harm giving rise to complementary/subsidiary protection” (Council of Europe, 2011:17).

Referring to the 1951 Geneva Convention, it is expected that gender-based violence should be prevented without any discrimination, and States Parties should take related measures.

In addition, the Explanatory Report⁸ section of the Istanbul Convention elaborates on migration and gender-based violence. All immigrants, including undocumented women, are declared to experience double vulnerability to

⁷Geneva Convention, 1951, Article 1, A, (2). As a result of events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it. In the case of a person who has more than one nationality, the term “the country of his nationality” shall mean each of the countries of which he is a national, and a person shall not be deemed to be lacking the protection of the country of his nationality if, without any valid reason based on well-founded fear, he has not availed himself of the protection of one of the countries of which he is a national.

Retrieved May 15, 2024, from: <https://www.unhcr.org/media/convention-and-protocol-relating-status-refugees>

⁸Explanatory Report to the Council of Europe Convention on preventing and combating violence against women and domestic violence. 2011. Retrieved May 15, 2024, from: <https://rm.coe.int/1680a48903>

gender-based violence. Immigrant women are at risk of gender-based violence, regardless of their legal status, reasons for leaving their country, and living conditions. To reduce this risk and provide protection to survivors of violence, this section sets out obligations to recognize gender-based violence as a form of persecution, provide gender-sensitive asylum processes, and respect the principle of non-refoulement (Council of Europe, 2011).

In this context, it calls for establishing shelters, telephone helplines, sexual violence prevention centers, legal support, health services, and access to education. This comprehensive approach is also meant to ensure the safety of survivors of violence (and accompanying children, if any) (Kelly, 2018). The Convention prioritizes women's shelters as residential services providing safe shelter and support to women survivors of violence and accompanying children; women's centers, including rape and sexual assault centers, offering non-residential support such as counseling, advocacy support in accessing rights, court accompaniment, social assistance, and other services; and establishing helplines that provide online support (Grans, 2018; Logar, 2022).

In the current system, shelters are the safest place for women who have been subjected to violence and have no place to stay. Therefore, the Convention details the requirements for shelter. It is recommended that each region should have enough women's shelters, but the general standard is one shelter per 10,000 people. These centers should be accessible every day of the week and at all hours, and women should have easy access without bureaucratic barriers. Women's shelters should provide support: rapid access, safe accommodation, emergency medical support, counseling, legal support, access to rights and referral support, advocacy and outreach services, and collaboration with other institutions. These residential institutions are also expected to work for women's empowerment and reintegration into society (Council of Europe, 2008b).

Beneficiaries of shelter services are defined as all survivors of violence without any discrimination. Ethnic minority or migrant women, refugee women, undocumented migrant women, lesbian and transgender women, women with disabilities, and accompanying children should be supported. It means that the IC and its accompanying documents have a system of collective action on gender-based violence, with the understanding that no one should be left behind (Council of Europe, 2008b; Logar, 2022). Each state signatory to this convention is obliged to amend its domestic law and take preventive and protective measures to combat gender-based violence (Council of Europe, 2013; Westendorp, 2020). A mechanism for auditing this system and measuring the fulfillment of specific standards has been established under the Convention, which is named the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO).

2.8 Control Mechanism Provided by the Istanbul Convention: GREVIO

The Istanbul Convention obliges state parties to provide support services to women survivors of violence, and one of these obligations is to provide shelter services (Westendorp, 2020), namely women's shelters⁹.

“The Istanbul Convention is based on a human rights framework since it insists that party states shall take the necessary legislative and other measures to promote and protect rights for everyone. The Istanbul Convention has been an important part of international human rights law, and its obligations are still subject to international monitoring mechanisms” (Kurnaz, 2023:160-161).

In this respect, it is in a unique position to look after the welfare of the survivors and not leave them alone. The Convention also calls for the establishment of an independent group, GREVIO, to oversee the work of the signatory states in this

⁹Some countries choose to name these shelters differently. For instance, Türkiye chooses “kadın konukevleri” refers to “women’s guesthouses”. But for the unity of the thesis, I choose to refer to women’s shelters.

regard. Thus, it can monitor and evaluate the practices and provide various recommendations (Council of Europe, 2011; Council of Europe, 2013; Logar, 2022; Sosa & Mestre, 2023). With this control mechanism, states can create a safe environment for survivors and prevent the recurrence of violence by meticulously implementing all articles in the contract.

GREVIO is an independent body of experts that monitors the implementation of the Convention (Council of Europe, 2011), and its mandate includes assessing and reporting on legislative and other measures taken by States parties. GREVIO is also responsible for investigating violations of the Convention by initiating special investigation procedures when necessary. Following its investigations, it publishes country reports that are publicly available on its website (Logar, 2022). GREVIO prepares the questions in the questionnaire used for the reporting procedure, and the evaluation process of the problems is carried out according to the provisions prepared by this group. If the expert group deems the results of the questionnaire and the information received from States Parties insufficient, it may organize a country visit (Westendorp, 2020). This independent group has 10 to 15 members and is elected by the country's party to the convention. The selection considers gender equality, geographical balance, and representation of different areas of expertise, and it requires specialists in areas such as human rights, gender equality, combating violence, and survivor support (Council of Europe, 2011).

As can be understood, the Istanbul Convention brings together international standards for preventing violence against women and increasing protective mechanisms. The rules to be applied by the state parties and the measures to prevent violence are carefully specified in the convention. It is stated that countries should adopt a national law on violence, open women's shelters, and ensure that women who are subjected to violence can access this system without being subjected to any marginalization. GREVIO, which was created as a control mechanism for countries to work towards these standards, is an important

independent mechanism. In this context, Germany, as a state party to the Convention, continues its work on this issue subject to GREVIO reports. Developments and deficiencies are reported at regular periods. Unfortunately, this is not the case for Türkiye. With its withdrawal from the Convention, its reports have been subject to a certain period. However, the existence of the reports allows for comparisons to be made. The next chapter describes the methodology that underpins the comparison not only based on the GREVIO reports but also on other factors, namely the historical process, legal developments, and the situation of shelters in both countries.



CHAPTER III

3. METHODOLOGY

The literature review was evaluated in the previous chapter to find relative studies. It approaches the main research question, “How do women's shelters in Germany and Türkiye differ in their effectiveness in supporting immigrant women?” and the sub-question, “What institutional, social, and policy factors influence women's shelters in Germany and Türkiye?”. The studies, problems, and questions missing in the field are addressed. This section will discuss the methodology used to answer these two questions.

This thesis uses Qualitative Comparative Analysis (QCA) methodology. However, comparative analysis is also briefly mentioned in this chapter. Qualitative comparative analysis is a case-oriented approach that focuses on the complex situations within the cases. It requires in-depth knowledge of each case as it focuses on cases rather than investigating variables. For this reason, the remainder of the chapter explains both the applicability of the methodology and why the thesis focuses on Germany and Türkiye.

3.1 Qualitative Comparative Analysis

Comparative analysis is an interdisciplinary method or approach in many academic fields like political science, international relations, and migration studies (Pickvance, 2001; Azarian, 2011; Bloemraad, 2013; Ragin, 2014). As Lijphart (1971) indicates, comparative analysis is one of the scientific methods used to determine empirical relationships but not to measure them. The main difficulty faced by this method is that while there are many variables, the number of cases to be analyzed is small. Although dealing with a large number of variables is a general problem in social science studies, the small number of cases is specific to the comparative analysis method. Statistical or empirical methods are often preferred rather than comparative analysis. Still, this method

is chosen because of resources and time constraints to conduct a more in-depth comparison.

While comparative analysis opens these areas for researchers, qualitative comparative analysis (QCA) is used to understand complex situations in multiple cases. This method emerged in the social sciences with Charles Ragin's new research approach in 1987 (Marx et al, 2014). According to Ragin (2008), QCA serves as a bridge between qualitative and quantitative analysis. Qualitative inductive reasoning is carried out by analyzing data “case by case” rather than “variable by variable”, and this approach is combined with quantitative empirical testing (Marx et al, 2014; Pappas & Woodside, 2021). Offering a case-based approach, it also reveals deterministic patterns across case types. It requires in-depth knowledge of each case, which enables a detailed analysis of the different causal conditions (Ragin, 2008).

The main purpose of QCA is to achieve a specific outcome by identifying combinations of conditions or factors. It also seeks to understand how different configurations (or factors) affect similar or varying outcomes (Befani, 2013; Ragin, 2008). The qualitative comparative analysis treats each case as a unique entity and interprets its components concerning the whole (Marx et. al, 2014). In addition, as mentioned, variables are analyzed in specific cases, requiring in-depth knowledge for each case. For a researcher to use QCA Ragin (1998) says that;

“There are three distinct phases to the application of QCA to cross-case evidence: (1) selecting cases and constructing the property space that defines kinds of cases (configurations), (2) testing the sufficiency of causal conditions, and (3) evaluating and interpreting the results” (Ragin, 1998:121).

Therefore, it is possible to summarize the basic steps for QCA to proceed with, such as discovering an existing or emerging theory and then identifying cases to be examined. Within these cases, it is also crucial to identify configurations or

factors. By evaluating these factors, the data obtained is analyzed, and the findings are interpreted (Intract, 2017).

According to the QCA methodology, the first step is to identify the outcome to be analyzed and the positive cases where this outcome is observed. Likewise, negative facts are identified in another case that has similar characteristics but does not show the same result. In the context of this thesis, as stated by QCA, the outcome was chosen as access to shelters for immigrant women. In this context, the cases of Germany and Türkiye were identified and selected for comparative analysis. The most important factor in the identification of these two cases is that they are immigrant-receiving countries. Although the intensity of migration in Germany and the increase in migration in Türkiye do not coincide with the same periods, both countries have been seriously affected by flows in recent years. In addition, efforts to combat violence against women have emerged with the presence of feminist movements in both countries. In addition, GREVIO reports on the Istanbul Convention are also among the factors to be compared for the two countries. Although Türkiye has withdrawn from the Istanbul Convention, relevant audit reports are among the factors used in the comparison. Legal procedures in both countries are also included in the scope of analysis. In this context, using the QCA method, this thesis compares immigrant women's access to shelters in light of the factors mentioned above and provides recommendations for immigrant women's access to services within the scope of good practice samples.

3.2 Qualitative Comparative Analysis in Migration Studies

Migration studies started in various disciplines in the 1970s and 1980s and emerged as a separate academic field in the following years. On the one hand, comparative migration studies are essential for increasing the theoretical developments in this field. It is examined in four areas, including the comparison of immigrant groups in a particular situation; a comparison of places and

practices such as regions, cities, municipalities, and neighborhoods; comparison of different periods and historical processes; and finally, an interdisciplinary theoretical comparison (Saharso & Scholten, 2013). On the other hand, QCA in migration studies is a useful method for understanding complex social and political issues that require comparative analysis. It is often used in migration studies to make systematic comparisons between different countries, policies, and contexts (Hagen-Zanker et al., 2023).

QCA has been applied in migration studies to examine issues such as migrant poverty, citizenship rights, welfare states, and the diffusion conditions of migration policies. It offers macro-, meso- and micro-level research dimensions so that there is no limit to the areas of comparison. This allows researchers to approach their work from a broader perspective. At the macro level, it can analyze the conditions that enable countries to adapt their migration and asylum policies. It is also used to analyze factors that facilitate or limit access to citizenship. At the meso-level, it is often used to investigate the role of media influences on migration policies. Moreover, in some micro-level studies, QCA has been applied to analyze the impact of communicative and psychological variables on positive attitudes toward immigrants (Hagen-Zanker et al., 2023).

As mentioned in the previous section, for this methodology theory-based understanding is crucial. This thesis focuses on the intersectionality of domestic violence not only in terms of gender but also with migration. Based on an intersectional feminist approach, it argues that women are discriminated against not only based on gender but also because of their immigrant status. The intertwining of both concepts and the inability to differentiate between these causes cause women to face even more difficulties when they are subjected to violence. There are multiple factors, such as insufficiently developed policies, lack of work on the integration process, or women's dependency on the perpetrator. In two different cases, Germany and Türkiye, a comparison of women's shelters, one of the preventive and protective features in the context of

domestic violence against women, in the context of migration is made. It asks, “How do women's shelters in Germany and Türkiye differ in their effectiveness in supporting immigrant women?” and “What institutional, social, and policy factors influence women's shelters in Germany and Türkiye?”

Thus, to find an accurate answer to the research question, the study compares the historical process of women's shelters, legal developments, the role of non-governmental organizations, and the state in preventing violence in Germany and Türkiye. The next section will introduce the reasons for choosing these two countries as cases.

3.3 Two Case Countries: Germany and Türkiye

The thesis makes a comparison between two countries, Germany and Türkiye. In the case of domestic violence against immigrant women, some factors are important in choosing these two countries. This is because both countries host a significant ratio of migrants and refugees. According to UNCHR data,¹⁰ Türkiye hosts 3.4 million refugees, with the most significant ratio within the worldwide statistics, and Germany came after it with 2.5 million.

On the one hand, while Germany is one of the largest refugee-hosting countries according to UNHCR’s February 2024 Fact Sheet as of mid-2023 there are 349,034 asylum-seekers and 29,562 stateless people are waiting for a settlement in Germany (UNHCR,2024). In recent years, Germany has been hosting a significant number of immigrants due to crises and conflicts around the world. Following the 2015 Syrian civil war, Germany played a leading role in humanitarian assistance (UNHCR,2024) and as of May 2, 2024, Germany hosts

¹⁰The data is retrieved May 18, 2024, from the official website of UNCHR’s Refugee Data Finder Website. Accessible at: <https://www.unhcr.org/refugeestatistics/#:~:text=The%20Islamic%20Republic%20of%20Iran%20and%20T%C3%BCrkiye%20each%20hosted%203.4,Pakistan%20hosted%202.1%20million%20refugees>

972,460 Syrians¹¹. In addition, with the Russian attack on Ukraine on February 24, 2022, Ukrainians also started to immigrate, and 1.1 million people¹² arrived in Germany in 2022 and according to 2024 data¹³ 1,239,705 Ukrainians are living in Germany. Germany has historically been an immigrant receiver country, not only in the migration flows from Syria and Ukraine that have recently affected the international order.

Germany's immigration policy is rooted in a historical pattern and has been driven by economic and demographic needs. In the 1950s, Germany started to recruit workers with the Gastarbeiter (guest worker) approach to fill the labor shortage (Dinç, 2011; Steinert, 2014). At first, workers of German origin were brought from Austria and Romania, but this was not enough, leading to labor exchange agreements with other countries such as Italy, Spain, Greece, and Türkiye. Initially, migrants were expected to return to their home countries after working, but this system proved ineffective and the duration of their stay was extended (Dinç, 2011; Steinert, 2014). In 1973, the oil crisis led to a cessation of labor recruitment, but migration continued through family reunification (Aybek, 2012). As a result of these processes, a permanent immigrant population has been established in Germany. For instance, according to 2022 data, 1.3 million Turkish citizens¹⁴ live in Germany. In brief, apart from humanitarian aid-oriented migration policies, Germany has a historical process of accepting economic migrants.

In the Turkish context, more than 2 million people, mostly from Balkan countries, entered the country between 1923 and 1989. Specifically, Türkiye's

¹¹The data is retrieved December 8, 2024, from: <https://www.destatis.de/EN/Themes/Society-Environment/Population/Migration-Integration/Tables/foreigner-place-of-birth.html>

¹²The data is retrieved December 8, 2024, from: https://www.destatis.de/EN/Themes/Society-Environment/Population/Migration/_node.html

¹³The data is retrieved December 8, 2024, from: <https://www.destatis.de/EN/Themes/Society-Environment/Population/Migration-Integration/Tables/foreigner-place-of-birth.html>

¹⁴The data is retrieved December 12, 2024, from: <https://www.statista.com/chart/29975/number-of-turkish-people-in-european-countries/>

encounter with a large migration movement occurred with the migration from the Balkans after the First World War, followed by the Gulf Crisis, the Iraq War, and then the Syrian crisis (Ertan & Ertan, 2017). Following the crisis in Syria, Türkiye has allowed Syrians to enter the country with its open-door policy (İçduygu, 2015) and as of November 28, 2024, it grants temporary protection status to 2,938,261¹⁵ Syrians. In addition, Türkiye also hosts Afghans who left their country due to conflicts and civil turmoil (Üstün & Vargün, 2022).

In terms of migration, Germany and Türkiye have recently received immigrants from countries such as Syria, Ukraine, and Afghanistan within the scope of humanitarian aid. The fact that Germany has voluntarily accepted immigrants for many years outside of humanitarian aid conditions requires it to be more competent in terms of policy. For Türkiye, such intensive migration is an increasing agenda issue with the crises in neighboring countries. This creates the possibility that it may have policies that are not yet fully established compared to Germany.

However, for both countries, the large immigrant population has had social impacts, and one of these impacts is domestic violence for women, which intersects with the migration process. In both Germany and Türkiye, the challenges faced by immigrant women in the context of domestic violence and the countries' approaches to this issue differ. In order to gain a deeper understanding of this issue, the next section examines domestic violence in these two countries.

3.4 Domestic Violence in Germany and Türkiye

Germany and Türkiye have taken some steps to combat violence against women and discrimination against women. Regarding the actions taken within the

¹⁵The data is retrieved December 8, 2024, from: <https://www.goc.gov.tr/gecici-koruma5638>

international standards, Germany signed CEDAW in 1980 and ratified it in 1985. This convention commits to preventing discrimination against women under international law, improving the social situation of women, and changing gender-based stereotypes. It obliges signatory states to ensure women's equality in all areas (Cusack & Pusey, 2013). In addition, Germany signed “The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)” in 2011 and ratified it in 2017 (Balogh, 2020). The “Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ)”, and civil society organizations work together to combat domestic violence.

Türkiye signed and put into force the “United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)” in 1986 (Arat, 1994). In 2021, Türkiye withdrew from the “Istanbul Convention”, which it signed in 2011 and put into force in 2014 (Kocabay Şener et al., 2022). With the acceptance of “Law No. 6284¹⁶ on the Protection of the Family and Prevention of Violence Against Women”, the “Republic of Türkiye Ministry of Family and Social Services (MoFSS)” (Moroğlu, 2012) is dedicated as the responsible ministry for the protection and prevention of domestic violence.

Both countries have undertaken various efforts to address domestic violence. In Germany, the implementation of the Istanbul Convention provides vital protection for immigrant women from domestic violence. In Türkiye, there is a law on domestic violence. However, the practical applicability of this law for immigrant women is a matter of debate. The following sections discuss a comparison of both solutions to these and similar structural processes for both countries. For this purpose, a general perspective on domestic violence and

¹⁶Türkiye Cumhuriyeti Kanunu. (2012). 6284 sayılı Ailenin Korunması ve Kadına Karşı Şiddetin Önlenmesine Dair Kanun [Law No. 6284 on the Protection of the Family and the Prevention of Violence Against Women]. Resmî Gazete, 28239. Retrieved May 18, 2024, from: <https://www.resmigazete.gov.tr/eskiler/2012/03/20120320-16.htm>

counties' practical responses in terms of women's shelters are included in the following section.

3.4.1 Domestic Violence in Germany

In Germany, the Bundeskriminalamt, “Federal Criminal Police Office” (BKA), is the responsible state institution for publishing a report on domestic violence statistics. Although Germany's federal structure and its 16 federal states create some legal differences between the regions, data on domestic violence are kept by the BKA for all federal states. According to the latest report of BKA (2023), domestic violence statistics show that 157,818 people experienced domestic violence in 2022, where 126,349 of them were female. 29,546 women are under the age of 21, 16,459 women between 21 and 24, and 21,319 women between 25 and 29. The number of women concerning the ages of 30-39 is 47,758, 40-49 is 30,327, 50-59 is 15,080, and 60 and over is 10,590 (BKA, 2023).

In addition to that, the “Federal Statistical Office of Germany (Statistisches Bundesamt)” is collecting and sharing collective data from 16 states. Based on its May 2nd, 2024,¹⁷ information on the foreign population in Germany, 13,895,865 people are foreigners, and 6,590,340 are women. With the post-war economic difficulties in the country, 1.3 million Turkish workers were recruited, with the labor recruitment agreement signed in 1961 and ending in 1973. Although this economy-based practice, which ended in 1973, created an expectation for Turkish immigrants to leave the country, many Turks preferred to stay in Germany. Family reunification was also essential to this preference (White, 1997; Mueller, 2006; Tezcan, 2019). In addition to this economic-based migration flow, Germany has also hosted immigrants during the humanitarian aid process.

¹⁷Data is retrieved June 14, 2024, from the Federal Statistical Office of Germany. Accessible at: <https://www.destatis.de/EN/Themes/Society-Environment/Population/Migration-Integration/Tables/foreigner-gender.html>

Accordingly, with the civil war in Syria in 2011 and the Russian troops entering Ukraine in 2022, a global refugee flow manifested itself. According to UNHCR's 2024 February Fact Sheet, Germany is defined as one of the largest refugee-hosting countries. According to UNHCR (2024) as of 2023, 1,038,505 Ukrainians, 692,734 Syrians, and 239,583 Afghans are refugees, and 66,556 Syrians, 59,018 Afghans, and 43,101 Turks are asylum seekers in Germany. In this context, foreign nationals, refugees, migrants, and asylum seekers are pretty dense, and almost half of them are women.

The 2007 BMFSFJ report on migration, health, and access to social services mentions immigrant women who are subjected to violence. Accordingly, women of Türkiye origin are more likely to experience domestic violence. However, it is stated that these women are more active in reporting violence and requesting help. Women of Turkish origin frequently utilize shelters and women's centers, while women from the countries of the former Soviet Union also represent a significant proportion of shelter beneficiaries. In contrast, German women tend to seek psychosocial or psychiatric support services. The type and use of facilities show that 10 out of 23 women from Türkiye and 4 out of 21 women from the former Soviet republics used shelters (BMFSFJ, 2007). In 2019, 66% of women staying in women's shelters were of migrant or refugee background, the most common being from Syria, Türkiye, Afghanistan, Iraq, Russia, Poland, Kosovo, Morocco, Serbia and Romania. 26% of women are from non-European countries, 17% from Africa, 38% from Asia, and 16% from EU countries (Frauenhaus-Koordinierung e.V., 2019). In 2022, the total number of non-German women survivors of domestic violence is 22,300. Turkish citizens come first with 1,666 cases. In percentages, migrant women with Turkish citizenship account for 14.1%, migrant women with Syrian citizenship 12.6%, Afghan

5.7%, Polish 5.5%, Ukrainian 5.4%, and Romanian 13.6%¹⁸ (BKA, 2023:45). Non-German survivors of intimate partner violence were 11.2% Turkish, 10.8% Polish, 7.4% Syrian, 6.7% Romanian, 4.2% Afghan, and 3.9% Serbian (BKA, 2023:20).

Gereon Bollmann, member of the Bundestag and member of the family commission, stated that the situation in shelters in 2024 has not changed compared to previous years, with a predominance of migrants and refugees. Women of refugee origin use more than half of the women's shelters, and there is hardly any space for German women (Bollmann, 2024).

As of 2022, there are 380 women's shelters in Germany approximately with 2720 places. Most of these shelters are free of charge and open to all women. Accompanying children can use the services, and those with pets can also choose places that accept them privately (WAVE, 2023). There is also a publicly accessible website to facilitate access to shelters. From this website, it is possible to select the desired location and characteristics.

3.4.2 Domestic Violence in Türkiye

The first national survey on domestic violence against women in Türkiye was conducted in 2008 to address the sources and types of violence and in 2014, the second was conducted (Aile ve Sosyal Hizmetler Bakanlığı [ASHB], 2023). The 2014 survey includes data on violence against women, which states that perpetrators are generally husbands or intimate partners. It is found that 36% of married women are subjected to physical violence, 12% to sexual and 38% to physical and/or sexual violence. 3 out of 4 women who have been previously married, divorced, or separated from their husbands have been subjected to

¹⁸Other nationalities, including unidentified, account for %43. Retrieved June 14, from: <https://www.bka.de/SharedDocs/Downloads/DE/Publikationen/JahresberichteUndLagebilder/HaueslicheGewalt/HaueslicheGewalt2022.html>

physical and/or sexual violence at least once in their lives. The rate of women experiencing emotional violence/abuse is 44%, and the rate of women experiencing economic violence/abuse is 30% (ASHB and Hacettepe Üniversitesi Nüfus Etütleri Enstitüsü, 2015; ASHB, 2023). However, neither the 2008 nor the 2014 country-wide survey on domestic violence includes any information on immigrants¹⁹.

The report published by the Federation of Women's Associations of Türkiye in cooperation with UNFPA (2023) provides statistics on women calling the Federation's emergency helpline. It states that 330 immigrant cases reaching the hotline between 2007 and 2021 were analyzed, and survivors made half of the calls for violence. Eighty percent of the calls are received by women, and half are from people over middle age. 87% of the calls were received after 2012 when the influx of Syrians to Türkiye increased.

Following the crisis that started in Syria in 2011, Türkiye became one of the host countries with its open-door policy, and the number of Syrians has increased rapidly (İçduygu and Şimşek, 2015; Erdoğan, 2019). People who reach the country's borders in masses are granted temporary protection status within the state's non-refoulement obligation. Since then, Türkiye has recognized the temporary protection status for Syrians (Akpınar, 2017). Various policy steps have been taken in Türkiye for migration and foreigners after the intensive flow of Syrians. In 2013, the “Law on Foreigners and International Protection Law No. 6458” came into force, and the “Temporary Protection Regulation” entered into force in 2014 (Kıvılcım, 2016). The “General Directorate of Migration Management” was established in 2013, and its status was changed to the “Presidency of Migration Management (PMM)” in 2021. The Presidency implements works and procedures related to the implementation of migration

¹⁹In 2008 and 2014, domestic violence surveys in Türkiye were conducted by Hacettepe University Institute of Population Studies and the General Directorate on the Status of Women. This directorate is affiliated to the Ministry of Family and Social Services.

strategies and policies in the country, entry, and stay of foreigners, temporary protection, international protection, and protection of those subjected to human trafficking (Koçak & Kaygısız, 2023; Cihan, 2024). The “Presidency of Migration Management” has shelters for survivors of trafficking, and according to the GREVIO’s (2017) report, these shelters are in Ankara, with a capacity of 7 persons, and Kırıkkale, with a capacity of 10 persons.

According to data from the PMM dated 26.09.2024, 1,485,307 of the 3,090,975 Syrians under temporary protection²⁰ in Türkiye are women. As of the end of 2023, 13,068 Afghans, 2,776 Iraqis, 1,416 Iranians, and 1,157 persons from other countries were applying for international protection²¹. In Türkiye, where there is a high level of migration, it has been observed that in cases of domestic violence, foreign nationals often experience problems in accessing the required procedures due to lack of information and language barriers. Women without economic independence and those who do not have a civil marriage are also among the risk groups for violence (TKDF & UNFPA, 2023).

Women's shelters established in provinces under the government respond to the shelter requests of women who have been subjected to violence. However, these institutions are open not only to women survivors of violence but also to those in need of shelter (ASHB, 2023). There are 149 shelters in Türkiye, 112 of which provide specialized services for women and accompanying children and are under the ministry. Three of them belong to the PMM and serve survivors of human trafficking; local authorities and 1 NGO own 33 shelters. Based on the data provided by the Ministry, 80,910 people, 48,018 women and 32,892 accompanied children received services in 2022, and 44,536 people, 27,078 women and 17,458 accompanied children received services as of July 2023 (ASHB, 2023).

²⁰Data is retrieved on October 4, 2024, from the Presidency of Migration Management. Accessible at: <https://www.goc.gov.tr/uluslararasi-koruma-istatistikler>

²¹Data is retrieved on October 4, 2024, from the Presidency of Migration Management. Accessible at: <https://en.goc.gov.tr/international-protection17>

3.5 Scope of the Thesis: A Comparative Analysis of Domestic Violence in Germany and Türkiye

As in many countries around the world, domestic violence remains to be a major problem affecting women in Germany and Türkiye. Immigrant women face more barriers due to legal challenges and cultural differences. Germany and Türkiye have various policies and practices to combat domestic violence. However, these two countries differ in many areas, such as their policies on violence, practices for immigrant women, and data collection.

Data sources and collection methods differ in the two countries. In Germany, data on domestic violence comes from two primary sources. The BKA (Federal Criminal Police Office) collects data on domestic violence, while the Federal Statistical Office (Statistisches Bundesamt) provides demographic data. According to data for 2022, 157,818 people in Germany are survivors of domestic violence, of which more than 80% are women (BKA, 2023). In Türkiye, national surveys on domestic violence were conducted in 2008 and 2014, but these surveys did not include detailed data on immigrants.

In addition, Germany provides support through 380 women's shelters (WAVE 2023), and a significant number of the women staying in these shelters are immigrants from countries such as Syria, Türkiye, and Afghanistan (Frauenhaus-Koordinierung e.V., 2019). In the case of immigrant women, 22,300 foreign women were registered as survivors of domestic violence in Germany in 2022. Turkish citizens, Syrians, Afghans, and Romanians have the highest rates. It shows that the rates of immigrant women in Germany being survivors of domestic violence are remarkable. The number of shelters in Türkiye, in a total of 149, is considerably lower than in Germany. While there was no information on immigrants in the domestic violence surveys in Türkiye

in 2008 and 2014, a report prepared with UNFPA in 2023 stated that 330 immigrant women applied to domestic violence hotlines. In this report, 80% of the applicants are women, and it is understood that the number of applications increased after 2012, especially after the Syrian crisis.

Considering all these evaluations, when domestic violence data in Germany and Türkiye are analyzed, it is seen that Germany provides more detailed and migrant women-oriented data. In Türkiye, data on immigrant women is more limited, and domestic violence surveys do not include sufficient information on immigrants. It is observed that the rate of migrant women's experience of domestic violence is high in Germany, and the rate of applications for help in this regard is increasing in Türkiye.

In line with all these data, the thesis questions how Germany and Türkiye have approached immigrant women struggling with domestic violence throughout the historical and legal process. To do this, it is necessary to understand the historical process of both countries. At the same time, the legal inclusiveness and the cooperation of the public and civil society in this field will be discussed. The effect of the Istanbul Convention, which emphasizes domestic violence and combines it with intersectionality, will also be addressed in both countries.

CHAPTER IV

4. EXAMINING HISTORICAL CONTEXTS AND LEGAL MECHANISMS IN GERMANY AND TÜRKİYE

4.1 Germany

Germany has carried out various efforts on violence against women and domestic violence throughout its history. Following World War II, in 1949 the country was divided into two separate states, East Germany and West Germany. In both states, the concepts of family, gender roles, and violence were approached differently. However, during this period, maintaining the structure of the family remained a key priority in both contexts. This is explained by factors such as the post-war female population outnumbering the male population and the creation of family unity. In both East and West Germany, civil society played a leading role in efforts to address domestic violence, with such initiatives being more prominent in West Germany. This is because East Germany adopted more gender equality in its policy. After the unification in 1990, progress on the issue continued and the cooperation between civil society and the state strengthened and increased. Women's shelters, which are one of the practices to prevent domestic violence established in West Germany, have maintained to strengthen their existence until today. This section details the developments in domestic violence and women's shelters in West and East Germany after 1949 and discusses the developments after 1990.

4.1.1 Historical Background: Domestic Violence and Women's Shelters in Germany

To understand domestic violence, it is essential to mention and examine the historical background of the family issue in Germany which goes back to the 1920s. The debate on the family crisis in Germany began to gain momentum in the 1920s, after the First World War, in response to falling birth rates, rising

divorce rates, and concerns about social changes. In this period, debates on the “women's issue,” focusing on women's rights, their roles in society, and gender equality, also increased and were fueled by conditions such as the “surplus” of women due to the large number of post-war soldiers. Extending women's rights in Weimar, Germany, and changing attitudes toward family structures and population concerns set the stage for debates throughout the 20th century (Ruble, 2020). After the Second World War, Europe was divided into blocs, and Germany was divided into Eastern and Western states in 1949 (Evera, 1990). There were various challenges in foreign and domestic politics in this process. Due to the circumstances of the post-war period, the status of women and the family's future were high on Germany's political agenda (Heineman, 1999).

The after-effects of the Second World War on the family were notable in Germany. As of 1945, most of the population comprised women, while men returned home with many traumas after the war (Freeland, 2022a; Moeller, 1989). This demographic imbalance has led to the preservation of the family structure in both East²² and West Germany, which has found a framework in the political arena (Moellar, 1989; Heineman, 1999). The contradictory views on the social status of women remained unresolved in the West German Basic Law (Grundgesetz)²³ of 1949. This law recognized the equality of women with men during the war and the reconstruction of a family while emphasizing the need to “protect” women and maintain their role in the family. The West German Basic Law clearly stated that men and women had equal rights, which was an important step forward compared to the previous Weimar Constitution (Moellar, 1989). Through the 1950s and 1960s, under the Christian Democratic government in

²²Hanhardt (1982) mentioned in his article that East Germany is also known as the “German Democratic Republic”. Reference: Hanhardt Jr, A. M. (1982). The German Democratic Republic. *Current History*, 81(478), 366-370. Therefore, it should be noted that GDR means East Germany.

²³After the unification, West and East blocs accepted “The Basic Law” instead of drafting a new constitution. Retrieved December 13, 2024 from: <https://www.bmi.bund.de/EN/topics/constitution/constitutional-issues/constitutional-issues.html>

West Germany, a patriarchal Christian model of family structure was fortified. In this structure, parents did not have equal rights and responsibilities. Women had domestic duties, such as taking care of children and doing domestic tasks, while men were responsible for the family's livelihood (Freeland, 2022a). In 1957, the “Act on Equal Rights for Women and Men” amended West German family law. However, two articles of civil law remained in force, which stipulated that women's participation in the family was mainly domestic work and that they could only go to work if it did not interfere with their responsibilities as wives and mothers. In 1977, however, a new family law recognized marriage as a partnership (Rueschemeyer, 1993).

According to Kolbe (1999), the family construction was structured as child-care mother and breadwinner father. Violence was understood as disagreement or misfortune in a family structure. In the 1970s, feminist movements began to discuss sexual assault, and in the following period, marital rape was also discussed as one of the appearances of domestic violence (Gelles, 1977; Yılmaz, 2015). In Germany, marital rape has also been a topic of discussion in the Penal Code. While the Penal Code's release of marital rape legally exempts violence against women within the home, violence was not seen as a problem to be discussed to protect the nuclear family structure. Women who were survivors of domestic violence sought support from neighbors or relatives, and those who wanted a divorce had to prove the violence (Freeland, 2022a). Although the Constitution of 1949 included a statement on the equality of men and women, the equal treatment of women in the labor market was quite different from that in East Germany. By encouraging women to work, East Germany was taking steps to prevent women from staying at home, to break conventional social stereotypes, and to prevent women's marital status from hindering their goals in life (Heineman, 1999).

Following the division of Germany, East Germany, under the rule of the Socialist Unity Party (SED), implemented a system that promoted gender equality. This

system was supported by policies designed to help women balance work and family life. Women had rights such as one-year maternity leave, access to abortion on demand, state-funded childcare, and education (Guenther, 2010). Over time, the Socialist Unity Party (SED) became increasingly engaged with women's issues. During the 1950s and 1960s, the private sphere and women's roles emerged as a focal point in the ideological struggles of the Cold War. The idea of more modern, loving, and egalitarian homes was promoted through competition over home furnishings and consumption products, or by encouraging the sharing of housework between husband and wife. In the political process, the SED used this egalitarian approach to legitimize socialist rule against what looked increasingly like a permanent German division. However, this does not mean that the SED radically challenged patriarchal gender norms. As a result, similar to the West, until the 1970s, pro-natalist policies promoted women to have children for the sake of socialism and women's responsibilities for caring remained unchanged (Freeland, 2022a:12-13).

East Germany is also prioritized to protect family unity. However, due to its socialist regime rules, the German Democratic Republic (GDR) promoted equality between women and men and was engaged in various practices for the emancipation of women. Between 1949 and 1972, it implemented women's legal right to employment, incentive programs for placement in non-traditional occupations, and the expansion of kindergartens and other childcare facilities (Ferree, 1993). Even though the system advocated equality between men and women, the adoption of a conservative family structure prevented the public voicing of violence against women. From 1961 onwards, although women had economic freedom and job opportunities, housing was allocated to married couples and families. By 1965, the new Family Law Act recognized rights such as custody of children and joint property and emphasized that the marriage had to lose its meaning to obtain a divorce. This stresses the difficulty of divorce and the need to preserve the family structure (Freeland, 2022a).

Both systems have taken action to address domestic violence in Germany. Although steps have been taken to protect the family's unity and restore the broken order after the war, the voice of civil society has also made a significant contribution to the system. In the case of women's shelters, various practices have been developed.

4.1.1.1 West and East Germany Women's Shelters Movements

In the 1960s, student movements were widespread in West Germany, and one of these groups was the Sozialistischer Deutscher Studentenbund (SDS). Although women were involved in this movement, their visibility was low. It was challenging for women with children to take part in these movements. At the 23rd National Assembly, activist Helke Sander criticized the SDS for not addressing women's issues. Sander emphasized that violence against women and domestic violence is the issue of all by recognizing that the personal is political. After Sander's speech, activist Sigrid R ger protested Sander by throwing tomatoes on the stage, an essential milestone in forming the women's movement (Freeland, 2022b:27-28).

Sander then led a team of women to set up Kinderl den, a childcare center for children, and this movement led to the organization of two groups, Weibeirat in Frankfurt and Aktionstrat in Berlin. However, these two groups disintegrated in time and were replaced by the "Brot und Rosen" women's movement in Berlin under the leadership of Sander in 1971. In 1969, the Social Democratic government came to power in West Germany, which aimed to bring more welfare in politics. In addition to the women's group "Brot und Rosen," women for gay rights founded Homosexual Action West Berlin, which merged and opened the first Women's Centre in Berlin in 1973 (Freeland, 2022b).

While women's movements were advancing rapidly and women's centers were opening, the debate on abortion was also on the agenda. In Germany, Section 218 of the Imperial Criminal Code of 1871 advocated the prohibition of abortion,

and this reflects the policies of the 20th century. As feminist groups in West Germany began to exchange ideas in the international arena, there was also a movement to ban abortion. In 1974, attempts to legalize abortion under certain conditions were seen as a defeat by feminists when a more limited reform was adopted in 1975 (Freeland, 2020; 2022b).

The New Women's Movement started to rise with the beginning of the campaign and the mobilization against domestic violence, including defiance (see paragraph 218²⁴). Women who have been affected by domestic violence failed to receive sufficient support from the police and social services and faced the fault-based system when they wanted to divorce. For a woman to get divorced based on domestic violence, she had to provide evidence with a medical doctor's report or witness testimony. The only solution for women who did not receive help from the state, or their close environment was to help themselves and act together. Berlin was the central place where feminists discussed violence against women and domestic violence at that time. The first steps of Project Frauenhaus were taken with the idea that women would help women. The first women's shelter was opened in 1976 to provide a service where women can get rid of abusive relationships and empower themselves, have the chance to become independent and reintegrate into society (Freeland, 2022b:51-52).

The establishment of women's shelters in Germany was significantly influenced by the growing international recognition of violence against women. The general attitude of feminist movements during the 1970s “was initially grass-roots,

²⁴The Section 218 includes as following: “(1) Whosoever terminates a pregnancy shall be liable to imprisonment not exceeding three years or a fine. Acts the effects of which occur before the conclusion of the nidation shall not be deemed to be an abortion within the meaning of this law. (2) In especially serious cases the penalty shall be imprisonment from six months to five years. An especially serious case typically occurs if the offender 1. Acts against the will of the pregnant woman; or 2. through gross negligence causes a risk of death or serious injury to the pregnant woman. (3) If the act is committed by the pregnant woman the penalty shall be imprisonment not exceeding one year or a fine. (4) The attempt shall be punishable. The pregnant woman shall not be liable for attempt.” Retrieved June 18, 2024, from: https://adsdatabase.ohchr.org/IssueLibrary/GERMANY_Criminal%20Code.pdf

building a network of shelters for battered women, and defining themselves as anti-state” (Clark, 2011:198), and “women’s shelters epitomized its transcendence” (Elman, 2003:95). For instance, in 1971, Chiswick Women’s Aid opened the first modern women’s shelter in the UK; in 1974, Elsie Refuge was opened in Sydney, Australia, and following the same year, St. Paul in Minnesota, and 1976, Cambridge, Massachusetts, Lawrence, Kansas women’s shelters are opened in the UK (Elman, 2003; Ramsay, 2007; Freeland, 2020). West German women’s activists visited the UK women’s shelter in 1971, where they found a chance to observe the approaches within the services. They attended the Brussels Tribunal in 1976, a global event that signifies the significance of violence against women.

In return, the shelter group began negotiations with many government officials, including “Berlin Senators for Family, Youth, and Sport”, and the “Ministry for Youth, Family, and Health”. In cooperation with the “Berlin Free Democratic Party Working Group”, the shelter project was approved after the issue was forwarded to the Berlin Senate. Sarah Haffner’s domestic violence report in West Germany was widely reported in the media. A three-story villa with a garden in the city’s suburbs became the first shelter that had previously been used for refugees and migrants. The Federal Ministry provided 80% of the funding, and the Berlin Senate provided 20% for the shelter (Freeland, 2022b, pp. 66-73). For feminist activists, the shelter project was a critical step toward women’s empowerment and integration into social life. Still, women who came to the shelter wanted to solve their problems and find peace. Concurrently, specialization was needed to meet the requirements of women from different groups. Particularly in the 1980s, activists with migrant and refugee backgrounds were uncomfortable with the white and German-based orientation of the shelters.

Nevertheless, in the mid to late 1970s, divorce decisions were not so easy. Women could use “Sections 115, 116, and 249 of the 1968 Penal Code” to accuse their husbands of public disorder and endangerment, but this was still not

taken very seriously by the authorities. Moreover, it was tough to establish a women's organization independent of the state or the system.

“Left in the 1960s, such a movement could not emerge in the GDR as long as the Communist Party of the GDR, the Socialist Unity Party-Party of Democratic Socialism (SED-PDS), maintained a monopoly of political power. The SED did not permit any autonomous organizing among women and only recognized the official women's organization - the Democratic Women's Union, or DFD (Demokratischer Frauenbund Deutschland)” (Dicaprio, 1990:5).

In 1971, Erich Honecker came to power, bringing a “liberal” perspective rather than the idealized socialist regime. Violence against women became more widespread during the liberalized regime and more articulated by the arts and artists. In the 1970s and 1980s, writers began to debate whether socialism could make women's lives better. By 1978, women's organizations began to meet voluntarily outside state control. In 1987, the third women's festival was organized in a church in Dresden, emphasizing that violence is not an isolated phenomenon, but a collective problem. While violence against women and domestic violence seem to have been discussed from the perspective of art in general, the fact that there were events that met outside of state control and that there were about 200 independent women's organizations established outside of the state also showed the societal reflection of feminism. The most crucial reason these fragmented organizations could not unite was that East Germany was a federal state, and the regional states and municipalities had autonomy over social policy issues, preventing activists from uniting (Guenther, 2010; Freeland, 2022:110-130).

Even if some institutions or rules prevent groups or organizations from merging, there are also strong groups in Germany that deal specifically with violence. Weimar Frauentestube, founded in 1983, is the primary group that handles violence against women and is in contact with women activists in West Germany. However, the work of this group was more focused on sexual violence and rape. It claimed that marital rape has to be legally prohibited and that it

should be applied not only against women but also against men. In other words, unlike in West Germany, the focus of the feminists was on gender equality. Consequently, West Germany had a do-it-yourself mentality, which was also when the first shelter opened. In 1984, the first crisis shelter in East Germany was opened, which aimed to provide services for women and men, and later turned to offer support services to women survivors of violence.

Two women's shelters were opened after Germany's unification. The first one is Frauenhaus in Leipzig, which was funded by the government and then, in 1991, financed through the city budget. The second one is the Hestia Women's Shelter in East Berlin. The rationale behind both was not the women's movement but the collapse of the socialist regime (Freeland, 2022).

4.1.1.2 Women's Movement after 1989 and Women's Rights

In 1989, the collapse of the socialist regime and the unification of Germany led to many innovations in social values and reformist approaches to gender equality and domestic violence against women (Miethe, 2002; Guenther, 2010).

The Unabhängiger Frauenverband (UFV), the Independent Women's Federation, was founded during the state round table. It included various organizations, radical feminist groups, and local grass-roots organizations formed after the Berlin Wall collapsed in 1989 (Baldez, 2003). The unification of the two structural orders, East and West, focused on the women's movement and gender equality, and the UFV worked for gender equality while advocating for equal women's rights in work and social life (Freeland, 2022). Between 1993 and 1996, both West and East worked to keep women together and to ensure that women's issues were on the agenda (Miethe, 2002). Conversely, the background of West and East German women in feminism was not the same. While the feminist women's movement in West Germany was closely linked to violence against women, in East Germany, activism was born out of the opposition movement.

West German UFV members favored it, while East German UFV members thought it could be a dangerous move. After the idea of this initiative, many people left the UFV, and in 1998, the UFV was banned as a national organization (Miethe, 2002; Freeland, 2022).

However, during the active phase of the UFV and when the focus was mainly on violence against women and domestic violence in the 1990s, many projects were applied. One of the most important projects was the “Berliner Initiative gegen Gewalt an Frauen²⁵ (BIG e.V.)”, which represented the collaboration of activists from East and West Germany. It was founded in 1995 by a working group that included men and women. It was supported by the “Federal Ministry for Family Affairs, Senior Citizens, Women, and Youth”, and the “Berlin Department of Labor, Women, and Social Affairs”. Until 2001, it ran a project for improving the rights and legal status of harmed women and their children, developing methods to hold perpetrators responsibilities by working with police and through legal processes included in civil and criminal law. The project has been extended throughout Germany, and many activities have been carried out to raise public awareness, such as the preparation of a draft on the necessity of police intervention in domestic violence and how this can be done, the preparation of a guideline for the orientation and protection of refugee and migrant women, the preparation of visual and video materials to explain the situation of domestic violence and children (Freeland, 2022:185-188)

After the unification, gender-based issues arose in Germany (Hagemann-White, 2017). Since the 1990s, domestic violence in Germany has also become more perpetrator-orientated. At the beginning of 2002, the “Protection Against Violence Act” came into force and authorized the police in almost all of Länder to enter a residence with state permission. In this way, the police were permitted

²⁵The information about the BIG project is gathered June 14, 2024, from: <https://www.big-berlin.info/page/brief-history>

to enter the residence, which had previously been wholly prohibited in cases of domestic violence (Hagemann-White & Kavemann, 2006).

In 1999, the Federal Government introduced the first “Action Plan to Combat Violence against Women”, which relies on creating a model for 16 federal Lander. With the findings of this action plan in 2007, the Second Action Plan to Combat Violence against Women was introduced. Both action plans aim to create collaboration between the Federal Government, the Lander, and NGOs. The second one focused on subjects such as the prevention of domestic violence, working with perpetrators, support for women, research, international and European cooperation, and awareness rising. At the same time, it included practices for women with a migration background²⁶.

4.1.1.3 What about Immigrant Women in This Process?

In the 1960s and 1970s, migration to Germany was particularly intense from Türkiye. In addition, from many countries, people came to work in car factories or mines (Lenz & Schwenken, 2002). In migration studies in the 1970s, men were generally mentioned, and the labor force was always based on men. This situation rendered women invisible, and the violence experienced by immigrant women was almost absent in research, but it was visible in daily life (Morokvasic, 1983).

In the 1970s, violence against women was naturalized in the courts for White Germans in the GDR. This is also the case for immigrant families with an additional obstacle from cultural differences. Freeland (2022) mentions in her book the case of Asiye, a Turkish woman who came to West Germany based on spousal status. Asiye was subjected to her husband’s violent actions and moved to a women's shelter, but her stay in the shelter posed a problem for her

²⁶German Policy on Domestic Violence. Retrieved June 15, 2024, from: <https://eucpn.org/document/german-policy-on-domestic-violence>

residency. Although activists worked to protect Asiye and continue her right to stay there, she was deported by the “Berlin Senate Ausländerbeauftragte (Commissioner for Foreigners' Issues)” because she had not remained in the country enough. At that time, the West German migration law allowed migrant women coming to Germany to obtain a residence permit through marriage and required them to stay in the country for four years to obtain their permit (Freeland, 2020). Although this led to the shelter staff raising voices about the discrimination of migrant women, it was only in 1980 that the relationship between migrant women coming to the shelter and their deportation began to be discussed by the official authorities. One of the essential influences was that feminist women with migrant backgrounds expressed their views that they were discriminated against, and their needs were unmet in various meetings in those years.

In the 1990s, violence elimination projects increased in Germany, and inter-institutional and interdisciplinary cooperation was established. Round table forums were organized for all institutions, organizations, and project teams working on violence in the region, using the term intervention project. The main aim is to ensure that all those working in the field develop shared goals and coordinate work on violence. To ensure coordination and identify common goals, a study was conducted by the “Federal Ministry for Family Affairs, Senior Citizens, Women, and Youth” at the University of Osnabrück to evaluate ten intervention projects between 1998 and 2004. The first part of the research covers the “Berliner Initiative gegen Gewalt an Frauen (BIG e.V.)” project that has been accepted as a national project model and supported by the Federal Ministry for Family Affairs Senior Citizens, Women and Youth and the Berlin Department of Labor, Women and Social Affairs since 2001²⁷. In the following

²⁷The information is retrieved June 16, 2024, from: <https://www.big-berlin.info/page/brief-history>

part, the remaining nine selected²⁸ projects were analyzed comparatively (BMFSFJ, 2004).

In 1995, the BIG e.V project proposed a crucial path for immigrant women because the working group had started negotiations with the “Foreigner’s Office and Youth and Social Services” before they got support from the “Berlin Senate Office for Employment, Education and Women” and “The Federal Ministry for Family Affairs, Senior Citizens, Women, and Youth”. During the planning phase of the project, they decided to consider immigrant women’s position in the domestic violence policies. They developed guidelines for immigrant women and the first German-wide domestic violence hotline (Freeland, 2016).

With the effect of this intervention, domestic violence policies spread throughout Germany. A study by İlkkaracan (1996) shows how immigrant women had access to social assistance for domestic violence in that period and what difficulties they faced. The study emphasizes that although Turkish women in Germany have almost the same level of education and employment opportunities as men, they earn less and are in a more disadvantaged position than their husbands in the decision-making process of family relations. Almost half of the 114 Turkish women interviewed in the study reported physical, mental, economic, or sexual violence by their husbands. Although language barriers, cultural stereotypes, and economic pressures from their husbands, women reported resorting to social means such as the police and helplines to prevent

²⁸These projects are Bremen: “New paths,” Freiburg: “Freiburg intervention project against domestic violence” (FRIG), Gladbeck: “Gladbeck initiative against violence in families” (GIP), Hannover: “Hannover intervention project against male violence in the family” (HAIP), Mecklenburg-West Pomerania: “Intervention project CORA – Contra violence against women and girls in Mecklenburg-West Pomerania,” Passau: “Violence in close social relationships,” Rhineland-Palatinate: “Intervention project against violence in close social relationships” (RIGG), Schleswig-Holstein: “Coordination and intervention policy of Schleswig-Holstein against domestic violence towards women,” Stuttgart: “Stuttgart partnership against domestic violence” (STOP). This information is retrieved on 16 June 2024 from The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ) 2004 report, page 7. Accessible at: <https://www.bmfsfj.de/resource/blob/93938/7da570051cb2af391592774ca0dedcbe/gemeinsam-gegenhaeuslichegewalt-englisch-wibig-data.pdf>

this. In Gülçür's study (1995) conducted in Türkiye in similar years, she stated that women living in Ankara and exposed to violence rarely requested help from social support hotlines and emphasized that the fact that domestic violence is seen as a social problem plays a key role in women's access to help.

In 1998, with the Social Democrat and Green coalition coming to power, a new citizenship law and migration reform came to the agenda in 1999. In this context, new formations were introduced both for the time of staying in Germany for residence and for migrant women to stay with their husbands for two years, and the possibility for migrant women facing violence to leave their husbands through a hardship case was recognized (Borkert & Bosswick, 2007; Schneider, Kreyssig, et al., n.d.).

The “Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ)” is the public authority accountable for the integration of resident children and youth with a migration background or foreign citizenship following the “Federal Child and Youth Assistance Act (Kinder- und Jugendhilfegesetz)” (Borkert and Bosswick, 2007). In 2002, the “Federal Commissioner for Foreigners' Issues” was transferred to the BMFSFJ. The “Federal Commissioner for Integration and Refugees” was renamed “Federal Commissioner for Integration and Refugees”. In 2005, in the new conservative-social democratic coalition, the “Federal Commissioner for Foreigners' Affairs” was elected secretary of state. However, the “Federal Office for Migration and Refugees of the Ministry of the Interior” is mainly responsible for migration and policy implementation with the cooperation of local authorities (Borkert and Bosswick, 2007).

4.1.2 General Legal Protections in Germany

Violence prevention interruptions and gender equality have gained more importance with the federal state's introduction of the first action plan in 1999.

It covered many aspects of combating violence against women, including prevention, working with perpetrators, survivor support services, and public awareness raising. The action plan also advocated further cooperation and projects with state institutions and civil society. From a legal dimension, the plan also mentioned the preparation of the “Protection against Violence Act”. The aim was to ensure that everyone in Germany, regardless of age, social group, or ethnic origin, could access services (BMFSFJ, 2012). In 2002 Germany published the “Violence Protection Act (Gesetz zum zivilrechtlichen Schutz vor Gewalttaten und Nachstellungen)”. Accordingly, the survivor of violence can apply for a protective court order to prevent the perpetrator from contacting or approaching her/him. If the perpetrator fails to comply with this order, they may be subject to a fine or imprisonment of up to 1 year (OHCHR, 2005).

In Germany, the family is essential in the eye of the legal system. Basic Law for the Federal Republic of Germany²⁹ Section 6 protects the family of the state. Even though it does not directly affect the structure of a family, it protects within a legal framework. The Residency Act Section 27³⁰ states that,

“(1) The temporary residence permit to enable foreign dependants to reunite foreigners in the federal territory so that they can live together as a family (subsequent immigration of dependants) is granted and extended to protect marriage and the family in accordance with Article 6 of the Basic Law.”

The legal system protects families with foreign backgrounds and supports family unification (Basic Law for the Federal Republic of Germany, 2022).

²⁹Basic Law for the Federal Republic of Germany in the revised version published in the Federal Law Gazette Part III, classification number 100-1, as last amended by the Act of 19 December 2022 (Federal Law Gazette I p. 2478). Retrieved June 14, 2024, from:

https://www.gesetze-im-internet.de/englisch_gg/englisch_gg.html#p0035

³⁰ Residence Act in the version promulgated on 25 February 2008 (Federal Law Gazette I p. 162), most recently amended by Article 4b of the Act of 17 February 2020 (Federal Law Gazette I p. 166). Retrieved June 15, 2024, from:

https://www.gesetze-im-internet.de/englisch_aufenthg/englisch_aufenthg.html#p2181

Even though the German Basic Law does not directly address domestic violence, the legal system includes various protection and prevention measures. Article (1) of the Basic Law “guarantees the inviolability of human dignity”, and Article (2) “guarantees the right to life, physical integrity, and liberty” (Basic Law for the Federal Republic of Germany, 2022). “The Protection Against Violence Act” directly recognizes domestic violence as a social problem. It clarifies that anyone who is subjected to any violence at home is under the protection of the legal system³¹. Protection mechanisms include specialist advice services, women’s shelters, and violence support hotlines. It also guarantees “protection orders, allocation of the home, compensation, and damages, a judicial settlement of the custody of common children, and prohibition or restriction of access”³² for anyone who has combatted domestic violence. Police have a right to intervene and determine the protection area, and they can obtain a restraining order against the perpetrator. The police laws of the federal states allow the police to impose a no-contact order until a court issues a ‘restraining order’ by the “Act on Civil Law Protection against Violence”. If this prohibition is violated, the police are authorized to detain the perpetrator, although criminal sanctions are not imposed³³.

³¹Greater Protection in Cases of Domestic Violence. Brochure, which is published by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, and the Federal Ministry of Justice and Consumer Protection. Retrieved June 16, 2024, from:

https://www.hilfe-info.de/Webs/hilfeinfo/SharedDocs/Publikationen/EN/Information_Domestic_Violence.pdf?__blob=publicationFile&v=3

³²Greater Protection in Cases of Domestic Violence Information on the Act on Protection against Violence page 9 includes more details about the protection mechanisms based on the German Civil Law. Retrieved June 16, 2024, from:

https://www.hilfe-info.de/Webs/hilfeinfo/SharedDocs/Publikationen/EN/Information_Domestic_Violence.pdf?__blob=publicationFile&v=3

³³Baker McKenzie Law Firm document on fighting domestic violence in Germany. Retrieved June 17, 2024, from:

[https://resourcehub.bakermckenzie.com/en/resources/fighting-domestic-violence/europe/germany/topics/1legal-provisions#:~:text=The%20German%20Criminal%20Code%20criminalizes,also%20punishable%20\(Section%20185\).](https://resourcehub.bakermckenzie.com/en/resources/fighting-domestic-violence/europe/germany/topics/1legal-provisions#:~:text=The%20German%20Criminal%20Code%20criminalizes,also%20punishable%20(Section%20185).)

“The German Residence Act” of Section 31, officially published in the Federal Law Gazette on 17 July 2017, mentions the residency process for immigrants. In such a case,

“(1) In the event of termination of marital cohabitation, the spouse’s residence permit shall be extended by one year as an independent right of residence unrelated to the purpose of the subsequent immigration of dependants if 1. marital cohabitation has lawfully existed in the federal territory for at least three years or 2. the foreigner has died while marital cohabitation existed in the federal territory and the foreigner was in possession of a residence permit, settlement permit or EU long-term residence permit up to this point in time, unless he or she was unable to apply for an extension in time for reasons beyond his or her control”³⁴.

In this context, it is guaranteed that in the dissolution of the marriage of a person with an immigrant background, the residence permit can be prolonged by one year, provided that the marriage has continued in the federal territory for three years. Therefore, if an immigrant woman has a residency permit based on the marriage connection, the residency permit can be extended if various conditions are met. In addition, Section 31 Paragraph 2 of the Residency Act³⁵ states that the 3-year cohabitation requirement for the extension of the temporary residence permit will be waived if the spouse is subjected to domestic violence, which is accepted as a particular hardship case. Including some other special conditions, this article supports the adoption of measures to prevent the spouse subjected to domestic violence from maintaining the situation.

The “German Criminal Code” provides for civil penal consequences for various forms of domestic violence. Section 223 and Section 224 specify imprisonment for bodily harm, and Section 185 specifies imprisonment for insult. Section 177

³⁴Federal Ministry for Family Affairs, Senior Citizens, Women and Youth’s brochure named “Greater Protection in Cases of Domestic Violence”. Retrieved June 19, 2024, from: <https://www.bmfsfj.de/resource/blob/121760/b227b8b02448a576045c444efe81b792/mehr-schutz-bei-haeuslicher-gewalt-englisch-data.pdf>

³⁵Residence Act in the version promulgated on 25 February 2008 (Federal Law Gazette I p. 162), most recently amended by Article 4b of the Act of 17 February 2020 (Federal Law Gazette I p. 166). Retrieved June 20, 2024, from: https://www.gesetze-im-internet.de/englisch_aufenthg/englisch_aufenthg.html#p2181

mentions a prison sentence of between 6 months and 5 years for sexual acts enacted without the person's consent³⁶. Furthermore, in the “German Code of Criminal Procedure”, a detention order can be issued for a survivor, regardless of gender, who is in danger of death, harm to health, or suspicion of stalking³⁷. Section 823 of the “German Civil Code” stipulates that compensation may be claimed for damage to life, body, liberty, or other rights. Section 1004 of the German Civil Code states that the court may order fines or arrest for repeated damage. For survivors of domestic violence, financial support from the perpetrator, such as medical expenses (Section 249), as well as compensation for suffering in the event of harm to the body, sexual autonomy, and freedom, can be claimed³⁸.

In the 2020s, no section on domestic violence in the German Constitution or federal law exists. However, domestic violence is included in administrative law in all 16 states. Acceptance of violence against women emerged in German law for the first time in 2013 with the opening of a free national helpline. This helpline is required by law to be open every day of the year and to support women in entire types of violence, by phone and online. Interpreters are also accessible for foreign women or those who do not speak German (Hagemann-White, 2017).

³⁶Criminal Code in the version published on 13 November 1998 (Federal Law Gazette I, p. 3322), as last amended by Article 2 of the Act of 22 November 2021 (Federal Law Gazette I, p. 4906). Retrieved June 20, 2024, from: https://www.gesetze-im-internet.de/englisch_stgb/englisch_stgb.html#p2099

³⁷ Code of Criminal Procedure as published on 7 April 1987 (Federal Law Gazette I, p. 1074, 1319), as last amended by Article 2 of the Act of 25 March 2022 (Federal Law Gazette I, p. 571). Retrieved June 20, 2024, from: https://www.gesetze-im-internet.de/englisch_stpo/englisch_stpo.html

³⁸Civil Code in the version promulgated on 2 January 2002 (Federal Law Gazette [Bundesgesetzblatt] I page 42, 2909; 2003 I page 738), last amended by Article 1 of the Act of 10 August 2021 (Federal Law Gazette I p. 3515). Retrieved June 19, 2024, from: https://www.gesetze-im-internet.de/englisch_bgb/englisch_bgb.html#p0760

4.1.3 Current Situation of Women's Shelters in Germany and Refugee/Migrant-Background Women

In West Germany, the first protective women's shelter was opened in 1976, following the date the second one was established in Cologne. The former East Germany opened its first shelter in 1990 (Logar, 2022). In 1977, Frauenhaus Düsseldorf opened in former-West Germany, and it has been run autonomously for more than 40 years. Like other shelters, this shelter keeps its address confidential; according to the information on its website³⁹, it has a detached house structure, kitchen, recreation room, dining room, 17 beds, and 6 bathrooms. According to the information on the same website, 80 to 90 percent of women survivors of violence have a migration background.

Immigrant women are generally unaware of their legal rights and have problems as they are unfamiliar with the language. However, this shelter provides a German language course once a week, helps through the formalities, and is accompanied by interpreters⁴⁰. Providing such a service is an example of social cohesion work for women. The woman who comes to that shelter is not only able to overcome the effects of violence but also to solve the language problem, which constitutes an obstacle to her adaptation to society. This is a practice that supports women's empowerment.

In the following period, with the cooperation of women's organizations in Germany and the federal and regional governments, women's shelters became widespread throughout the country. There are women's shelters, women's centers, sexual violence support services, and national and regional helplines in 16 regions (Bundesländer) in Germany. The support facilities of women's shelters are usually provided by the region (Länder) and local authorities.

³⁹Frauenhaus Düsseldorf Website. Retrieved June 20, 2024, from: <https://www.frauenhaus-duesseldorf.de/en/about-us/history/>

⁴⁰Ibid.

Funding for the shelters comes from multiple sources, usually from donations, aid-based organizations, NGOs, and public institutions. The regulation of funds is provided by the region (Länder) (Logar, 2022).

According to the WAVE 2023 report, there are 380 women's shelters in Germany as of 2022, with a total capacity of 2720 families. While there is no local strategy for shelters, most are funded by regional-level projects. In addition to them, there are around 130 women's shelters, which are not supported by the Federal Government or charitable organizations such as Caritas but are at the forefront of the feminist movement⁴¹. This corresponds to approximately 6,800 beds. Most shelters are open 24/7 and are free of charge (WAVE, 2023). However, in some regions, women can pay for accommodation, and the length of stay can vary from 3 to 6 months to indefinite (WAVE, 2023; WAVE, 2021). According to 2021 data, the rate of women staying in shelters for less than 1 month is 43%, between one and three months is 19%, between three and six months is 12%, up to one year is 7%, and more than one year is 2% (Rudek & Herold, 2022; WAVE, 2023). It shows that women leave shelters after receiving the necessary services and support services are actively working to help women start their own lives, including finding accommodation.

In women's shelters, women can access services together with their accompanying children. There are special shelters for women with male children. Women with accompanying boys up to 12, 13, and 18 who want to benefit from this service are directed to specialized facilities. Women are provided with access to safe protection without any discrimination, such as religion, language, race, or sexual identity. In addition to accommodation, the shelters offer legal support, cooperation with institutions and organizations, guidance, and group activities for women and children. No documents are

⁴¹More information can be found within the official documents of the autonomous women's shelters in Germany. Retrieved June 18, 2024, from:
https://autonome-frauenhaeuser-zif.de/wp-content/uploads/2019/08/zif_leitlinien_autonomer_frauenhaeuser_flyer_0.pdf

required, but it is recommended that children bring documents such as identity cards or vaccination cards for their safety and health⁴². As of 2021, a website www.frauenhaus-suche.de has been established that women who have been subjected to violence can access throughout the country and includes many details such as accommodation capacity, how many children can be accepted, what age range the children can be, the language of the service provided, special services according to disability status and pet acceptance. On the website, women and their accompanying children can select the shelter that offers suitable accommodation and protection. The website is available in German, English, Arabic, French, Russian, and Turkish (WAVE, 2023). It is also possible to seek help from a nationwide helpline that is free and available 24/7.

⁴²The information is retrieved June 19, 2024, from:
<https://www.frauenhaus-suche.de/en/what-is-a-womens-refuge>

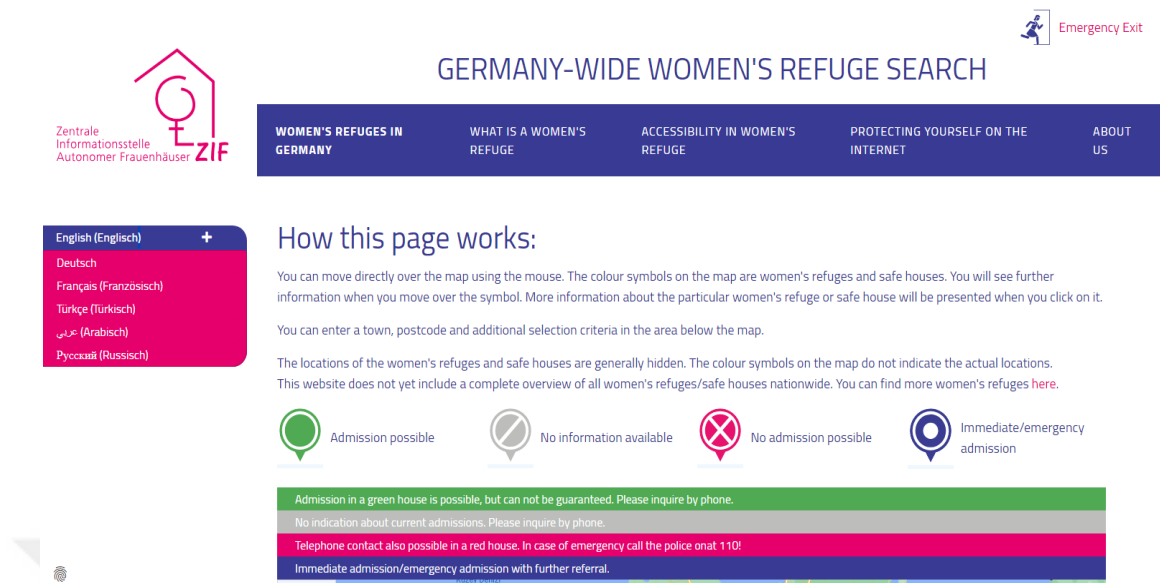


Figure 1 Germany women's shelters website⁴³

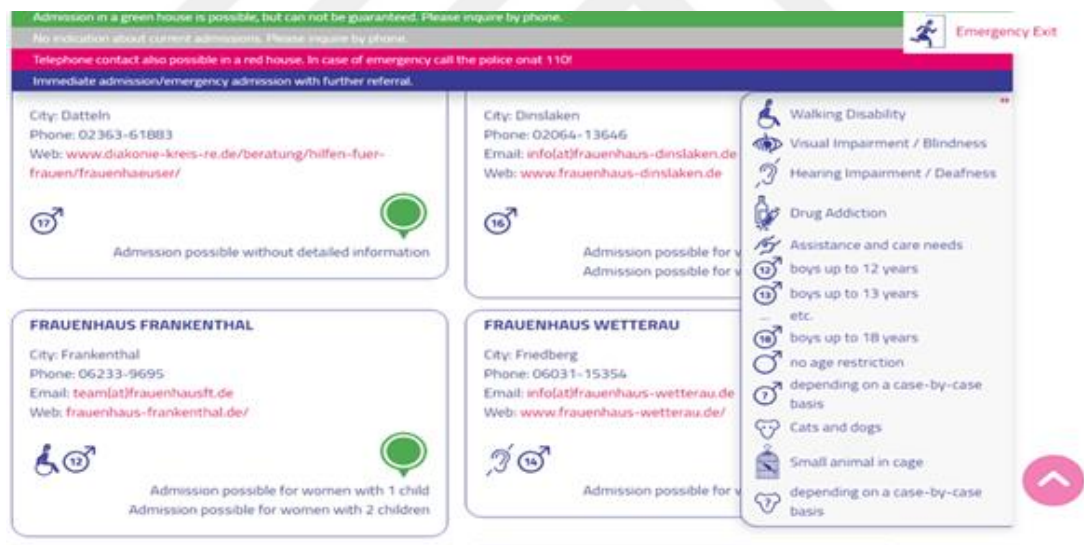


Figure 2 Germany-wide women's refuge search specialized services⁴⁴.

As can be seen in Figure 1, it is possible to get help in 6 languages through this website. Thus, a woman with a migrant or refugee background who wants to stay

⁴³Retrieved June 24, 2024, from: <https://www.frauenhaus-suche.de/en/>

⁴⁴Retrieved June 24, 2024, from: <https://www.frauenhaus-suche.de/en/>

in a shelter can use the language options to find a suitable one. Figure 2 shows the sections according to specialized characteristics. Women can choose various specialized institutions due to their health problems, disabilities, children, or pets.



Figure 3 Frauenhaus Koordinierung e.V. information page on violence against women for migrants and refugees⁴⁵

In addition, there is a national women's helpline in Germany called Hilfetelefon Gewalt gegen Frauen. The state funds it and provides 24/7 access free of charge. It includes support for all forms of violence against women in “German,

⁴⁵Retrieved June 25, 2024, from: <https://www.frauenhauskoordinierung.de/en/thematic-portal/violence-against-women/woman-in-particular-need-of-protection/displaced-women#c949>

Albanian, Arabic, Bosnian, Bulgarian, Chinese, Croatian, English, Farsi, Darca, French, Italian, Kurdish, Polish, Portuguese, Romanian, Russian, Serbian, Spanish, Turkish and Vietnamese” (WAVE, 2021;107).

The Association of Women’s Shelters (Frauenhauskoordinierung, FHK) is the most well-known unity that supports women’s shelters and counseling services throughout Germany. It is advocated by the “Federal Ministry for Family Affairs, Senior Citizens, Women, and Youth” and adopts a significant role in violence prevention. Every detail about violence against women measures, and related protection mechanisms is available on their official website⁴⁶. Although the legal framework protects immigrant women survivors of violence, they may be subjected to various obstacles depending on their residency status, and the situation is slightly different for women asylum seekers. They have to live in a particular area for three months after they arrive in Germany. After their asylum application has been approved, they are exempted from this restriction and have demonstrated that they can earn a living. This situation also causes some problems for women survivors of violence when applying for a shelter. For instance, women cannot move to another shelter during their stay in a women's shelter (Terre des Femmes, 2017).

At this point, the support, and activities of NGOs for immigrant women are essential. The Agisra Association is active in Germany in cases of violence against immigrant women and girls. It is a feminist information counseling center for immigrant women, women of color, or anyone affected by racism. It works to ensure that women's residence rights are not jeopardized in the event of divorce or separation or that a refugee woman who is dealing with violence does not have to go to a shelter based on her residence status. In this context, the implementation of Section 31 Paragraph 2 of the Residency Act, the safe

⁴⁶Frauenhauskoordinierung official website. Retrieved June 19, 2024, from: <https://www.frauenhauskoordinierung.de/>

placement of women in shelters, support and information throughout the process, new life planning, and psycho-social support services are provided⁴⁷.

Information and Counseling
Center for Female Migrants and Refugees



Human Rights for Migrants!

Psychosocial Counseling Therapy

- Residence permit and social welfare issues
- Trafficking of women
- Conflicts in the family
- Domestic violence
- Sexual, racial discrimination and violence
- Crisis situation
- Rape and sexual assault
- Forced marriage
- Female Genital Mutilation (FGM)

Counseling and therapy sessions are anonymous and free of charge- offered by appointment.

Accompaniment Support

- Visits to various local authorities
- Placement in women's shelters
- Assistance during criminal trials (for trafficking of women)
- Mediation with doctors, lawyers, etc.

Education/Workshops

on the following topics:

- Human rights
- Violence against women in the process of migration
- Forced marriage
- Trafficking of women
- Women and migration
- Combating discrimination and racism

If interested, please do not hesitate to contact us.

Our Demands

- Human rights for migrants and refugees
- Legal and social equality for female migrants
- Right of residence independent from marriage
- Recognition of de facto female-specific reasons for flight
- Abolition of the law requiring custody prior to deportation
- Right to stay for women affected by human trafficking

Figure 4 Agisra brochure on support mechanisms for female migrants and refugees⁴⁸

Figure 4 includes various support mechanisms for immigrant women provided by the Agisra Association. It includes their support mechanisms for survivors of violence against women and domestic violence. Support services include individual and situation-oriented therapies to protect women's psychosocial health, and work is also carried out for domestic conflict and sexual or racial discrimination; briefly, empowerment efforts are carried out by considering the

⁴⁷Agisra Association official website. Retrieved June 19, 2024, from: <https://agisra.org/themen/gewalt-an-frauen-im-migrationsprozess/>

⁴⁸Retrieved June 19, 2024, from: <https://agisra.org/flyer/>

well-being of women alone. In addition, workshops on VAW, human rights, forced marriage, discrimination, and racism during the migration process are organized, focusing on immigrants' access to human rights.

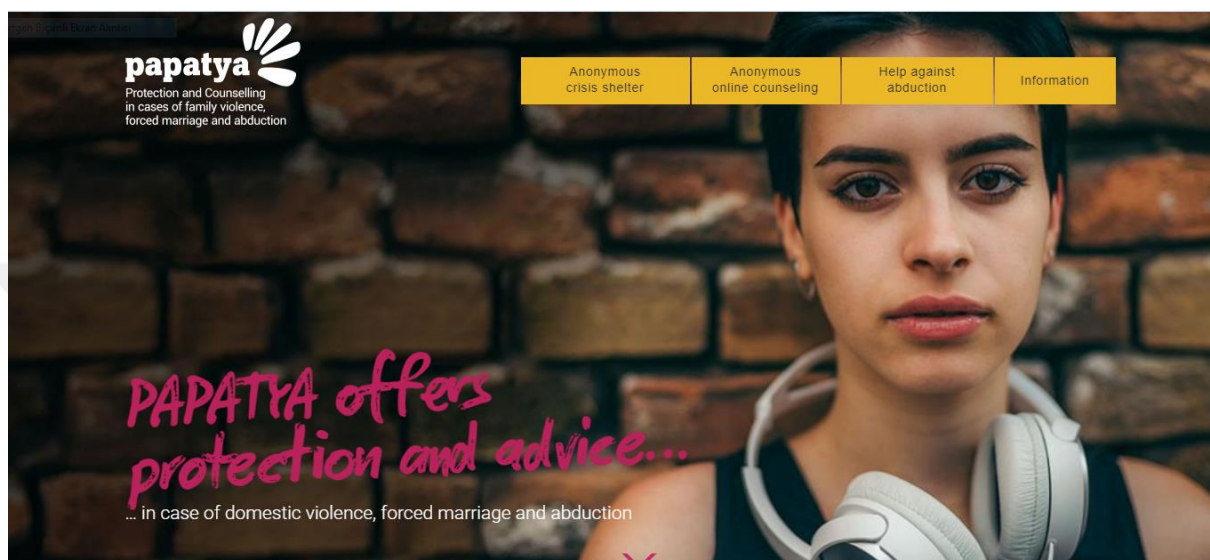


Figure 5 Papatya Association⁴⁹

Another one, The Papatya Association is a 24/7 center for immigrant girls and young women, which also has a shelter and can be used in case of emergencies such as forced marriage and domestic violence⁵⁰. According to the information on its website, it has a confidential address and places 8 people between the ages of 13 and 21. Girls and young women who are threatened by their families and need a place to stay can get help from this association. They provide services in Turkish, Kurdish, Arabic, Persian and German.

⁴⁹Retrieved June 20, 2024, from: <https://papatya.org/en/>

⁵⁰Papatya Association official website. Retrieved June 20, 2024, from: <https://papatya.org/tr/anonim-kriz-evi-papatya/>

The non-governmental organization DaMigra is involved in many activities for refugee women. Violence and informing women are one of its activities. Since 2014, it has continued with the mission of creating a network among refugee women⁵¹. GREVIO's report (2022) states that DaMigra empowers immigrant women and works from an intersectional perspective. In their joint project with the Ministry, it is said that they will carry out activities to empower migrant and refugee women and, at the same time, increase their visibility. The BMFSFJ is more effective on the issues related to immigrant women being exposed to violence. Although there is a “Federal Office for Migration and Refugees”, this federal office is not dealing with domestic violence cases.

Article 31 Section 2 of the Residence Act is a protective measure in issues of special hardship cases, for instance, when one of the spouses is committing violence, and marriage cannot be maintained. This provision offers legal protection to foreign spouses experiencing violence. Moreover, Germany's status as a state party to the Istanbul Convention, which seeks to combat violence against women at both national and international levels, indicates that the legal framework and conditions in this process will differ. In the light of the articles in the convention, there are obligations that women who are subjected to violence should be protected without any discrimination (Articles 18, 23, and 25) and that the duration of residence should be independent for women refugees when they are exposed to violence (Article 59 paragraphs 2 and 3) (Terres des Femmes, 2017; Weiß, 2020). Although Germany has made a reservation that a woman may not obtain a residence permit before the end of the three-year marriage period, this will be considered in the context of the binding nature of the Convention.

⁵¹DaMigra Association official website. Retrieved June 20, 2024, from: <https://www.damigra.de/tr/dachverband/ueber-uns/>

4.1.4 Istanbul Convention, GREVIO Reports and Domestic Violence

The “Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence”, or the “Istanbul Convention”, was adopted by the “Council of Europe” in 2011. As of 2014, it entered into force. Germany signed the Convention in 2011 but ratified it in 2017 (Balogh, 2020). The GREVIO, a team of independent officials, reviews violence against women mechanisms in the countries. GREVIO's first report for Germany in 2020 makes essential points on shelters. Data on women's shelters in Germany have been kept by Frauenhauskoordinierung e.V. since 1999. These data include age, number of children, country of origin, and education.

NGOs or local authorities provide services in shelters for women and accompanying children who are survivors of violence. Experts and volunteers extend many services, such as counseling and psycho-social support. Funding does not have a specific scale or provider; all expenses are covered by funds and donations from states and local governments (Council of Europe, 2020). In addition, it was recommended that there should be more women's shelters across the country and that every woman who has been subjected to violence should be able to access them without discrimination. GREVIO's report in 2022 shows that the main difficulty for domestic violence shelters in Germany is the lack of stable financial support. Although it does not seem systematically possible to provide top-down funding in Germany's federal structure, it is emphasized that specialized support services must have stable financing following Articles 22 and 23 of the Convention. Germany has a system based on residence permits for immigrant women, and although it is subject to some obstacles, civil society has a significant role to play. Many NGOs, which are also pioneers of the women's movement in Germany, are actively involved in the prevention and protection of violence against women. Although municipalities are responsible for shelters at the local level, most are run by NGOs (Council of Europe, 2022a).

Asylum-seeking women's admission to women's shelters in Hamburg and Berlin is accepted without any conditions. It is an example of women not being left alone in the face of violence, even though their legal status is unclear. As of 2022, in six federal states, there are 16 special shelters for immigrant women survivors of violence. In the legal framework for immigrant women who are also survivors of violence, Section 60a (2) of the "Residence Act" guarantees that the residence permit will be extended, while Sections 5 and 7 guarantee that a survivor of violence will not be deported without a residence permit (Council of Europe, 2022a).

In response to GREVIO's 2022 report, federal government officials stated that important steps have been taken based on the Istanbul Convention and intersectionality approach. In the new legislative period starting in 2021, Germany claims to add additional measures to protect women and consider the principle of intersectionality. Work will be carried out to establish an independent national monitoring body, respecting the needs of LGBTQ women, immigrant women, and women with disabilities. Steps will also be taken to establish coordination between the BMFSFJ and other ministries to ensure more reliable shelter funding. A federal funding program has been launched and will support both the innovation pillar, the financing of work for women survivors of violence, and the investment pillar, the construction of women's shelters and capacity building. The Federal Government underlines that it will continue to work in line with its responsibilities under the Istanbul Convention (Council of Europe, 2022b). The Federal Ministry of Family, Elderly, Women, and Youth states that it will continue to work effectively to prevent domestic violence within the scope of the coalition to be established with the government. The Ministry finances the projects "Complaint Management for Quality Improvement in Women's Shelters" and "Tool for Professionalization and Participation" of the Women's Shelters Coordination Network Office. The Federal Government has declared that it will provide 30 million euros of support

within the scope of the ‘Together Ending Violence against Women’ program, ending in 2024 (Council of Europe, 2022b).

4.2 Türkiye

In the half-decade of the Ottoman Empire, issues such as women's rights and women's place in society were being debated. It was also during this period that women started to publish magazines and established associations. Following the declaration of the Republic, as part of the nation-building process, women's issues had a crucial role to play in the construction of a modern and secular Turkish society. The feminist approach of Kemalist ideology led to the granting of many political and legal rights to women.

The emergence of the second-wave feminist movement in Türkiye in the 1980s and its influence on Western ideals had profound effects on women's issues. In 1995, the first women's shelter in the country was opened under the leadership of civil society. Today, there are a total of 112 women's shelters with a completely state-controlled mechanism.

This section explains how domestic violence is addressed in the context of migration by examining in detail the historical legal context for the Turkish case, the Istanbul Convention process and the GREVIO reports.

4.2.1 Historical Background: Domestic Violence and Women’s Shelters in Türkiye

Since its early years, the Republic of Türkiye has emphasized the equality of women and men and pioneered the recognition of rights compared to many Western countries. Before the declaration of the Republic, changes in women's status and rights began with the Ottoman Empire's modernization efforts, especially in the 19th century (Karagöz, 2016). With the Tanzimat Reforms

(1839), important restructuring took place in the Empire and women's rights and the role of women in society began to be discussed, albeit in a limited way (Çakır, 1994: 203). In the half-decade of the Ottoman Empire, women's rights as social groups (Çakır, 1994:32), and their right to education (Çakır, 1994:55; Karagöz, 2016) were inspired by Western movements such as the French Revolution became prominent issues. In 1908, the freedom brought by the Young Turk Revolution led to Ottoman women publishing magazines and establishing associations to protect women's rights (Sirman, 1989). While most of the associations during this period were concerned with charity work, some, such as the “Ottoman Mudafaa-i Hukuk-ı Nisvan Cemiyeti”, took a more feminist stance. They concentrated on women's legal and social rights, such as the integration of women into public and professional life, the challenge of oppressive traditions, and access to education (Öztürkmen, 2013).

During the early Republican period, the Kemalist ideology aimed to strengthen the social structure to build a secular and national state. In this process, improving women's place in society was crucial for the construction of the modern Turkish nation (Kandiyoti, 1989). Following the Kemalist ideology, which served as feminism (Duman, 2011), some reforms were granted to women. For instance, the 1926 “Turkish Civil Code” recognized women as equal citizens and granted them the most important privilege. The aforementioned legal implementation abolished the power to divorce with a single word of a man (in Turkish, “boş ol”), monogamy, and civil marriage, and ensured equality between men and women in court (Turkish Civil Code, 1926). Turkish women were granted the right to vote and be elected in 1934 and they were brought to the status of individuals with the notion of equality within many spheres such as gaining rights in family, social life, education, and politics (Arat, 1993; Acar, 2010; Toprak, 2015; Kaypak & Kahraman, 2016).

In 1975, the women's movement in Türkiye gained significant momentum, and women's organizations in the country increased their relations with both internal

and international organizations. For example, in 1975, the Turkish Women's Council became a member of the UNESCO National Commission and started to interact internationally. In 1976, the Federation of Women's Associations was established to ensure communication between women's organizations at the national level (Adak, 2020).

In the 1980s, mainly with the 1980 military coup d'état the military intervened in politics (Arat, 1994). The 1982 Constitution, meanwhile, intended to constrain the demands of civil society, in other words, the action of civil society was restricted so as not to affect the depoliticization process in politics (Arat, 1994; Gönenç, 2006). However, the 1980s are important in terms of women's movements entering a turning point in Türkiye. Tekeli (2010) briefly describes the change in women's movement that started during this period as follows;

“A new generation of middle-class, left-wing, intellectual women, who were in touch with the ideas of the new wave of feminism in Western countries, proposed that the “paternalist Turkish state” was, in fact, a “patriarchal state”, defending the interests of men” (p.194).

In the 1980s, second-wave feminist movements in Türkiye, and women's rights discourse among different political views and social groups were pioneering (Gönenç, 2006). It is necessary to say that the women's movements in this period progressed in three⁵² branches. *Islamic feminism* manifested in values that advocated reflecting Islamic values through women, such as wearing the headscarf in public institutions and universities, and *Kurdish Feminism* with a more nationalist approach (Leake, 2012).

The *socialist feminist* movement of that period, which adopted the personal political perception seen especially in Western movements, is not well-known.

⁵²As it is not the focus of this thesis details about the other two movements, which are the Islamist feminist movement and the Kurdish feminist movement, are not given.

This movement mostly brought up situations such as domestic abuse. In detail, those years are the momentum of the discussions on

“elimination of violence against women bringing to light the oppression that women experienced in the family, the use of sexuality as a medium for male dominance, the misrepresentation of women in the media, and the challenge against virginity tests—a common practice for women who are about to get married or who have been subject to sexual assault” (Diner & Tokaş, 2010:41).

In 1986, a petition campaign was held in Ankara and İstanbul to protest the state’s non-implementation of the “UN Convention on the Elimination of All Forms of Discrimination against Women”, signed in 1985 (Arat,1994). In 1987, when a judge dismissed a woman's divorce case because women should be beaten to teach them manners, a gathering of 3000 women took to the streets to declare that domestic violence was a public struggle (Arat,1994; Diner & Tokaş, 2010). This meeting was followed by the campaign on women’s “Solidarity against Battering” in 1987 and the Purple Needle Campaign to combat sexual harassment in 1989, which had a slogan of “*Our body belongs to us! Say no to sexual harassment*” (Bodur, 2005; Acıyan, 2019). In 1987, the impact of this campaign reached the local elections in 1989 and created a serious public outcry against male violence. Nurettin Sözen, elected Mayor of Istanbul then, kept his promise to open a shelter (Öngün,2013). The establishment of women's shelters followed these. The first women's shelters were opened in 1990 by the Bakırköy and Şişli Municipalities (Tosun & Öztürk, 2010). In 1993, shelters were opened by the Women's Solidarity Foundation and in 1995 by the Mor Çatı Women's Shelter Foundation (Tosun & Öztürk, 2010; Saruc et al., 2015). In the 1990s, feminist movements, which represented themselves as women's issues, pioneered the establishment of women's units in many areas, including professional organizations, as a sign of modernity (Leake, 2012).

Turkish feminist movement is not limited to challenging only everyday life but also targeting the state. In 1990, women gathered in Istanbul to protest the

provision in Article 438 of the Turkish Penal Code that reduces the penalty for rape and kidnapping to two-thirds for women who take prostitution as a profession. They expressed that the state cannot define women as chaste or unchaste (in Turkish *iffetli* and *iffetsiz*) (Arat, 1994; Kara, 2006). With the collaboration of 1000 women, protest walks Article 438 was abolished in 1990. Following the same year, the Women's Library was opened in Istanbul and various women's groups started to publish periodicals. According to Diner and Toktaş (2010), 44 periodical magazines were published between 1980 and 1990 and 63 between 1990 and 1996.

The most remarkable building block of the second wave of feminism that started in the 1980s was the institutionalization of work for women in the 1990s. For the 1990s, Coşar and Kerestecioğlu (2017) briefly say that,

“(...) legal professionals took hold in the struggle against violence against women (VAW) while cooperatives and foundations were specialized in resolving women’s poverty via funds and microcredits, specific associations concentrated exclusively on women’s political representation, and finally, capitalist women got organized as women entrepreneurs” (Coşar and Kerestecioğlu, 2017:158).

Within the scope of the attempts on violence against women, the “Women's Law Commission of the Union of Turkish Bar Associations” was established in 1996 to amend articles against equality in Turkish law, the Flying Broom Foundation was established in 1996 to unite feminist networks, and KA-DER was established in 1997 to promote equality between women and men in politics (Akademik Araştırma Enstitüsü, 2022). Especially in the work of municipalities and foundations, attempts to combat violence against women or, in other words, to provide social opportunities to women who are survivors of violence began. Founded in 1990, the Mor Çatı Vakfı (Purple Roof Foundation) established a 24-hour hotline for women who are subjected to violence. In 1995, shelters opened in Istanbul and Ankara, providing accommodation. The municipality and

the foundation supported the Altındağ Women's Solidarity Center and Shelter in Ankara (Diner & Toktaş, 2010; Kara, 2006).

In addition to the cooperation between municipalities and foundations, the “Presidency on the Status and Problems of Women” was established as a national mechanism within the state administration in 1990 and continued to work as the “Directorate General on the Status of Women (DGoSW / KSGM)” in 1991. This establishment which was in cooperation with non-governmental organizations focusing on women's issues, also contributed to the opening of shelters for women subjected to violence. The enactment of “Law No. 4320 on the Protection of the Family”, which entered into force in 1998 and was revised in 2007, marked a turning point in the protection of women subjected to domestic violence (KSGM, 2007). The report by KSGM prepared in 1993 contains some information on women's shelters that were opened then. Women's shelters under the “Social Services and Child Protection Agency” were opened in Ankara and Izmir in 1990 and in Bursa and Antalya in 1992. In 1990, in Istanbul, two shelters were opened by municipalities. In Şişli Municipality’s women’s shelter, 190 women and 175 accompanying children, and in Bakırköy Municipality’s women’s shelter 350 women and 255 accompanying children received services (Öngün, 2013; KSGM, 1993).

In 1999, after the Helsinki Summit, many reformist changes took place in Türkiye, and as a reflection of this, the EU increased its pressure for gender equality (Bodur - Ün and Arıkan, 2022). In 2002, after the general elections, the newly established Adalet ve Kalkınma Partisi (Justice and Development Party-AKP) came to power. They stated they were not Islamists but would organize their policies according to conservative democratic attitudes. At the same time, they indicated that they advocated the evaluation of moral and religious values based on conservatism instead of expressing their Muslim identity (Ayata &

Tütüncü, 2013). From this period until the 2020s, profound changes occurred in women's policies, including domestic violence.

4.2.1.1 Feminist movements during the AKP Era 2002-2024

Turkish women have benefited from equality in both public and legal processes since the declaration of the Republic. However, with the emergence of Islamism and feminism as independent movements in the 1980s, there was a desire for change in the private sphere for women. At the time, especially socialist feminists concentrated on issues such as domestic violence, control over women's bodies, and sexual harassment (Ayata & Tütüncü, 2013).

Since coming to power in 2002, the AKP government has been engaged in various activities for women and supported Türkiye's EU accession. It has moved away from the anti-Western rhetoric of the Islamist parties that had previously been in power while at the same time embracing the protection of the family and traditional values. A pattern of the value the AKP government places on the family is the change from the “Ministry of Women and Family” to the “Ministry of Family and Social Policies” in 2011 (Bayar, 2024). In its first term in power, between 2002 and 2011, the party supported the EU accession perspective. It added gender equality to the Constitution in 2004 and 2010, the “Criminal Code” in 2003, and the “Labor Law” in 2003. In 2009, the “Equal Opportunity Commission for Women and Men” was established in the Grand National Assembly of Türkiye, and essential steps were taken toward women's rights. The criminalization of rape within marriage in the “Penal Code” and the elimination of discrimination between unmarried and non-virgin women are also essential developments of that time. In addition, “the Law on Municipalities” recognizes domestic violence as a political issue that impacts the political order (Çağatay, 2018; Ayata & Tütüncü, 2013; Coşar & Kerestecioğlu, 2017). It is possible to evaluate most of the work achieved within the scope of gender equality in this period within the context of the transition to EU membership and

the implementation of projects with the funds received from the EU and the UN (Telseren, 2020). Therefore, between 2002 and 2011, the AKP government made several amendments to Türkiye's Constitution, "The Turkish Civil Code", and "The Turkish Penal Code" as part of the EU accession process (Güneş & Ezikoğlu, 2023).

The AKP government since from its very beginning has defined women as mothers or wives, thus treating women and the family as if they were a single entity. This discourse accepts the gender-stereotyped roles of women in society, transforms women into a traditional figure that stays within the family and feeds coercive violence in the private sphere (Güneş, 2021; Güneş & Ezikoğlu, 2023). However, after 2011, AKP's conservative democratic gender approaches were replaced by more patriarchal and populist discourses. It began to present itself as the defender of Islamic and national values, and in this authoritarian order, the family structure became an even more critical issue. In sharp contrast to the Kemalist approach, which was based on Türkiye's founding values and advocated the construction of a modern woman, AKP policies after 2011 focused on the role of women within the family, emphasizing the strengthening of the family rather than their independence (Yazıcı, 2011).

The government signed and ratified the "Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, the Istanbul Convention", in 2011. At that time, "Law No. 4320 on the Protection of Family" did not meet the standards of the Istanbul Convention, so "Law No. 6284 on the Protection and Prevention of Violence Against Women" was approved in 2012 (KIH,2019; Telseren, 2020). With the July 15, 2016, failed coup attempt, Türkiye's centralized defensiveness and move away from democracy became more visible. Following the failed coup attempt, a state of emergency was declared for three months, which lasted for two years and only ended in 2018. At the same time, a 2017 referendum changed the system of government from a parliamentary to a strengthened presidential system. In the

2018 and 2023 presidential elections, Erdoğan was elected (Bayar, 2024). In addition to the AKP's increasingly conservative gender policies, it rejected gender equality and accepted the traditional role of women within the family. Since the 2013 Gezi Park protests, the ruling AKP has viewed civil society organizations with increasing suspicion, which has also weakened the connection between state institutions and women's organizations. As a way of legitimizing conservative gender discourses, it supported forming pro-government women's organizations (Bodur Ün and Arıkan, 2022). AKP members founded the Women and Democracy Association (KADEM) and just as AKP values the family, KADEM⁵³ does not see a difference between protecting the family and protecting women (Bayar, 2024). To understand KADEM's attitude toward women and family, one quotation from the interview with the president of KADEM will be remarkable.

“A self-actualized woman who knows how to express herself becomes a sensitive mother, a happy wife, and a good daughter. Because he has no attachments. She has transcended herself, she does not engage in fruitless arguments with her husband, father, or friend, she prioritizes her family. Especially, it is not possible for Anatolian women to exist by ignoring the family. Of course, some women create themselves by ignoring their families. But to me, they are not strong women, they are weak women” (Okur Gümrukçüoğlu, 2019, para.12).

In other words, it is understood that protecting women is unimportant. At the same time, KADEM defines feminism as a killing factor in the family and women as an extension next to men. Various changes have also taken place in the legal framework. For instance, in 2015, the phrase ‘religious marriage cannot be performed without a civil marriage’ was decriminalized, and a draft law was adopted to allow religious officials to perform civil marriages (Çağatay, 2018). According to a report in Evrensel Newspaper (2024)⁵⁴, it is criticized that women's shelters increased by only two organizations from 2022 to 2024,

⁵³KADEM 2019. Retrieved from July 3, 2024, from: <https://kadem.org.tr/kadin-haklarini-savunmak-feminizme-has-degildir/>

⁵⁴The article is Retrieved July 8, 2024 from: <https://www.evrensel.net/haber/521381/siginmaevi-ve-sonim-sayisi-yillardir-artmiyor-siddete-karsi-harcanmayan-butce-diyanete-aktarildi>

reaching 112, while VPMCs have not increased since 2018 and remained at 82. It is noted that there has been no increase in the number of initiatives to protect women from violence for a long time. Still, in cooperation with the Diyanet⁵⁵, the Ministry has provided 75 million 619 thousand Turkish Liras from 2023 to May 2024 to provide Qur'an courses for children (Turgut, 2024). Furthermore, according to a report published by T24 News in 2019, a woman staying in a women's shelter talks about the poor living conditions and also states that women who come to these shelters are treated as criminals. In addition, it is also expressed in the news report that women who want to complain about institutions do not have any mechanism to file a complaint. This situation is given with the statement, 'are you going to report the state to the state'⁵⁶ (Göksedef, 2019).

On March 19, 2021, the Istanbul Convention was withdrawn by presidential decree. It is important to note that the government of Türkiye in 2011 was the same government that withdrew from the Convention. One of the main reasons is that the contract was claimed to encourage homosexuality because when the agreement was signed, conservative groups blamed the AKP government for damaging traditional values , such as promoting homosexuality and harming family unity. However, the real underlying political reason is the government's concern of losing the support of religious communities. Just as with the signing of the contract, its termination also occurred suddenly and with a top-down approach (Bayar, 2024).

⁵⁵This institution, also known as the Presidency of Religious Affairs, is in charge of conducting affairs related to the beliefs, worship, and ethical principles of the Islamic religion in Türkiye, enlightening society on religion, and managing places of worship.

⁵⁶In the detail of the news article, it is mentioned that three women who complained about the situation of women's shelters, after talking to the police, were told by the police that "You cannot complain to the state about a state institution." Retrieved July 7, 2024 from: <https://t24.com.tr/haber/kadinlarin-agzindan-siginma-evleri-sanki-suc-islemisiz-gibi-davraniyorlar.849566>

4.2.2 Legal Protections

Women gained many civil rights with the “Turkish Civil Code” adopted in 1926, such as the acceptance of monogamy, women's right to divorce, and custody rights granted by the Civil Code, which made women equal in the legal and political system. In the context of violence against women and domestic violence, many steps were taken by the 1980s with the revival of feminist movements. Türkiye ratified CEDAW in 1985, and the 2004 amendment to Article 10 of the “Turkish Constitution”⁵⁷ added to the long-standing principle of equality between women and men in the Constitution the obligation of the state to realize equality between women and men (Acar, 2010). Although CEDAW aims for women to benefit from human rights equally and be free from discrimination, it does not explicitly address domestic violence and violence against women (Kaypak & Kahraman, 2016; Moroğlu, 2012).

In 1998, Türkiye’s first family protection code, “Law No. 4320 on the Protection of the Family”⁵⁸ was adopted (Güneş & Ezikoğlu, 2023). Although this law covered the family's protection at the time, with the amendments made in 2007, it became more inclusive and included protection for family members. It encompasses protective measures, including the order of suspension from home. In 2002, within the framework of the “Civil Code”, joint sharing of property acquired in marriage, and in 2005, as a result of the amendment to the “Turkish Penal Code”, sexual crimes were recognized as crimes against the individual (Acar 2010; Moroğlu, 2012). Article 82(g) of the “Turkish Penal Code” specifies aggravated life imprisonment for intentional homicide committed against a spouse, and Article 86(2a) stipulates penalties for injury committed against a spouse. There are also criminal provisions for sexual harassment, cruelty,

⁵⁷Article 10 of the Constitution states that; “Women and men have equal rights. The State is obliged to ensure that this equality is realized”. Retrieved July 7, 2024, from: <https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=2709&MevzuatTur=1&MevzuatTertip=5>

⁵⁸Law No. 4320 on the Protection of the Family. Retrieve July 8, 2024, from: <https://www.mevzuat.gov.tr/MevzuatMetin/5.5.4320.pdf>

deprivation of liberty, and abuse (Uzun, 2015). Criminal obligations are imposed for crimes under the “Turkish Penal Code” committed in Türkiye, regardless of whether the perpetrator or the survivor is a Turkish citizen or a foreigner. In this context, the same provisions apply to foreign nationals who are subjected to violence, especially Syrian women who currently have temporary protection status in Türkiye (Hanbay - Çakır & Karabacak, 2019).

In 2012, “Law No. 6284 on the Protection of the Family and Prevention of Violence against Women” was adopted. Under the coordination of the MoFSS and with the contributions of relevant institutions and organizations, this law replaced “Law No. 4320 on the Protection of the Family”. According to the statement in “Law No 6284” Article 1, Paragraph 1, it covers all women, children, and family members who have been subjected to violence and are in danger of being subjected to violence (Law on the Protection of the Family and Prevention of Violence against Women, 2012; Moroğlu, 2012). There are protective and preventive measures in Article 3 of the same law, such as finding suitable accommodation for the person subjected to violence and accompanying children, providing temporary financial assistance, and psychological, legal, and social guidance, and taking them under protection by local authorities. Section Three, Article 14, Paragraph 1 clearly states that the MoFSS is responsible for violence prevention and monitoring centers, which are;

“staffed by the necessary expert personnel and preferably employ female personnel, provide support and monitoring services for the prevention of violence and the effective implementation of protective and preventive measures, carry out their work on a seven-day, twenty-four-hour basis, and carry out their working procedures and principles” (Law No. 6284, Article 14, para. 1).

In addition, the “Law on Foreigners and International Protection”⁵⁹ came into force in 2013, and the “Temporary Protection Regulation”, which regulates the

⁵⁹Law on Foreigners and International Protection. Retrieved July 9, 2024, from: <https://www.mevzuat.gov.tr/MevzuatMetin/1.5.6458.pdf>

temporary protection regime mentioned in Article 91 of the “Law on Foreigners and International Protection”, entered into force in 2014 (Kıvılcım,2016). Article 3(a) of the “Law on Foreigners and International Protection” defines family members as the “spouse, minor child, and dependent adult child of the applicant or international protection status holder”. Additionally, “unaccompanied children, persons with disabilities, the elderly, pregnant women, single mothers or fathers with children or persons who have been subjected to torture, sexual assault or other serious psychological, physical or sexual violence” are defined in Article 3(l) as persons with special needs. Article 67 Paragraph 2 states that “persons with special needs who have been subjected to torture, assault, or psychological, sexual, or physical violence will be provided with the opportunity to receive treatment for the damage caused by the perpetrators” (Law on Foreigners and International Protection, 2013).

Chapter Eleven, Article 48, Paragraph 3 of the “Temporary Protection Regulation” for individuals under temporary protection in Türkiye states that;

“preventive and protective measures will be taken immediately for foreigners who are considered to be victims of violence within the scope of the Law No. 6284 on the Protection of the Family and Prevention of Violence against Women and the relevant Regulation” (Temporary Protection Regulation Article 48, para. 3)⁶⁰.

In this context, survivors of violence with temporary protection status are able to reach for protective and preventive support under Law No. 6284. UNHCR's (2017) study on persons under temporary protection states that survivors of violence should apply to provincial directorates of the MoFSS Violence Prevention and Monitoring Centers (VPMCs / ŞÖNİM), Provincial Directorates of Migration Management, and law enforcement agencies like the police or gendarmerie. However, one must have a valid ID card to receive services from these centers. If this is ensured, it is stated that women who have been subjected

⁶⁰Temporary Protection Regulation. Retrieved July 9, 2024, from: <https://www.mevzuat.gov.tr/MevzuatMetin/21.5.20146883.pdf>

to violence can stay in shelters. Those at risk can benefit from preventive measures by the judge and protective measures by law enforcement officers, as mentioned in 6284. At the same time, women who go to women's shelters are provided with housing, psychosocial assistance, counseling, and legal support, as is the case for Turkish citizens.

4.2.3 Current Situation of Women's Shelters in Türkiye and Refugee/Migrant-Background Women

The government regulates the opening of women's shelters in Türkiye. Following the enactment of Law No. 6284, it is also crucial to take steps towards the institutionalization of efforts to address violence against women and domestic violence. While civil society organizations and municipalities took the first steps towards women's shelters in the 1990s, violence was addressed by the government in the following years (Şen, 2018; Moroğlu, 2012; Eren & Tarıkçı, 2022).

Law No. 6284 requires cooperation between institutions for violence and makes an obligation to open violence prevention and monitoring services. As of 2024, 81 VPMCs in every city are responsible for preventing violence and monitoring. Meanwhile, the overall number of women's shelters is 149, and 112 are under the rule of MoFSS. There are three human trafficking (women) shelters under the control of the PMM, one shelter affiliated with non-governmental organizations, and 33 women's shelters affiliated with local authorities (municipalities) (ASHB, 2023; Eren & Tarıkçı, 2022).

In Türkiye, there is a regulation on the establishment of women's shelters and the functions of these institutions. Within the scope of this Regulation⁶¹, the

⁶¹Regulation on the opening and operation of women's shelters. Accessible at: Regulation on the Opening and Operation of Women's Shelters. Retrieved June 20, 2024, from:

MoFSS, municipalities, and NGOs are authorized to open and function women's shelters. It regulates the type and quality of services such as supervision and prioritizes inter-institutional relations. Moreover, it determines the procedures regarding cooperation and the duties and responsibilities of the employees. The Ministry can open women's shelters following the needs and socio-cultural structure of the region, and municipalities can open shelters in areas with a population exceeding one hundred thousand. The Regulation's Section 2 Article 4, paragraph 1 states that non-governmental organizations can open women's shelters and details the conditions, required documents, and procedures for opening a women's shelter (Regulation on the Opening and Operation of Women's Shelters, 2013).

Article 8 of the second part of the Regulation outlines the physical conditions of women's shelters. Shelters should be easily accessible to official institutions, close to law enforcement units, and in a structure that will not attract attention, and their addresses should be kept confidential. For women's and their accompanying children's safety, detached buildings with a courtyard or walled garden should be preferred and have a capacity of 20-40 people. There should also be sufficient administrative departments and offices for staff, and at least one individual interview room for social workers should be available. Rooms for women and children should be provided, and single rooms are required for women with babies, while bunk beds are not acceptable. No more than three women should share communal bathrooms and toilets, and there should be a hall, living room, dining room, and activity rooms appropriate to the capacity, as well as a nursery, education, and playrooms for children. A kitchen, pantry, storage, and laundry should also be available. Buildings should have heating and cooling systems and be furnished to ensure a homely atmosphere (Regulation on the Opening and Operation of Women's Shelters, 2013).

<https://www.aile.gov.tr/uploads/ksgm/uploads/pages/mevzuat/6-kadin-konukevlerinin-acilmasi-ve-isletilmesi-hakkinda-yonetmelik.pdf>

Women's direct applications to shelters are not accepted. They have to make an application to the Provincial Directorate, VPMCs, or law enforcement agencies. Women are not expected to bring any documents when applying, but registrations can be used for women with an identity card. All women and accompanying children who have been subjected to the risk of violence can benefit from the women's shelter service. However, women with boys over the age of 18 and women with disabled children can be placed in a safe rental accommodation if there is no risk to their safety (Regulation on the Opening and Operation of Women's Shelters, 2013). When a woman applies to violence prevention and monitoring centers for the shelter, an initial interview is conducted to determine the risk to her life safety. A report on women's situation is then shared with the VPMCs. For women who are admitted to the residential facility, vocational and empowerment work, legal rights, sexual rights, child abuse, and violence are addressed. Women also receive psycho-social counseling, health, and education services (Ustabaş, 2014).

There is also the Ministry's 183 Social Support hotline for the ones who are facing violence. This line provides women and children with psychological, legal, and economic support. The line is free of charge 24/7 and provides services in Turkish, Arabic, and Kurdish (3RP, 2022). Federation of Women's Associations of Türkiye (TKDF), founded in 1976, has been running a hotline since 2014, established by Hürriyet Newspaper in 2004 as part of the 'End Domestic Violence' campaign. In 2021, the name of the hotline was changed to 'Domestic Violence Emergency Hotline'. It operates free of charge 24 hours a day, seven days a week, and is also available in Turkish, English, Farsi, Arabic, and Kurdish. Women who call the hotline and request support are referred to specialized experts who meet their demands and needs. They receive direct services from psychologists, social workers, and lawyers or are referred to relevant institutions and organizations. At the same time, data such as age, education, income level, disability, sexual identity, migration, and refugee status are collected and regularly shared with the public (TKDF & UNFPA, 2023). A

mobile application program created by TKDF has a role similar to that of the hotline. Through this application, women can quickly reach the Emergency Helpline number without wasting time by finding a phone number or dialing. A similar application was launched in 2018 with the KADES⁶² mobile application in partnership with the “Ministry of Interior and the General Directorate of Security.

Violence against immigrant women, including Syrians under temporary protection in Türkiye, is a criminal offense, and perpetrators are subject to criminal liability. Under Law No. 6284, protective measures and confidentiality orders for survivors of violence are issued by a family court judge, local authority, or law enforcement officer. Women can also be placed in women's shelters upon application. In addition, UNHCR and the Association for Solidarity with Asylum Seekers and Migrants, a nationwide NGO, offer a hotline for refugees and asylum seekers. Still, these hotlines are not specific to domestic violence cases (Hanbay-Çakır and Karabacak, 2019). Some problems arise in the placement of immigrant women survivors of violence in shelters. In cases where women do not have identity cards, they are sometimes taken to removal centers and deported instead of applying for identity cards. Other problems, such as language barriers, prejudices, and professional incompetence of staff, further exacerbate and perpetuate violence (Cinsiyet Eşitliği Derneği, 2021).

In Türkiye, another public authority obliged to open shelters is the municipalities, and this has gained a legal status with the Municipality Law No. 5393, which entered into force in 2005 (ASHB, 2023). While this law previously required metropolitan municipalities and provinces with a population over 50,000, an amendment in 2012 made it compulsory for 82 metropolitan municipalities with a population over 100,000 to open shelters for women and children (ASHB, 2023). Municipalities do not have a common database. Each

⁶²More detailed information about KADES is available at: <https://www.icisleri.gov.tr/kadin-destek-uygulamasi-kades> (Retrieved on 18 July, 2024)

municipality shares its data in its work on women. Nevertheless, accessing the data shared by every municipality is impossible. For example, according to the data shared by the Ankara Metropolitan Municipality of Ankara province, 93 women and 42 accompanying children received services in 2023. 72 women applied to women's shelters due to psychological violence, 40 due to physical violence, 8 due to economic violence, and 5 due to sexual violence. There is no information on women with a migration history (Ankara Büyükşehir Belediyesi, 2023).

The Mor Çatı Women's Shelter Foundation in Türkiye emphasizes non-violence and confidentiality. The 2023 annual report states that 99 migrant or refugee women from other countries and 11 women with dual citizenship reached out to Mor Çatı. In the interviews with these women, the perpetrators of violence include husbands or partners, ex-husbands or ex-partners, strangers, service providers, and institutional staff. On the one hand, migrant or refugee women who have been subjected to violence are afraid to go to law enforcement because of the risk of deportation due to their lack of legal status. Women with a particular legal status, on the other hand, stated that they were hesitant to apply to any institution because they would be discriminated against, would not be able to communicate due to a lack of interpreters, and were afraid to use based on their past experiences (Mor Çatı, 2023).

Mor Çatı (2024) expressed the problems faced by immigrant women in Türkiye in the context of violence against women with the experience of a Syrian woman. The woman, who was born in Syria and came to Türkiye with her family due to the war, is subjected to physical, psychological, and economic violence from her family. After her family discovered her transgender identity, the violence became more severe, and the young woman ran away from home and took a restraining order against her father. Although under state control, she was forced to return home when she turned 18. When the violence at home became quite serious, the young woman contacted Mor Çatı and talked about the victimization

she suffered from the police. The police declared that the young woman was insulted because of her gender identity and Syrian nationality. Although Mor Çatı volunteers tried to help the young woman, they were prevented from doing so by the police. The young woman was detained in a removal center for 6 months on charges of threatening public order and committing immoral acts. Although Mor Çatı requested support from VPMCs, their efforts were fruitless (Mor Çatı, 2024). This case highlights systematic challenges where migrant women, especially undocumented ones, face the risk of deportation when they seek help from law enforcement and where legal gaps prevent them from accessing social support.

4.2.4 Istanbul Convention, GREVIO Reports and Domestic Violence in Türkiye

When AKP came to power in 2002, it adopted a program of “Conservative Democracy” that aimed to protect family and traditional values while supporting Türkiye's EU accession. From 2002-2011, in parallel with Türkiye's EU accession process, it included the concept of gender equality in the “Constitution”, “Penal Code”, and “Labor Law”. In 2009, it established an “Equal Opportunities Commission” in Parliament, significantly improving women's rights. However, in the 2010s, the concept of equality was removed from the state's gender policies, and secularism began to be discredited as an imposition of Western/Kemalist modernity, which started manifesting in political discourse and various policies (Bodur & Arıkan, 2022; Çağatay, 2018). In 2011 the name of the ministry was changed from the “Ministry for Women and Family Affairs” to the “Ministry of Family and Social Policies”. In addition to that the Istanbul Convention, which was signed in 2011 and entered into force in 2014, was withdrawn by presidential decree in 2021 (Telseren, 2020; Bayar, 2024).

Even though Türkiye enacted “Law No.6284” to prevent domestic violence after signing the “Istanbul Convention”, according to Şen (2018), this law contains various problems in terms of how law enforcement and the judiciary will make decisions, the uncertainty of which body is primarily responsible, how the law will be implemented or how the gaps in the law will be filled. The current structural process also victimizes women and makes them targets of perpetrators instead of protecting and empowering them.

Based on GREVIO's (2018) latest report on Türkiye, there are gaps in collecting and sharing data on violence against women and domestic violence. In addition, delays in taking measures by law enforcement authorities pose a threat to the lives of women who have been subjected to violence. This also hinders women's access to shelters or other support institutions. The same report also mentions that 80% of women's statements were not taken, and 60% of women were not referred to necessary support services in violence-based applications to organizations. Moreover, it is stated in the report that,

“Case studies recorded by NGOs monitoring court activities also illustrate inappropriate judicial responses to violence against women, ranging from insufficient investigations leading to acquittals – including in cases of murders or murders disguised as suicides – to sentence reductions granted for “good conduct” “(GREVIO, 2018:22).

There are also various restrictions on women's shelters. Disabled women or women with sons over 12 years of age, women over 60 years of age, or mentally disabled women cannot benefit from these services. This situation prevents every woman subjected to violence from accessing services. Additionally, women's inability to apply to shelters individually constitutes an obstacle to them moving away from violence. In this case of application, where many problems, such as procedural obstacles, may arise, women either withdraw their applications or continue to stay in the environment where they experience violence (GREVIO, 2018).

Regarding the concern about sharing data and statistics in GREVIO's first report, the Ministry of Family and Social Services stated that the data is kept within a system established within the ministry (GREVIO, 2017). However, in its 2018 report, GREVIO mentions severe deficiencies in the data collection and dissemination process in Türkiye. Statistics kept by law enforcement agencies are not publicly available. In its response, the Ministry stated that in the data network within its system, data on women and accompanying children staying in women's shelters can be disaggregated by the province of application, reasons for application, age group, degree of kinship of the perpetrator, marital status, migration and refugee background, educational status, employment status, income status, number of children, age, and gender of children, place of residence and reasons for leaving home.

Concerning the National Action Plans the MoFSS prepared for, GREVIO stated severe deficiencies in the 2016-2020 planning phase. The Ministry of Family and Social Services' National Action Plan for Combating Violence against Women 2016-2020 includes statements about refugee and migrant women however, it is constrained and includes very general statements that support will be provided to migrant/refugee women who are included in disadvantaged groups to access violence prevention centers and helplines.

The absence of any inclusive practices for migrants, asylum seekers, or persons with similar status in this plan creates discrimination in terms of the intersectionality of violence. It suggests that Türkiye should work more on women with migrant or refugee status. The Ministry of Family and Social Services' IV. National Action Plan for Combating Violence against Women 2021-2025 includes statements including refugee and migrant women. The first one is that;

“in order to facilitate access to justice for women survivors of violence, domestic legal arrangements will be effectively implemented and differentiated, and accessible service models will be implemented for groups

requiring special policies, such as women with disabilities, migrant women, elderly women, and girls” (The Ministry of Family and Social Services' IV. National Action Plan for Combating Violence against Women 2021-2025:51).

The second one is;

“On the other hand, support centers for victims of violence will be strengthened in terms of quantity and quality, and it will be ensured that these centers have the capacity to provide services to different groups in need, such as the disabled, refugees, and victims of human trafficking” (The Ministry of Family and Social Services' IV. National Action Plan for Combating Violence against Women 2021-2025:98).

In order to do this, it is stated that the authorities should work in an integrated structure with non-governmental organizations and other organizations that dominate the field. The weakness and inadequacy of the field knowledge of the personnel working with migrants and refugees is also a striking point. In addition to this, even though the Syrian population, especially those under temporary protection status, have access to services, their lack of language skills or lack of sufficient knowledge about their rights prevents them from accessing social services (GREVIO, 2018).

CHAPTER V

5. DISCUSSION ON GERMANY AND TÜRKİYE

Intersectional feminist theory states that immigrant women are subjected to multiple forms of discrimination during their experiences of violence. When women settle in another country through a migration experience, they face more significant inequalities, including many factors such as cultural differences and language barriers. For women who experience domestic violence, the process is even more complicated (Bilge & Denis, 2010; Borchorst & Teigen, 2010). Especially for those who have to change countries with their spouses through marriage, it becomes even more difficult for them to escape from violence if they are dependent on their spouses. This can be seen as a stereotype for the host society, and the effects of this can become invisible. Crenshaw (1991) adds a different dimension by identifying the discrimination experienced by immigrant women due to the patriarchal norms of policies and institutions. In addition, when women are not admitted to institutions due to reasons such as language problems or racism, this leads to the continuation of violence.

Countries' unique historical backgrounds, laws, policies on (domestic) violence against immigrants, and practices towards women's shelters also differ. This section includes the comparison of Germany and Türkiye's migration-based approaches to domestic violence. Initially, their legal approaches will be discussed following the historical process. The capacities of women's shelters and evaluations in the context of the Istanbul Convention will be examined. Although Türkiye left the Istanbul Convention in 2021, it passed a GREVIO review, and reports are accessible.

5.1 Historical Comparison

Combatting against domestic violence in Germany is grounded in a deep-rooted movement. Although Germany was divided into two states East and West Germany after the Second World War, and the unity of the family institution was necessary after the war, the power of civil society was adequate on violence against women. In East Germany, with policies advocating women's and men's equality, efforts have been taken to ensure women do not stay home and participate in work. In addition, various facilities such as kindergartens were established for children. Thus, while supporting women's participation in the workforce, women were also prevented from being solely responsible for domestic duties (Guenther, 2010; Heineman, 1999; Ferree, 1993).

In 1971, the "Brot und Rosen" movement emerged in Berlin, and the first women's center opened in 1973 (Freeland, 2022b). A new women's movement also appeared in 1975, criticizing the lack of support from social services and the police for violence against women and the fault-based system that requires women to prove violence in divorce (Freeland, 2022b, Freeland, 2020). These movements, which argued that only women could help women, opened the first women's shelter in 1976, aiming to help women get away from abusive relationships and encourage empowerment. This initiative, which started under the name of Project Frauenhaus, continued its existence with the support of government officials. In 1987, violence was understood as not an individual but a social problem and became a widespread discourse among the women's movement. In 1989, with the fall of the Berlin Wall, women's movements continued to manifest themselves (Baldez, 2003; Miethe, 2002), and project-based efforts to prevent violence began in the 1990s. One of the largest and most established projects, the Berliner Initiative gegen Gewalt an Frauen (BIG e.V.), was launched in 1995. Various measures were taken both to end violence against women and to continue to work on the perpetrator (Hagemann-White & Kavemann, 2006).

In Germany, efforts on women with a migration background have also emerged with civil movements. Especially in the 1960s and 1970s, those who came to Germany due to labor migration were generally considered male, and the presence of women remained invisible (Morokvasic, 1983; Lenz & Schwenken, 2002). At that time, women who had to change countries due to spousal status were afraid of losing their residency when applying to shelters. In the 1980s, these concerns of immigrant women started to be discussed, and women began to make their voices heard in the public arena. In the 1990s, project-based work gained momentum. Likewise, with the BIG e.V. project in 1995, guidelines were prepared to provide access to violence centers. A national hotline was established so that migrant or refugee women could also benefit (Freeland, 2016).

In Türkiye, feminist movements and the reactions to violence against women started to manifest in the 1980s. Especially the socialist feminist movement's activities on violence against women and domestic violence began in 1986 in Ankara and Istanbul (Arat, 1994; Gönenç, 2006). The most crucial step in the work on women was the path towards institutionalization, and women's units started to be initiated in both municipalities and other state institutions (Akademik Araştırma Enstitüsü, 2022). As in Germany, these actions are taken by the civil society in Türkiye, and the Mor Çatı Foundation was the most effective one for domestic violence. In 1990, the Mor Çatı Foundation opened the first women's shelters. Like in Germany, shelters started to be run in cooperation with civil society and municipalities. In 1990, the state-affiliated General Directorate on the Status of Women was established. Law No. 6284 was passed in the following years to develop the AKP's more traditional and family-oriented policies. Currently, the opening and management of women's shelters in Türkiye depends on this state-affiliated General Directorate (Diner & Toktaş, 2010; Kara, 2006; Güneş, 2021; Güneş & Ezikoğlu, 2023).

Efforts to address domestic violence in Germany emerged, especially in the 1970s. Before this, it is seen that the movements for women, who made their voices heard in various student movements, came from a well-established civil movement. With the opening of the first women's shelter in West Germany in 1976, voluntary organizations created a social impact. In the following period, especially in the 1980s and 1990s, the number of shelters increased rapidly. Although the shelters started as part of civil society or project work, the government and local authorities continued to provide financial support for these organizations.

By the 2020s, with the joint efforts of local authorities and civil society, more than 300 shelters are located nationwide. The emergence of a well-established civil society movement for women with a migrant background, especially since the 1970s, has been essential, and progress has been made to date. Especially with the BIG e.V. project in 1995, many studies have been carried out to prevent violence against women of immigrant and refugee origin. When compared to Türkiye's historical process, it is seen that no such steps have yet been taken for immigrant women. At the same time, in Türkiye, civil society organizations have become more distant from power partnerships with the AKP era, and the increase in GONGOs prevents civil society from providing a voice for minority groups.

Although the domestic violence movement started in Türkiye, as in Germany, with the partnership of civil society and local organizations, Türkiye has suffered a severe loss due to changing political dynamics. Attempts to manage violence from a single source, such as institutions and organizations established through the Ministry, may slow down the system. It may also prevent different perspectives from assessing deficiencies.

5.2 Comparison of Legal Protection

The legal process of domestic violence in Germany and Türkiye also differs considering the migration. Although the two countries have different forms of governance, legal inclusion is even more critical given the intensity of migration.

The protection of the family in Germany starts with the Basic Law of the Federal Republic of Germany⁶³, which states that the family's protection belongs to the state. It also guarantees the dignity, right to life, liberty, and physical integrity of the individual. Although the Basic Law for the Federal Republic of Germany does not directly recognize domestic violence, The Act on Civil Law Protection against Violence⁶⁴ directly recognizes domestic violence as a social problem. It guarantees that the state will protect anyone who experiences domestic violence. Similarly, although police laws vary in the federal states, in general, the police can issue a temporary restraining order and detain the perpetrator. The German Criminal Code⁶⁵ provides for imprisonment for bodily harm (Articles 223 and 224), insult (Article 185), and non-consensual sexual acts (Article 177). In contrast, Article 823 of the German Civil Code provides for criminal liability for violations of an individual's rights to body, life, and liberty.

On the contrary, in Türkiye, the Turkish Civil Code adopted monogamy in 1926, granting women rights such as divorce and custody, and the Turkish Constitution⁶⁶ was amended in 2004 to declare that the state is obliged to ensure

⁶³Basic Law for the Federal Republic of Germany in the revised version published in the Federal Law Gazette Part III, classification number 100-1, as last amended by the Act of 19 December 2022 (Federal Law Gazette I p. 2478). Retrieved July 20, 2024, from:

https://www.gesetze-im-internet.de/englisch_gg/englisch_gg.html#p0035

⁶⁴The Act on Civil Law Protection against Violence. Retrieved July 20, 2024, from:

<https://resourcehub.bakermckenzie.com/en/resources/fighting-domestic-violence/europe/germany/topics/1legal-provisions>

⁶⁵Criminal Code in the version published on 13 November 1998 (Federal Law Gazette I, p. 3322), as last amended by Article 2 of the Act of 22 November 2021 (Federal Law Gazette I, p. 4906) Retrieved July 21, 2024, from: https://www.gesetze-im-internet.de/englisch_stgb/englisch_stgb.html#p2099

⁶⁶Article 10 of the Constitution states that; “Women and men have equal rights. The State is obliged to ensure that this equality is realized”.

Retrieved from July 20, 2024, from:

equality between women and men. Under the Turkish Penal Code, murder and physical and sexual abuse are considered crimes, and the perpetrator is held criminally responsible. Law No. 6284⁶⁷ on the protection of the family protects women, children, and family members who are survivors of violence and allows women and accompanying children to access emergency assistance and women's shelters.

In this context, it is evident that both countries take various legal measures to prevent violence. In terms of domestic violence, both countries have penalties for the perpetrator to protect family unity. There are many preventive and protective measures, such as restraining orders, to protect the survivors of violence. The Basic Law in Germany and the Constitution in Türkiye guarantee the integrity of the individual and the family's protection.

In the case of immigrant women, there are some practices in both countries, but in Germany, there are many more protectionist measures. However, it should be noted that one of the main concerns in Germany is that the length of stay of an immigrant woman in the country is related to her husband. Although this is protected by various legal procedures, it can cause women to become silent when they are subjected to violence. The possibility of deportation behind going to a shelter creates an obstacle to preventing violence. For protection, on the one hand, the Istanbul Convention provides the most significant safety for women by stating that signatory states must take measures to prevent violence against migrant, refugee, and asylum-seeking women without discrimination, also considering gender, race, and language (Peroni, 2016; Sosa & Mestre, 2022). On the other hand, the Protection Against Violence Act states that the protection of women, accompanying children, and other members of the household is under

<https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=2709&MevzuatTur=1&MevzuatTertip=5>

⁶⁷Türkiye Cumhuriyeti Kanunu. (2012). 6284 sayılı Ailenin Korunması ve Kadına Karşı Şiddetin Önlenmesine Dair Kanun [Law No. 6284 on the Protection of the Family and the Prevention of Violence Against Women]. Resmî Gazete, 28239. Retrieved from July 21, 2024, from: <https://www.resmigazete.gov.tr/eskiler/2012/03/20120320-16.htm>

the state's responsibility and is also considered a social problem and guarantees protection for immigrant women. In addition, the spouse's independent residence permit is conditional on marriage, whereas, in cases of domestic violence, the three-year marriage requirement is waived⁶⁸.

When the legal status for immigrant women is evaluated for Türkiye, the most significant deficiency compared to Germany is the absence of the Istanbul Convention, which is a “solid link between women’s human rights violations and gender equality” (Güneş & Ezikoğlu, 2023:14). In this context, the absence of a convention emphasizing and monitoring the protection of foreign women and accompanying children against violence constitutes a critical gap in the protection of women. It is due to the Convention’s protection of women not only from violence but also from marginalization and discrimination.

Although Türkiye enacted Law No. 6284 on the Protection of the Family and Prevention of Violence against Women in 2012, like the Istanbul Convention regarding scope, definition, protective, and preventive measures, this law does not explicitly address immigrants. Moreover, although the state and civil society acted together during the preparation of this law, strict separation was realized in the following process. The fact that civil society is prevented from participating in policymaking and restricted from preventive activities constitutes a significant gap in this area. The law, in line with the ruling AKP party's attitude towards women, considers women part of the family and does not recognize women as individuals (Güneş, 2019).

As a result, within the scope of the legal legislation in Türkiye, namely Law No. 6284, while protection is provided for Turkish women (Güneş & Ezikoğlu, 2023), there is no special protection provision for immigrant women. As

⁶⁸More information about the residency status is detailed within the Residence Act Section 31. Accessible at:https://www.gesetze-im-internet.de/englisch_aufenthg/englisch_aufenthg.html#p2181

mentioned in the historical process, in Türkiye, the management of violence against women has been centralized, that is, from state control to a national mechanism. At the same time, in Germany, there is a collaboration between civil society, the state, and an international protection mechanism. Although immigrant women in Germany can also apply to shelters and receive acceptance, there is a risk of deportation for various reasons. However, security measures are taken more often, thanks to the legal standards explicitly providing adequate protection and the extra protection the Istanbul Convention provides. The situation is similar in Türkiye, where women fear deportation from the country before applying to a shelter. While immigrant women in Türkiye encounter a law that does not directly protect them, Germany offers multiple standards of protection.

5.3 Status of Women's Shelters and Migration

The first women's shelter in Germany opened in 1976 after women's movements mobilized (Logar, 2022), and the number of shelters has steadily increased. By 2022, there were 380 women's shelters (WAVE, 2023), 130 run entirely by women's organizations. Access to this service is usually through a website. The website is very detailed and allows women to choose a shelter according to their circumstances. For instance, women can determine which suits their accompanying boys and which is ideal for their disability. Without the intermediary support of any institution, they can access the service directly by contacting them by phone or e-mail. In other words, when women in Germany are exposed to violence, they can access these shelters through the website, phone, or e-mail without any mechanism or bureaucratic obstacle. At the same time, the website is also available in different languages, making it possible to support Germans and migrant women.

With the intensification of migration movements in Germany since the 1960s and 1970s and the problems faced by migrant women becoming part of women's

movements, violence against migrant/refugee women has become a deep-rooted problem. Especially during the labor migration in Germany, practices against women who came with their husbands received severe criticism. In addition, women's shelters, whose number and special conditions have increased over time, have been expanded to include those that serve only migrant and refugee women or girls.

For instance, the Agisra Association is an influential NGO that works on domestic violence for immigrant women and provides legal and health support. Papatya Association is an NGO that collaborates with immigrant girls. It provides a safe space for girls who have been subjected to domestic violence and provides them with inpatient services.

NGOs are not left alone in the field of violence in Germany. The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth is the state institution responsible; similarly, in Türkiye, it is the Ministry of Family and Social Services. However, the most significant difference is that in Türkiye, the functioning and opening of women's shelters are entirely delegated to the Ministry under Law No. 6284, whereas this is not the case in Germany. Women's shelters are run in cooperation with civil society and the ministry or local authorities, and sometimes, they are managed entirely by civil society.

When the attitude of Germany is discussed towards women's shelters, it reveals a joint effort between state institutions and civil society that has spread across the country. While the Federal Ministry for Family Affairs, Senior Citizens, Women, and Youth is very central in domestic violence, highly coordinated work is carried out with Frauenhaus-Koordinierung, which consists of German women's movements (Knappe & Lang, 2014; Frauenhaus-Koordinierung, 2019). Although Germany is a federal system, it has managed to bring all organizations together thanks to the structure it has created within itself. In this way, while the state and civil society act together, centralized control can also

be ensured. Communities working on domestic violence focus specifically on women and accompanying children (Knappe & Lang, 2014). The existence of special shelters for immigrant women is an advantage for those who have difficulties with language and social integration. Thus, immigrant women can compensate for the challenges caused by violence and, at the same time, receive the necessary support to integrate into society. This attempt represents an important step in the empowerment of women as individuals.

Conversely, in Türkiye, domestic violence, which gained importance with the women's movement that started after 1980, became active only in the 1990s. Women's shelters in Türkiye are centralized under the state power. To apply for a shelter, an immigrant woman must first go to the VPMCs, where she must overcome multiple barriers, such as language, and then access shelter services. However, if the woman's conditions are not deemed sufficient, the process can lead to deportation. This system not only prevents women from directly accessing the penal mechanism but also supports a structure in which they can be discriminated against. Immigrant women are forced into this situation as there is no other source, such as a non-governmental organization, they can access. Compared to Germany, however, the centralization of the women's shelters and the exclusion of civil society from the process almost encourages immigrant women to be subjected to violence and to remain silent. Although there are municipal women's shelters throughout the country, they are not sufficient information in terms of capacity and special services for immigrant women.

5.4 Istanbul Convention and Its Role in Domestic Violence

The Istanbul Convention, adopted in 2011 and entered into force in 2014, provides international protection standards for violence against women and domestic violence. Germany signed this convention in 2011 and ratified it in 2017. Türkiye, which ratified the Convention in 2012, withdrew it in 2021.

Although there is no direct domestic violence law in German national law, the Protection Against Violence Act (Gewaltschutzgesetz) has been considered legally binding since 2002. In addition, implementing the Istanbul Convention provides an international guarantee of protection. The Convention subjects Germany to fulfilling its obligations and monitoring them through the independent mechanism GREVIO. An overview of GREVIO's 2020 and 2022 reports shows that the most crucial shortcoming of women's shelters in Germany is the lack of a stable funding mechanism (Council of Europe, 2020, 2022). In addition, the reports also mention the existence of violence-specific services for migrant and refugee women, particularly 16 specialized shelters in 6 federal states. In 2022, Germany's response to GREVIO stated that Germany would work towards intersectionality, consider the experiences of immigrant women, and establish a stable funding mechanism (Council of Europe, 2022b). In this way, it assures it will strive to strengthen its national standards based on intersectionality and recognize immigrant women's challenges.

The 2018 GREVIO report, the last one for Türkiye, states that there are problems in collecting and sharing data on violence against women and women's use of shelters. At the same time, it is concluded that in cases of violence against women, law enforcement agencies are late in intervening, and 80% of women's statements are not taken, causing them to return to the place where they were subjected to violence. In terms of shelters, the fact that women with male children aged 12 and above, women with any disability, or women over 60 cannot benefit from shelters shows that they are subjected to discrimination. In 2018, the Ministry responded to GREVIO's report by stating that a database had been created, and the data was stored in its internal systems. It also noted that information on women and accompanying children is kept according to different characteristics such as age, nationality, and migration status (GREVIO, 2018). In this context, one of the main problems in Germany is the lack of central funding. However, the existence of special shelters for immigrant women and girls, data recording, and sharing is one of the critical differences between the

two countries. On the other hand, in Türkiye, the lack of competence and delay in the intervention of law enforcement agencies constitutes an obstacle in the approach to the phenomenon of violence. The lack of special shelters for immigrant women, as well as the barriers such as age and disability, represent a gap in the system. GREVIO inspections will continue in Germany and the country has pledged to improve its work to address the recommendations, as it did in its last report. It declares that it will understand the specific needs of immigrant women and make improvements accordingly. However, Türkiye is far from an intersectionality approach to domestic violence, both in terms of its national legislation not providing inclusive protection and its withdrawal from the transnational approach.

In Türkiye, it is difficult to know if shelter practices for immigrant women are improving or regressing because there is no adequate oversight mechanism, and public disclosure is limited. In addition, there is a serious gap in the lack of violence data sharing in the country and the equally inaccessibility of data on immigrant women. Compared to the data shared separately and regularly for both native and immigrant women in Germany, there is a deficit in Türkiye. Türkiye's withdrawal from the convention could lead to many violations of rights, which would also affect immigrant women. The last report on Türkiye was published in 2018, and since then, the foreign population in the country has increased. As noted in the GREVIO report (2018), Türkiye needs to be more inclusive in its plans for immigrants. Although this inclusiveness is tried to be achieved through various projects, it is emphasized that access to social services is insufficient due to the language barrier, which is the main obstacle for a woman who has been subjected to violence to access services.

CHAPTER VI

6. CONCLUSION

Domestic violence, like all other forms of violence, includes various forms such as physical, psychological, sexual, or economic violence perpetrated by men against women in a power relationship (WHO, 2012) and women's inability to enjoy their rights and freedoms (United Nations, 1992; Council of Europe, 2011). This power relationship, often established by men over women (Kapoor, 2000), leads to more challenging conditions for immigrant women who are dependent on a partner or spouse. Sometimes, they are unable to speak out against domestic violence due to language barriers, cultural differences, or ignorance of the system (Hunnicut, 2009).

In this regard, intersectional feminist theory mentions women are discriminated against not only based on gender but also on multiple factors. In this context, according to the theory, which points to various identities such as gender, race, and color, it is the fact that women are immigrants is also a reason for discrimination (Crenshaw, 1989). In addition, structural intersectionality, one of the three types of intersectional feminist approach mentioned by Crenshaw (1991), emphasizes how social structures shape their attitudes toward differences. As such, immigrant women are foreigners in a country under their status, and their multiple differences are a disadvantage when they are subjected to violence.

Thus, this thesis asks, “How do women's shelters in Germany and Türkiye differ in their effectiveness in supporting immigrant women?” Accepting this as the main research question the sub-question asks “What institutional, social, and policy factors influence women's shelters in Germany and Türkiye?”. To find an answer to this question, I first compared the historical process of both countries and examined the steps they have taken to address domestic violence. Regarding

the historical background of Germany, the struggle against domestic violence, which started with women's movements, gained momentum with the increase in Germany's immigrant population. With the strength of civil society and the cooperation of state institutions, the multiple discriminations suggested by the intersectional approach have been publicized over the years. Projects and initiatives have improved women's access to services not only based on gender but also on their migration background. In Türkiye, such a breakthrough has not yet been made, or even if it is intended to be made, the separation of civil society from the central administration prevents the seriousness of the issue from being understood.

In the legal field, there are domestic regulations in both countries. Germany enacted the Protection Against Violence Act (Gewaltschutzgesetz) in 2022, while Türkiye enacted the Law on the Protection of the Family and Prevention of Violence against Women in 2012. Although both countries signed the Istanbul Convention, which provides international protection against domestic violence, Türkiye abrogated it overnight. Within the framework of the intersectional feminist approach, this convention commits countries to ensure that women have access to social services without being discriminated against based on their identity.

Although the primary concern in the comparison between Türkiye and Germany is Türkiye's withdrawal from the convention in 2021, a national law covering similar issues to the Istanbul Convention and an earlier GREVIO report provides arguments to strengthen the comparison. In both countries, feminist movements, violence against women, and domestic violence have become salient issues both at the societal level and for policymakers. In Germany, after the Second World War, the preservation of the family structure was influential in the Western and Eastern blocs. Although the policies were different, with the fall of the Berlin Wall, feminist movements, which were very strong in West Germany, started to have an impact all over the country. With the influence of the national and

international networks before the fall of the Berlin Wall, work on women's shelters gained momentum. The first shelter was opened in Germany in 1976, and today, there are more than 300 shelters.

Meanwhile, the feminist movement in Türkiye started to resonate with women and domestic violence much later than in Germany. The first women's shelter opened in 1990, and only 149 shelters have been established so far. In both countries, the feminist movement started with the reaction of civil society and public opinion, but in Türkiye, it has undergone significant changes.

As the number of immigrants increased in Germany, especially in the 1960s, and as domestic violence experienced by immigrant women came to the fore over time, various measures were taken. Türkiye started to experience a similar mass migration movement in 2011 with the open-door policy for Syrians. However, as of the 2020s, there has been no policy implementation specific to immigrant women who have been subjected to domestic violence. Considering Germany's historical process, raising domestic violence on the public agenda is based on a much more deep-rooted movement and process. However, what is more important is that civil society and the state act together. Although Germany lacks stable financial support, it can finance more than 300 women's shelters. Some of these shelters are specifically for immigrant women and girls. The existence of a mechanism where they can receive both inpatient services and support related to their migrant and other statuses shows that the country is taking practical measures in line with the intersectionality theory. As stated in the Istanbul Convention, Germany has a protection mechanism against discrimination arising from the coexistence of multiple identities. The existence of shelters addressing domestic violence for migrant women and women of similar status with different cultures and needs not only fulfills one of the obligations of the Convention. It also enhances improvements in social cohesion. The provision of language courses for immigrant women upon application to the shelter and various legal

and social assistance for empowerment support their integration into society. In this way, women are supported to build their own lives and receive support for the trauma of violence.

On the contrary, there are no specialized women's shelters for immigrants in Türkiye. There are three shelters under the Migration Administration, but they are for survivors of migrant smuggling and trafficking and do not specifically deal with domestic violence. The number of women's shelters under the Ministry of Family and Social Policies is insufficient for this migrant population and for the country's population. In addition, the situation is further exacerbated by the fact that the AKP government and civil organizations are increasingly prevented from having a voice in the country or implementing their activities in practice. As stated in the Regulation under Law No. 6284 on the Opening and Operation of Women's Shelters, all authority for the opening and operation of shelters is vested in a single institution. It is challenging for the public to access data on these shelters operated by the Ministry. Although data is kept by law enforcement and the ministry, statistics are not shared with the public, making it difficult to determine the need. Due to data confidentiality, it is not known how many immigrant women have access to shelters and how many have access to adequate support, which makes it very difficult to conduct a needs analysis. Nevertheless, since 1999, the open access to records kept in Germany has created an open door for civil society and international interaction.

In Germany, it is possible to make a historical analysis of studies on violence against immigrant women. In Türkiye, however, this process has not yet been fully established. Although there are various reasons for this situation, the main reason is the political conjuncture. On the one hand, Germany gave importance to the protection of the family structure after the Second World War, and feminist movements highlighted the existence of violence against women at that time, today, the influence of civil society is powerful. In this way, civil society organizations are emerging in areas where state institutions cannot intervene. For

example, thanks to civil society organizations such as Agisra and Papatya, immigrant women can directly access the help they can get when they are exposed to violence without dealing with the bureaucratic obstacles of a monopolized structure. On the other hand, in Türkiye, this is a vicious circle due to the monopolized governance. A system run entirely by the state prevents accountability and transparency, making it difficult to understand the needs of immigrant women in this area. It prevents alternative routes that women can access and creates an inextricable presence of violence in addition to the traumas of migration they are already struggling with.

In this context, it is possible to offer various suggestions for Türkiye compared to Germany. The main shortcoming of Türkiye is that non-governmental organizations are kept away from the field of domestic violence against women. Especially the fact that women's shelters, which are one of the institutions providing inpatient services, are under monopolistic management and are maintained without the support of civil society, creates obstacles in women's struggle against violence. With such a dense migrant population, shelters for immigrant women should be opened in cooperation with non-governmental organizations working in this field. It will reduce the state's burden alone and provide an alternative access route for immigrant women. The data in this field must be organized, categorized, and shared with the public. Implementing this system, which Germany has been doing for many years and reporting to the public, will support transparency and contribute to the work on needs. Increasing the number of women's shelters is also a decisive step forward. It would also be helpful to ensure adequate support from interpreters and staff and the employment of experts in the relatively small number of women's shelters.

In conclusion, this study compares the development of women's shelters in Germany and Türkiye in terms of historical, legal, Istanbul Convention process and GREVIO reports on domestic violence against women. The study aims to understand the differences in practice between the two countries where many

immigrant women reside. As it is seen, Germany is strengthening its policies on domestic violence against migrant women and is doing so through the struggle of civil society and the public. The protective power of both national and international legislation has facilitated immigrant women's access to shelters. Although Türkiye gained women's rights with the Republic without the struggle of civil society, this process has been reversed over the years. Unfortunately, this has also been reflected in the issue of domestic violence, and the increase in the immigrant population has prevented civil mobilization from addressing the problem.

Within this study's scope, considering the differences in the political structures of Germany and Türkiye, the kind of road map they followed in the context of domestic violence has been examined. A comparison was possible due to the similarities of both countries as countries hosting immigrants and the efforts of feminist movements to make domestic violence against women visible. However, if future studies are expanded to include different countries, the diversity of immigrant women's problems and their responses to them will be better understood. For this purpose, comparing more than two countries or conducting interviews with shelter officials or immigrant beneficiaries in countries where access is possible would also contribute to this field. In this way, interviews with immigrant women in shelters as an extended follow-up study could provide insights into problems, support services, and women's preparation for life following experiences of violence. Within the scope of this thesis, a systemic comparison was made for both countries. In a follow-up study, factors such as the problems experienced by immigrant women in shelters, such as language barrier, access to services, approach to children, accommodation, empowerment, and preparation for independent life can be researched. In this way, the work in the field can be expanded and evaluations of domestic violence, migration, and practices can provide more effective recommendations.

An analysis within this framework can provide a more comprehensive understanding of immigrant women's needs. This analysis should also consider factors such as language barriers, access to health and education services, and legal support. In addition, the social adaptation processes of women after leaving shelters and the contribution of the support provided by shelters to women's empowerment in this process is another research topic that can be examined. Such a study could show that shelters are not only a temporary solution but also a mechanism that supports immigrant women's long-term participation in social and economic life. In this context, this thesis opens a door for future research to evaluate the contribution of shelter services to the empowerment of immigrant women by conducting more in-depth analyses of their social cohesion processes.

Further studies on this topic could provide a more comprehensive understanding of the needs of immigrant women. As mentioned earlier, factors such as language barriers, access to health and education services, and legal support should also be taken into consideration. The social cohesion processes of women after leaving shelters and the contribution of the support provided by shelters to women's empowerment and participation in social and economic life is another research topic that can be examined. Studies in this regard show that shelters are not only a temporary solution but also a mechanism that supports the long-term participation of immigrant women in social and economic life. In this context, this thesis paves the way for future research that will evaluate the contribution of shelter services to the empowerment of immigrant women through a more in-depth analysis of their social cohesion processes.

REFERENCES

- Abraham, M. (2000). *Speaking the unspeakable: Marital violence among South Asian immigrants in the United States*. Rutgers University Press.
- Acar, F. (2010). Türkiye’de kadınların insan hakları: Uluslararası standartlar, hukuk ve sivil toplum. *Kadın Hakları Uluslararası Hukuk ve Uygulama*, 13-23.
- Acıyan, E. P. (2019). 80’li yıllarda Türkiye’de kadın hareketleri: “Feminist” dergisi üzerine bir inceleme. *Edebiyat ve Eğitim Bilimleri*, 73-83.
- Adak, S. (1970). Yetmişli yıllarda kadın hareketi: Yeni bir feminizmin ayak sesleri. *Türkiye’nin*, 609-629.
- Adebayo, A. A. (2015). The legal regime for the protection of asylum seekers and refugees: An overview of the Geneva Convention 1951. *Nnamdi Azikiwe University Journal of International Law and Jurisprudence*, 6, 83-91.
- Agnello, F. (2013). A new ‘gender’ definition in international law: the Convention on Preventing and Combating Violence against Women and Domestic Violence. *Spanish yearbook of international law*, 18, 87-114.
- Aile Sosyal Hizmetler Bakanlığı (ASHB) and Hacettepe Üniversitesi Nüfus Etütleri Enstitüsü (NEE). (2015). *Türkiye’de kadına yönelik aile içi şiddet araştırması*. Retrieved July 22, 2024 from: https://fs.hacettepe.edu.tr/hips/dosyalar/Ara%C5%9Ft%C4%B1rmalar%20-%20raporlar/Aile%20i%C3%A7i%20%C5%9Eiddet%20Ara%C5%9Ft%C4%B1rmalar%C4%B1/2014_AiSA_Anarapor.pdf
- Aile Sosyal Hizmetler Bakanlığı (ASHB), Kadının statüsü genel müdürlüğü. (2021). Kadına yönelik şiddetle mücadele IV. Ulusal eylem planı 2021-2025. Retrieved July 29, 2024, from: <https://www.aile.gov.tr/media/82082/kadina-yonelik-siddetle-mucadele-iv-ulusal-eylem-planı-2021-2025.pdf>
- Aile ve Sosyal Hizmetler Bakanlığı (ASHB). (2013). *Kadın sığınmaevleri açılması ve işletilmesi hakkında yönetmelik*. Resmi Gazete, 28519. Retrieved May 9, 2024 from: <https://www.aile.gov.tr/uploads/ksgm/uploads/pages/mevzuat/6-kadin-konukevlerinin-acilmasi-ve-isletilmesi-hakkinda-yonetmelik.pdf>

Aile ve Sosyal Hizmetler Bakanlığı (ASHB). (2021). Kadına yönelik şiddetle mücadele IV. ulusal eylem planı (2021-2025). Retrieved May 9, 2024 from: <https://www.aile.gov.tr/media/82082/kadina-yonelik-siddetle-mucadele-iv-ulusal-eylem-planı-2021-2025.pdf>

Aile ve Sosyal Hizmetler Bakanlığı (ASHB). (2023). *Women in Türkiye*. Retrieved June 12, 2024, from: https://www.aile.gov.tr/media/142380/women-in-tu-rkiye_july-2023.pdf

Ailenin Korunması ve Kadına Karşı Şiddetin Önlenmesine Dair Kanun (Law on the Protection of the Family and Prevention of Violence Against Women), Law No. 6284 (2012). <https://www.resmigazete.gov.tr/eskiler/2012/03/20120320-16.htm>

Akademik Araştırma Enstitüsü. (May 27, 2022). *1990larda Türkiye’de kadın hareketi*. Retrieved May 18, 2024, from: <https://akademikarastirma.org/1990larda-turkiyede-kadin-hareketi/>

Akpınar, T. (2017). Türkiye’deki Suriyeli mülteci çocukların ve kadınların sosyal politika bağlamında yaşadıkları sorunlar balkan ve yakın doğu örneği, *Sosyal Bilimler Dergisi*, 3(3), 16-22.

Ankara Büyükşehir Belediyesi. (2023). *Kadın ve Aile Şube Müdürlüğü Kadın Danışma Merkezi yıllık rapor*. Retrieved May 18, 2024, from: <https://s.ankara.bel.tr/files/2024/01/03/94e1c8be303a9a609f4f0b1e0e49b5c0.pdf>

Arat, Y. (1993). Women's studies in Turkey: From Kemalism to feminism. *New Perspectives on Turkey*, 9, 119-135. [https://doi.org/10.1016/0277-5395\(94\)90030-2](https://doi.org/10.1016/0277-5395(94)90030-2)

Arat, Y. (1994). Toward a democratic society: The women's movement in Turkey in the 1980s. *Women's Studies International Forum*, 17(2-3), 241-248. [https://doi.org/10.1016/0277-5395\(94\)90030-2](https://doi.org/10.1016/0277-5395(94)90030-2)

Ayata, A. G., & Tütüncü, F. (2013). Party politics of the AKP (2002–2007) and the predicaments of women at the intersection of the Westernist, Islamist and feminist discourses in Turkey 1. In Z.S. Salhi (Ed.), *Gender and diversity in the Middle East and North Africa* (71-92). Routledge.

Aybek, C. M. (2012). Politics, symbolics and facts: migration policies and family migration from Turkey to Germany. *Perceptions: Journal of International Affairs*, 17(2), 37-59.

Azarian, R. (2011). Potentials and limitations of comparative method in social

science. *International Journal of Humanities and Social Science*, 1(4), 113–125.

Baldez, L. (2003). Women's movements and democratic transition in Chile, Brazil, East Germany, and Poland. *Comparative Politics*, 35(3), 253–272.

Balogh, L. (2020). The ratification status of the Council of Europe's Istanbul Convention among EU member states. *MTA Law Working Papers*, 7(7), 1-20.

Basok, T., & Piper, N. (2012). Management versus rights: women's migration and global governance in Latin America and the Caribbean. *Feminist Economics*, 18(2), 35-61.
<https://doi.org/10.1080/13545701.2012.690525>

Bastia, T. (2014). Intersectionality, migration, and development. *Progress in development studies*, 14(3), 237-248.
<https://doi.org/10.1177/146499341452133>

Bastia, T., Datta, K., Hujo, K., Piper, N., & Walsham, M. (2023). Reflections on intersectionality: a journey through the worlds of migration research, policy, and advocacy. *Gender, Place & Culture*, 30(3), 460-483.
<https://doi.org/10.1080/0966369X.2022.2126826>

Bayar, T. (2024). Turkey's withdrawal from Istanbul Convention: international human rights regime vis-à-vis authoritarian survival. *Turkish Studies*, 25(1), 22-42. <https://doi.org/10.1080/14683849.2023.2262721>

Befani, B. (2013). Between complexity and generalization: Addressing evaluation challenges with QCA. *Evaluation*, 19(3), 269-283.
<https://doi.org/10.1177/147402221349383>

Bennett, J. M. (1989). Feminism and history. *Gender & History*, 1(3), 251-272.

Betts, A. (2008). Global migration governance (*GEG Working Paper No. 2008/43*). Retrieved May 10, 2024, from:
<https://www.econstor.eu/handle/10419/196305>

Betts, A. (2011). *Global Migration Governance*. Oxford University Press.

Bilge, S., & Denis, A. (2010). Introduction: Women, intersectionality, and diasporas. *Journal of Intercultural Studies*, 31(1), 1-8.
<https://doi.org/10.1080/07256860903487653>

Bloemraad, I. (2013). The promise and pitfalls of comparative research design in the study of migration. *Migration studies*, 1(1), 27-46.

- Bodur Ün, M., & Arıkan, H. (2022). Europeanization and de-Europeanization of Turkey's gender equality policy: The case of the Istanbul Convention. *JCMS: Journal of Common Market Studies*, 60(4), 945-962.
- Bodur, M. (2005). *Modernity, social movements, and democracy: Feminist movements in post-1980 Turkey* (Doctoral dissertation, Carleton University).
- Bollmann, G. (2024, February 29). *Bevölkerungsaustausch auch im Frauenhaus*. Retrieved July 15, 2024, from: <https://gereon-bollmann.de/bevoelkerungsaustausch-auch-im-frauenhaus/>
- Borchorst, A., & Teigen, M. (2010). Political intersectionality: Tackling inequalities in public policies in Scandinavia. *Kvinder, køn & forskning*, (2-3), 19-28
- Borkert, M., & Bosswick, W. (2007). *Migration policymaking in Germany: Between national reluctance and local pragmatism* (IMISCOE Working Paper No. 20). International Migration, Integration, and Social Cohesion.
- Boyd, M., & Grieco, E. (2003). Women and migration: Incorporating gender into international migration theory. *Migration Policy Institute*. Retrieved from: <https://www.migrationpolicy.org/article/women-and-migration-incorporating-gender-international-migration-theory>
- Bui, H. & Morash, M. (2008). Immigration, masculinity, and intimate partner violence from the standpoint of domestic violence service providers and Vietnamese-origin women, *Feminist Criminology*, 3(3), 191-215.
- Bui, H., & Morash, M. (1999). Domestic violence in the Vietnamese community: An exploratory study. *Violence Against Women*, 5, 769-795.
- Bundeskriminalamt (BKA) (2023). *Bundeslagebild Häusliche Gewalt 2023*. Retrieved September 24, 2024 from: <https://www.bka.de/SharedDocs/Downloads/DE/Publikationen/JahresberichteUndLagebilder/HaeuslicheGewalt/HaeuslicheGewalt2023.html?nn=219004>
- Bundeskriminalamt (BKA). (2023). *Häusliche Gewalt: Bundeslagebild 2022 [Domestic violence: Federal situation report 2022]*. Retrieved June 14, 2024 from: <https://www.bka.de/SharedDocs/Downloads/DE/Publikationen/JahresberichteUndLagebilder/HaeuslicheGewalt/HaeuslicheGewalt2022.html>
- Bundesministerium für Familie, Senioren, Frauen und Jugend (BMFSFJ).

- (2007). *Gesundheit- gewalt-migration eine vergleichende sekundaranalyse zur gesundheitlichen und gewaltsituation von frauen mit und ohne migrationshintergrund in Deutschland*. Retrieved June 10, 2024 from: <https://www.bmfsfj.de/resource/blob/93964/588d6d5da075d2803f8696dfbbe3d35c/gesundheit-gewalt-migration-langfassung-studie-data.pdf>
- Bundesministerium für Familie, Senioren, Frauen und Jugend (BMFSFJ). (2012). *Bericht der Bundesregierung zur Situation der Frauenhäuser, Fachberatungsstellen und anderer Unterstützungsangebote für gewaltbetroffene Frauen und deren Kinder*. Retrieved May 16, 2024 from: <https://www.bmfsfj.de/resource/blob/93350/e8f90d2446d01af18a3c88a110200457/bericht-der-bundesregierung-zur-situation-der-frauenhaeuser-data.pdf>
- Bundesministerium für Familie, Senioren, Frauen und Jugend (BMFSFJ). (2004). *Working together to combat domestic violence: cooperation, intervention, research*. Retrieved May 28, 2024 from: <https://www.bmfsfj.de/resource/blob/93938/7da570051cb2af391592774ca0dedcbe/gemeinsam-gegen-haeusliche-gewalt-englisch-wibig-data.pdf>
- Burgess, A. W., & Crowell, N. A. (Eds.). (1996). *Understanding violence against women*. National Academies Press.
- Burman, E., & Chantler, K. (2005). Domestic violence and minoritisation: Legal and policy barriers facing minoritized women leaving violent relationships. *International Journal of Law and Psychiatry*, 28(1), 59-74. <https://doi.org/10.1016/j.ijlp.2004.12.004>
- Butler J. 1990. *Gender trouble: Feminism and the subversion of identity*. Routledge: New York.
- Bürkner, H. J. (2012). Intersectionality: How gender studies might inspire the analysis of social inequality among migrants. *Population, space and place*, 18(2), 181-195. <https://doi.org/10.1002/psp.664>
- Canikoğlu, S. K. (2015). Kadınlara yönelik şiddetin ve ev içi şiddetin önlenmesine dair ulusal ve uluslararası mevzuat (İstanbul Sözleşmesi ve 6284 sayılı kanun). *Ankara Barosu Dergisi*, (3), 355-378.
- Carastathis, A. (2014). The concept of intersectionality in feminist theory. *Philosophy compass*, 9(5), 304-314. <https://doi.org/10.1111/phc3.12129>
- Carbado, D. W., Crenshaw, K. W., Mays, V. M., & Tomlinson, B. (2013).

Intersectionality: mapping the movements of a theory¹. *Du Bois review: social science research on race*, 10(2), 303-312. <https://doi.org/10.1017/S1742058X13000349>

Casique Casique, L., & Furegato, A. R. F. (2006). Violence against women: Theoretical reflections. *Revista Latino-Americana de Enfermagem*, 14, 950-956. <https://doi.org/10.1590/S0104-11692006000600018>

Cihan, S. (2024). Kuruluşundan bugüne Türkiye'ye göç ve göç düzenlemeleri. *Türkiye Mesleki ve Sosyal Bilimler Dergisi*, 6(14), 1-13. <https://doi.org/10.46236/jovosst.1396048>

Cinsiyet Eşitsizliği Derneği (CEID). (2021). *Türkiye CEDAW sivil toplum yürütme kurulunun BM kadınlara karşı her türlü ayrımcılığın ortadan kaldırılması komitesine sunduğu 8. periyodik dönem gölge raporu*. Retrieved May 12, 2024 from: <https://ceidizler.ceid.org.tr/dosya/ceidWeb1.4.1.1.6.pdf>

Ciurak, I. (1985, November). Problems facing migrant women in domestic violence. In *National Conference on Domestic Violence* (Vol.1, pp. 37-44).

Clark, A. (2011). Domestic violence, past and present. *Journal of Women's History*, 23(3), 193-202. 10.1353/jowh.2011.0032

Cole, E. R. (2008). Coalitions as a model for intersectionality: From practice to theory. *Sex Roles*, 59, 443–453.

Collins, P. H., & Bilge, S. (2016). Intersectionality. Cambridge: Polity Press.

Coşar, S., & Özkan-Kerestecioğlu, İ. (2017). Feminist politics in contemporary Turkey: Neoliberal attacks, feminist claims to the public. *Journal of women, politics & policy*, 38(2), 151-174. <https://doi.org/10.1080/1554477X.2016.1198656>

Council of Europe (2011). *Explanatory report to the Council of Europe Convention on preventing and combating violence against women and domestic violence*. Retrieved May 4, 2024, from: <https://rm.coe.int/1680a48903>

Council of Europe. (2008b). *Combating violence against women: minimum standards for support services*: Retrieved May 18, 2024 from: [https://www.coe.int/t/dg2/equality/domesticviolencecampaign/Source/E-G-VAW-CONF\(2007\)Study%20rev.en.pdf](https://www.coe.int/t/dg2/equality/domesticviolencecampaign/Source/E-G-VAW-CONF(2007)Study%20rev.en.pdf)

Council of Europe. (2011). *Council of Europe Convention on preventing and*

combating violence against women and domestic violence (Istanbul Convention). Retrieved May 15, 2024, from <https://rm.coe.int/168008482e>

Council of Europe. (2013). *Refugee women and the Istanbul Convention*. Retrieved May 16, 2024, from: <https://assembly.coe.int/LifeRay/EGA/WomenFFViolence/2013/20130123RefugeeWomenIstanbulConvention-EN.pdf>

Council of Europe. (2017). *Report submitted by Turkey pursuant to Article 68, paragraph 1 of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Baseline Report)*. Retrieved May 21, 2024, from: <https://rm.coe.int/turkey-state-report/1680737201>

Council of Europe. (2018). *GREVIO's (Baseline) Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) Turkey*. Strasbourg: Council of Europe. Retrieved May 21, 2024, from: <https://www.coe.int/en/web/istanbul-convention/turkey>

Council of Europe. (2020). *Grevio first state report Germany 2020*. GREVIO/Inf (2020)13. Retrieved May 23, 2024, from: <https://rm.coe.int/state-report-from-germany/pdfa/16809f59c6>

Council of Europe. (2022). *The Istanbul Convention: A tool for combating violence against women and girls*. Retrieved May 15, 2024, from: [https://www.europarl.europa.eu/RegData/etudes/ATAG/2022/738222/PRS_ATA\(2022\)738222_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/ATAG/2022/738222/PRS_ATA(2022)738222_EN.pdf)

Council of Europe. (2022a). *GREVIO's (Baseline) Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) GERMANY*. Strasbourg: Council of Europe. Retrieved May 22, 2024, from: <https://rm.coe.int/report-on-germany-for-publication/1680a86937>

Council of Europe. (2022b). *Comments to the GREVIO report by the German federal government*. Retrieved May 22, 2024, from: <https://rm.coe.int/germany-comments-to-the-grevio-report/1680a86939>

Council of Europe. (n.d.). *Key facts about the Istanbul Convention*. Retrieved May 27, 2024, from <https://www.coe.int/en/web/istanbul-convention/key-facts>

Cox, R. W., & Sinclair, T. J. (1996). *Approaches to world order* (T. J. Sinclair,

Ed.). Cambridge University Press.

Crenshaw, K. (1989) Demarginalizing the intersection of race and sex: a black feminist critique of antidiscrimination doctrine, feminist theory, and antiracist politics, *University of Chicago Legal Forum*, 1989(1), 139-167.

Crenshaw, K. (1991). Women of Color at the center: Selections from the third national conference on women of color and the law: Mapping the margins: Intersectionality, identity politics, and violence against women of color. *Stanford Law Review* 43(6), 1241-1279.

Creswick, H. E. (2017). *Women under the radar": the intersection of migration and domestic violence explored through the framework of"(un) deservingness* (Doctoral dissertation, University of Nottingham).

Cusack, S., & Pusey, L. (2013). CEDAW and the rights to non-discrimination and equality. *Melb. J. Int'l L.*, 14, 54.

Çağatay, S. (2018). Women's coalitions beyond the Laicism–Islamism divide in Turkey: Towards an inclusive struggle for gender equality?. *Social Inclusion*, 6(4), 48-58. <https://doi.org/10.17645/si.v6i4.1546>

Çakır, S. (1994). Osmanlı kadın hareketi (Vol. 4). İstanbul: Metis Yayınları.

Davis, K. (2008). Intersectionality as buzzword: A sociology of science perspective on what makes a feminist theory successful. *Feminist Theory*, 9(1), 67-85. <https://doi.org/10.1177/1464700108086364>

Della Giustina, J. A. (2009). A Cross-cultural, comparative analysis of the domestic violence policies of Nicaragua and Russia. *Journal of International Women's Studies*, 10(4), 34-52.

Delmar, R. (2018). What is feminism? In A. C. Herrmann & A. J. Stewart (Eds.), *Theorizing feminism: Parallel trends in the humanities and social sciences* (2nd ed., pp. 5–28). Routledge.

Dennissen, M., Benschop, Y., & van Den Brink, M. (2020). Rethinking diversity management: An intersectional analysis of diversity networks. *Organization Studies*, 41(2), 219-240. <https://doi.org/10.1177/0170840618800103>

DiCaprio, L. (1990). East German feminists: The Lila manifesto. *Feminist Studies*, 16(3), 621.

Dilts, A., Winter, Y., Biebricher, T., Johnson, E. V., Vázquez-Arroyo, A. Y., &

- Cocks, J. (2012). Revisiting Johan Galtung's concept of structural violence. *New Political Science*, 34(2), e191-e227. <https://doi.org/10.1080/07393148.2012.714959>
- Dinç, C. (2011). From Gastarbeiter to People with Migration Background: A Critical Overview of German Migration Sociology. *Sosyoloji Dergisi*, 3(22), 253-280.
- Diner, C., & Toktaş, Ş. (2010). Waves of feminism in Turkey: Kemalist, Islamist and Kurdish women's movements in an era of globalization. *Journal of Balkan and Near Eastern Studies*, 12(1), 41-57. <https://doi.org/10.1080/19448950903507388>
- Dobash, R. E and Dobash, R. P. (1998). *Rethinking violence against women*, London: Sage Publications.
- Dost, S. (2014). Ulusal ve uluslararası mevzuat çerçevesinde ülkemizdeki Suriye'li sığınmacıların hukuki durumu. *Süleyman Demirel Üniversitesi Hukuk Fakültesi Dergisi*, 4(1), 27-69.
- Duman, D. (2011). Gender politics in Turkey and the role of women's magazines: a critical outlook on the early republican era. *Hacettepe Üniversitesi Edebiyat Fakültesi Dergisi*, 28(1), 75-92.
- Ekoh, P. C., & Okoye, U. O. (2022). More than just forced migrants: using intersectionality to understand the challenges and experiences of older refugees in Western societies. *Journal of Social Work in Developing Societies*, 4(2), 33-52.
- Elman, R. A. (2003). Refuge in reconfigured states: Shelter movements in the United States, Britain, and Sweden. In L. A. Banaszak, K. Beckwith, & D. Rucht (Eds.), *Women's movements facing the reconfigured state* (pp. 94–113). Cambridge University Press.
- Erdoğan, M. (2019). Syrian refugees in Turkey. *Konrad-Adenauer-Stiftung Report*. Retrieved April 15, 2024, from: <https://www.kas.de/documents/283907/7339115/Syrian+Refugees+in+Turkey.pdf>
- Eren, Ş. G., and Tarıkçı, S. (2022). Kadın sığınmaevleri ve konukevleri mevzuatının kentsel planlama bağlamında değerlendirmesi. *Mimarlık ve Yaşam*, 7(3), 807-830.
- Erez, E., Adelman, M., & Gregory, C. (2009). Intersections of immigration and domestic violence: Voices of battered immigrant women. *Feminist Criminology*, 4(1), 32-56.

- Ertan, K. A., & Ertan, B. (2017). Türkiye'nin göç politikası. *Contemporary Research in Economics and Social Sciences*, 1(2), 7-39.
- Espín, O. M. (2013). Gender, sexuality, language, and migration. In R. Mahalingam (Ed.), *Cultural psychology of immigrants* (pp. 257-274). Psychology Press.
- Evera, S. V. (1990). Primed for peace: Europe after the Cold War. *International security*, 15(3), 7-57. <https://doi.org/10.2307/2538906>
- Ferree, M. M. (1993). The rise and fall of "mommy politics": Feminism and unification in (East) Germany. *Feminist Studies*, 19(1), 89-115. <https://doi.org/10.2307/3178354>
- Few-Demo, A. L., & Allen, K. R. (2020). Gender, feminist, and intersectional perspectives on families: A decade in review. *Journal of Marriage and Family*, 82(1), 326-345. <https://doi.org/10.1111/jomf.12638>
- Fiddian-Qasmiyeh, E., Loescher, G., Long, K., & Sigona, N. (Eds.). (2014). *The Oxford handbook of refugee and forced migration studies*. OUP Oxford.
- Fiss, O. M. (1994). What is feminism. *Ariz. St. LJ*, 26, 413.
- Frauenhaus-Koordinierung e.V. (2019). *Statistik Frauenhäuser und ihre bewohner_innen*. Retrieved June 14, 2024 from: https://www.frauenhauskoordination.de/fileadmin/redakteure/Publikationen/Statistik/FHK-Bewohner_innenstatistik_2019_WEB.pdf
- Freeland, J. (2020). Gendering value change: domestic violence and feminism in 1970s West Berlin. *German History*, 38(4), 638-655. <https://doi.org/10.1093/gerhis/ghaa083>
- Freeland, J. (2022a). Gender and domestic violence in divided Germany: Marriage, divorce, and women's shelters. *Geschichte und Gesellschaft*, 48(3), 461-482. <https://doi.org/10.13109/gege.2022.48.3.461>
- Freeland, J. (2022b.). *Feminist transformations and domestic violence activism in divided Berlin, 1968-2002*. British Academy.
- Freeland, J. E. C. (2016). *Behind closed doors: Domestic violence, citizenship and state-making in divided Berlin, 1969-1990* (Doctoral dissertation, Carleton University).
- Galtung, J. (1969). Violence, peace, and peace research. *Journal of Peace*

Research, 6(3), 167-191. <https://doi.org/10.1177/002234336900600301>

García-Moreno, C., Zimmerman, C., Morris-Gehring, A., Heise, L., Amin, A., Abrahams, N., ... & Watts, C. (2015). Addressing violence against women: a call to action. *The Lancet*, 385(9978), 1685-1695.

Geiger, M., & Pécoud, A. (2010). The politics of international migration management. In M. Geiger & A. Pécoud (Eds.), *The politics of international migration management* (pp. 1-20). London: Palgrave Macmillan UK.

Geiger, M., & Pécoud, A. (2014). International organizations and the politics of migration. *Journal of Ethnic and Migration Studies*, 40(6), 865-887. <https://doi.org/10.1080/1369183X.2013.855071>

Gelles, R. J. (1977). Power, sex, and violence: The case of marital rape. *Family Coordinator*, 26(4), 339-347. <https://doi.org/10.2307/581754>

Ghafournia, N. (2011). Battered at home, played down in policy: Migrant women and domestic violence in Australia. *Aggression and Violent Behavior*, 16(3), 207-213. <https://doi.org/10.1016/j.avb.2011.02.009>

Göç Araştırmaları Derneği (2021). *70. yılında 1951 mültecilerin hukuki statüsüne ilişkin Birleşmiş Milletler sözleşmesi raporu*. Retrieved May, 14, 2024, from: <https://gocarastirmalaridernegi.org/tr/calismalar/arastirmalar/cenevre-sozlesmesi-nin-70-yili/259-70-yilinda-1951-multecilerin-hukuki-statusune-i-liskin-birlesmis-milletler-sozlesmesi-raporu>

Göç Araştırmaları Derneği. (2021). *70. Yılında 1951 mültecilerin hukuki statüsüne ilişkin Birleşmiş Milletler sözleşmesi*. (Report No. GAR-Rapor 6). Retrieved May 7, 2024, from: <https://www.gocarastirmalaridernegi.org/attachments/article/259/Cenevre%20S%C3%B6zleşme%202070.%20Y%C4%B1.pdf>

Gönenç, A. Y. (2006). Fransa'da ve Türkiye'de kadın hareketleri. *İstanbul Üniversitesi İletişim Fakültesi Dergisi | Istanbul University Faculty of Communication Journal*, (27), 63-84.

Graca, S. (2017). Domestic violence policy and legislation in the UK: A discussion of immigrant women's vulnerabilities. *European Journal of Current Legal Issues*, 22(1), 1-35.

Grans, L. (2018). The Istanbul Convention and the positive obligation to prevent violence. *Human Rights Law Review*, 18(1), 133-155.

Grosfoguel, R., Oso, L., & Christou, A. (2018). 'Racism', intersectionality and

migration studies: framing some theoretical reflections. In L. Oso, R. Grosfoguel & A. Christou (Eds.), *Interrogating Intersectionalities, Gendering Mobilities, Racializing Transnationalism* (pp. 1-18). Routledge.

Grugel, Jean, and Nicola Piper. 2007. *Critical perspectives on global governance: Rights and regulation in governing regimes*. Routledge.

Guenther, K. M. (2010). The strength of weak coalitions: Transregional feminist coalitions in Eastern Germany. In N. van Dyke & J. McCommon (Eds.), *Strategic alliances: Coalition building and social movements* (pp. 119–140). University of Minnesota Press.

Guruge, S., & Humphreys, J. (2009). Barriers affecting access to and use of formal social supports among abused immigrant women. *Canadian Journal of Nursing Research Archive*, 41(3), 64-85.

Gülçür, L. (1995). *Violence against women in the family, in Ankara, Turkey* (Women for Women's Human Rights Reports, No. 4). Istanbul: Women for Women's Human Rights. Retrieved June 14, 2024 from: <https://kadinininsanhaklari.org/wp-content/uploads/2018/06/sexual-abuse-ankara-99.pdf>

Güneş, A. (2019). Legal implications of Turkey's accessions to the Istanbul convention by enacting and refining its laws on violence against women. *Women & Criminal Justice*, 31(3), 1–15. <https://doi.org/10.1080/08974454.2019.1697792>

Güneş, A. (2021). *International human rights law and crimes against women in Turkey: Legislation on so-called honour killings*. Routledge.

Güneş, A., & Ezikoğlu, Ç. (2023). Legal and political challenges of gender equality and crimes against women in Turkey: The question of Istanbul convention. *Women & Criminal Justice*, 33(1), 14-27. <https://doi.org/10.1080/08974454.2022.2040695>

Hagemann-White, & C., Kavemann, B. (2006). Working together to combat domestic violence: Cooperation, intervention, research. Federal Ministry for Family Affairs, Senior Citizens, Women and Youth. Retrieved June 2, 2024 from: https://eucpn.org/sites/default/files/document/files/po_de_dv_working_together_to_combat_dv_201410.pdf

Hagemann-White, C. (2017). Responses to domestic violence in Germany in a European context. In E. S. Buzawa & C.G. Buzawa (Eds.), *Global responses to domestic violence*, (pp. 87-105). Springer.

- Hagen-Zanker, J., Carling, J., Carrasco, I., Czaika, M., Godin, M., & Erdal, M. B. (2023). Tackling the root causes of migration. *Changes*, 1, 29.
- Hamberger, L. K., Larsen, S. E., & Lehrner, A. (2017). Coercive control in intimate partner violence. *Aggression and Violent Behavior*, 37, 1-11.
- Hanbay-Çakır, E., & Karabacak, H. (2019). *Mülteci kadınlara yönelik toplumsal cinsiyet temelli ayrımcılık ve şiddetle mücadele*. Kadın Dayanışma Vakfı. Retrieved June 5, 2024 from: <https://www.kadindayanismavakfi.org.tr/yayinlar/multeci-kadinlara-yonelik-toplumsal-cinsiyet-temelli-ayrimcilik-ve-siddetle-mucadele-2019/>
- Heineman, E. D. (1999). *What difference does a husband make?: Women and marital status in Nazi and postwar Germany* (Vol. 33). Univ of California Press.
- Heise, L. L., Pitanguy, J., & Germain, A. (1994). Violence against women: the hidden health burden. *World Bank discussion papers*, 255.
- Held, D. (2013). *Global covenant: The social democratic alternative to the Washington consensus*. John Wiley & Sons.
- Heusel, A. (2023). Istanbul Convention: towards the gender approach to migration. *Juris Gradibus*, 4, 1-47.
- Hondagneu-Sotelo, P. (2000). Feminism and migration. *The Annals of the American Academy of Political and Social Science*, 571(1), 107-120.
- Hujo, K. (2019). A global social contract: New steps towards a rights-based approach to migration governance?. *Global Social Policy*, 19(1-2), 25-28.
- Hunnicutt, G. 2009. Varieties of patriarchy and violence against women: Resurrecting “patriarchy” as a theoretical tool. *Violence Against Women*. 15(5), 553-573.
- Intract. (2017). Qualitative Comparative Analysis (QCA). Accessible from: <https://www.intrac.org/wpcms/wp-content/uploads/2017/01/Qualitative-comparative-analysis.pdf>
- Isik, D. (2023). The multiple geographies of violence and the Istanbul convention: Intersectionality of nationalism, patriarchy and gender in Turkey. *Documenti geografici*, (2), 89-118.
- İçduygu, A. (2015). Syrian refugees in Turkey. *The Long Road Ahead*.

Transatlantic Council on Migration. *Transatlantic Council on Migration, Migration Policy Institute. Brussels. Available online at <http://www.migrationpolicy.org/research/syrian-refugeesturkey-long-road-ahead>, checked on, 3(8), 2016.*

İçduygu, A., & Şimşek, D. (2016). Syrian refugees in Turkey: Towards integration policies. *Turkish Policy Quarterly*, 15(3), 59-69.

İlkkaracan, P. (1996). *Domestic violence and family life as experienced by Turkish immigrant women in Germany* (Report No:3). Women for Women's Human Rights. https://kadinininsanhaklari.org/wpcontent/uploads/2018/06/immi_grant_women_96.pdf

Kadının İnsan Hakları Derneği (KIH). 2019. *Haklarımız Var*. Retrieved May 28, 2024, from: <https://kadinininsanhaklari.org/yayinlar/haklarimiz-var/>

Kadının Statüsü Genel Müdürlüğü (KSGM). (1993). *Kadına karşı her türlü ayrımcılığın önlenmesi sözleşmesi uyarınca hazırlanan Türkiye raporu*. No:79.

Kadının Statüsü Genel Müdürlüğü (KSGM). (2007). *Kadına yönelik aile içi şiddetle mücadele ulusal eylem planı 2007-2010*.

Kalm, S. (2010). Liberalizing movements? The political rationality of global migration management. In M. Geiger & A. Pécoud (Eds.), *The politics of international migration management* (pp. 21-44). London: Palgrave Macmillan UK.

Kanbur, N. (2021). Istanbul Convention: Commitment to preventing gender-based violence. *Journal of Adolescence Health*, 69 (2), 354. [10.1016/j.jadohealth.2021.05.009](https://doi.org/10.1016/j.jadohealth.2021.05.009)

Kandiyoti, D. (1989). Women and the Turkish state: Political actors or symbolic pawns. In N. Yuval-Davis, F. Anthias & J. Campling (Eds.), *Woman-nation-state* (pp. 126-149). London: Palgrave Macmillan UK.

Kapoor, S. (2000). *Domestic violence against women and girls*. (Report No:6). United Nations Children's Fund Innocenti Research Centre. Retrieved May 23, 2024, from: <https://anrows.intersearch.com.au/anrowsjspui/bitstream/1/14296/1/digest6e.pdf>

Kara, N. (2006). 80 ve 90'larda Türkiye'de Feminist Hareketler. *Kadın Çalışmaları Dergisi*, 3, 16-39.

- Karagöz, B. (2016). An issue from the Ottoman Empire to the Republic of Turkey: The status of women. *Karadeniz Uluslararası Bilimsel Dergi*, 1(29), 33-45.
- Kaur, R., & Garg, S. (2008). Addressing domestic violence against women: An unfinished agenda. *Indian Journal of Community Medicine*, 33(2), 73-76.
- Kaypak, Ş., & Kahraman, M. (2016). Türkiye’de kadının insan hakları ve anayasal yansıması/ women’s human rights and constitutional reflections in Turkey. *Mustafa Kemal Üniversitesi Sosyal Bilimler Enstitüsü Dergisi*, 13(33), 298-315.
- Kelly, L. (2013). Moving in the shadows: Introduction. In L. Kelly, Y. Rehman & H. Siddiqui (Eds.), *Moving in the shadows* (pp. 1-15). Routledge.
- Kelly, L. (2018). *Mapping support services for victims of violence against women in line with Istanbul convention standards*. Council of Europe. Retrieved June 2, 2024, from: <https://rm.coe.int/final-vaw-support-2019-eng-forms/168093b8b9>
- Kiamanesh, P., & Hauge, M. I. (2019). “We are not weak, we just experience domestic violence”—Immigrant women's experiences of encounters with service providers as a result of domestic violence. *Child & Family Social Work*, 24(2), 301-308.
- Kıvılcım, Z. (2016). Yabancılar ve Uluslararası Koruma Kanunu ile Geçici Koruma Yönetmeliği: Toplumsal cinsiyet perspektifiyle bir değerlendirme. *Ankara Üniversitesi SBF Dergisi*, 71(3), 919-940.
- Knappe, H., & Lang, S. (2014). Between whisper and voice: Online women’s movement outreach in the UK and Germany. *European Journal of Women's Studies*, 21(4), 361-381
- Kocabay-Şener, N., Çoban-Keneş, H., Çelik, N. B., & Fahrioğlu-Akın, F. (2022). *Toplumsal cinsiyet eşitliğinin şeytanlaştırılması: İstanbul Sözleşmesi karşıtlığı ve medya*. Toplumsal Cinsiyet Eşitliği Dayanışma Ağı. Retrieved May 4, 2024, from: <https://dspace.ceid.org.tr/xmlui/handle/1/2062>
- Koçak, A ve A. D. Kaygısız (2023). Cumhuriyet’ten Bugüne Türkiye’nin Göç Politikaları: Göç Yönetimindeki Ulusal ve Uluslararası Aktörler. *Uygulamalı Sosyal Bilimler ve Güzel Sanatlar Dergisi (SOSGÜZ)*, (5)13, 253-273.
- Kolbe, W. (1999). Gender and parenthood in West German family politics from the 1960s to the 1980s. *Opuscula Historica Upsaliensia*, 22, 133-167.

- Konukman, A. (2017). Türkiye’de kağıtsız göçmen kadınlar ve sosyal hizmetler. *Çalışma ve Toplum*, 3(54), 1299-1316.
- Krizsán, A., & Roggeband, C. (2021). *Politicizing gender and democracy in the context of the Istanbul Convention*. Basingstoke: Palgrave Macmillan.
- Kurnaz, I. (2023). Violence Against Women on the Axis of the Istanbul Convention and Its Monitoring Mechanisms After the Denunciation: From Populism to Where: A Comparative Analysis on Turkey and Poland. In M. Okyayuz, J. Mao, L. G. Mpedi & P. Herrmann (Eds.), *Human Rights in a Changing World: Reflections on Fundamental Challenges* (pp. 151-180). Wiesbaden: Springer Fachmedien Wiesbaden.
- Leake, A. (2012). A brief history of the feminist movements in Turkey. *E-International Relations*, 29, 1-6.
- Lenz, I., & Schwenken, H. (2002). Feminist and migrant networking in a globalising world migration, gender and globalisation. In M. Morokvasic, U. Erel & K. Shinozaki (Eds.), *Crossing Borders and Shifting Boundaries: Vol. II: Gender, Identities and Networks* (pp.147-178). Wiesbaden: VS Verlag für Sozialwissenschaften.
- Lockhart, L. L., & Danis, F. S. (Eds.). (2010). *Domestic violence: Intersectionality and culturally competent practice*. Columbia University Press.
- Logar, R. (2008, September). *The European Women’s Shelter Movement and its contribution to change: New challenges and future perspectives*. In *World Conference on Women’s Shelters, Edmonton/Canada* (pp. 08-11).
- Logar, R. (2022). Shelters for Victims of Gender-based violence in Europe: Best practices and challenges. *Eurosocal Tools.–Madrid: Eurosocal Programme*, (91), 72. Retrieved May 18, 2024 from: https://eurosocal.eu/wp-content/uploads/2022/03/Herramienta_91-Shelters-for-Victims-of-Gender.pdf
- Logar, R. and Qosaj-Mustafa, A. (2021). *Quality guidelines for shelters for victims of violence against women and domestic violence*. Council of Europe. Retrieved May 16, 2024, from: <https://rm.coe.int/shelter-guideline-eng/1680a24ced>
- Magalhães, M. J., Hagemann-White, C., Lopez, R., & Costa Silva, V. I. (2015). *Comparative paper of the intervention against domestic violence in Portugal, Slovenia, Germany, and the UK, from the research project*

“Cultural Encounters in Intervention Against Violence” (CEINAV), July 2015. Retrieved May 5, 2024, from: <http://tinyurl.com/ceinavworkingpapers>

Malinowska, A. (2020). Waves of Feminism. *The international encyclopedia of gender, media, and communication*, 1, 1-7.

Marx, A., Rihoux, B., & Ragin, C. (2014). The origins, development, and application of Qualitative Comparative Analysis: the first 25 years. *European Political Science Review*, 6(1), 115-142.

McCall, L. (2005). The complexity of intersectionality. *Signs: Journal of women in culture and society*, 30(3), 1771-1800.

McIlwaine, C. (2023). Not as safe as houses: experiences of domestic violence among international migrant women. In J. L. Waters, & B. SA. Yeoh (Eds.), *Handbook on migration and the family* (pp. 232-248). Edward Elgar.

McQuigg, R.J.A. (2019). *The Istanbul convention, domestic violence and human rights*. ed. Routledge, London & New York.

Miethe, I. (2002). Women's movements in unified Germany: experiences and expectations of East German women. *Feminist Movements in a Globalising World: German and American perspectives*. S. Roth and S. Lennox. Washington: American Institute of contemporary German Studies.

Moeller, R. G. (1989). Reconstructing the family in reconstruction Germany: Women and social policy in the Federal Republic, 1949-1955. *Feminist Studies*, 15(1), 137-169.

Mor Çatı (2024). *Shadow Report to be submitted to the Committee against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment*. Retrieved June 1, 2024, from: <https://morcati.org.tr/izleme-raporlari/turkiyede-gocmen-kadinlar-ve-kadina-yonelik-siddet/>

Mor Çatı Kadın Sığınağı Vakfı. (2023). *2023 yılı faaliyet raporu*. Retrieved June 1, 2024 from: <https://morcati.org.tr/wp-content/uploads/2024/02/mor-cati-2023-yili-faaliyet-raporu.pdf>

Moroğlu, N. (2012). Kadına yönelik şiddetin önlenmesi 6284 sayılı yasa ve İstanbul Sözleşmesi. *Türkiye Barolar Birliği Dergisi*, 99, 357-380.

Morokvasic, M. (1983). Women in migration: Beyond the reductionist outlook. In Phizacklea, A. (Ed.), *One way ticket: Migration and female labor*. London: Routledge & Kegan Paul.

- Muehlenhard, C. L., & Kimes, L. A. (2014). *The social construction of violence: The case of sexual and domestic violence*. In A.G. Miller (Ed.), *Perspectives on evil and violence* (pp. 234-245). Psychology Press.
- Mueller, C. (2006). Integrating Turkish communities: a German dilemma. *Population Research and Policy Review*, 25, 419-441.
- Nash, J. C. (2008). Re-thinking intersectionality. *Feminist review*, 89(1), 1-15.
- National Women's History Museum, (2020, June,23). *Feminism: The third wave*. Retrieved November 11, 2024 from: <https://www.womenshistory.org/exhibits/feminism-third-wave>
- Nawyn, S. J. (2010). Gender and migration: Integrating feminist theory into migration studies. *Sociology Compass*, 4(9), 749-765.
- OECD. (2021). *Eliminating gender-based violence: Governance and survivor/victim-centred approaches*. OECD Publishing, Paris, Retrieved May 8, 2024, from: https://www.oecd.org/en/publications/2021/12/eliminating-gender-based-violence_55df9f38.html
- OECD. (2024). *Responses to domestic violence against migrants in OECD countries* (Report No 34). OECD Publishing. Retrieved May 9, 2024, from: https://www.oecd.org/content/dam/oecd/en/publications/reports/2024/01/responses-to-domestic-violence-against-migrants-in-oecd-countries_9fca040c/1fd6f3df-en.pdf
- OHCHR. (2005). *Investigation by the Secretary General of the United Nations on Violence against Children Questionnaire for Governments Responses by the Federal Republic of Germany*. Retrieved May 9, 2024 from: <https://www.ohchr.org/sites/default/files/Documents/HRBodies/CRC/StudyViolenceChildren/Responses/Germany.pdf>
- Okur Gümrükçüoğlu, S. (2019, June 15). Kadın haklarını savunmak feminizme has değildir! In S. Dursun (Ed.), *Gerçek hayat*. Retrieved May 5, 2024 from: <https://www.gercek hayat.com.tr/roportaj/kadin-haklarini-savunmak-feminizme-has-degildir/>
- Öngün, A. (2013, October 30). İki sığınagın yıldönümü. *Bianet*. <https://bianet.org/haber/iki-siginagin-yildonumu-13591>
- Öztürk, E. (2014). Türkiye’de aile, şiddet ve kadın sığınmaevleri. *21. Yüzyılda*

Eğitim ve Toplum Eğitim Bilimleri ve Sosyal Araştırmalar Dergisi, 3(7), 39-55.

- Öztürkmen, A. (2013). The women's movement under Ottoman and Republican rule: A historical reappraisal. *Journal of Women's History*, 25(4), 255-264.
- Pantea, M. C. (2012). From 'making a living' to 'getting ahead': Roma women's experiences of migration. *Journal of Ethnic and Migration Studies*, 38(8), 1251-1268.
<https://doi.org/10.1080/1369183X.2012.689185>
- Pappas, I. O., & Woodside, A. G. (2021). Fuzzy-set Qualitative Comparative Analysis (fsQCA): Guidelines for research practice in Information Systems and marketing. *International Journal of Information Management*, 58, 102310.
<https://doi.org/10.1016/j.ijinfomgt.2021.102310>
- Park, T., Mullins, A., Zahir, N., Salami, B., Lasiuk, G., & Hegadoren, K. (2021). Domestic violence and immigrant women: A glimpse behind a veiled door. *Violence Against Women*, 27(15-16), 2910-2926.
<https://doi.org/10.1177/1077801220984174>
- Pekasıl, A. N. (2022). Toplumsal cinsiyete dayalı cinsel şiddet sarmalı içinde göçmen kadınlar: Bağlamsal bir değerlendirme. *Ordu Üniversitesi Sosyal Bilimler Enstitüsü Sosyal Bilimler Araştırmaları Dergisi*, 12(2), 1441-1460. <https://doi.org/10.48146/odusobiad.1093320>
- Peroni, L. (2016). Violence against migrant women: The Istanbul convention through a postcolonial feminist lens. *Feminist Legal Studies*, 24, 49-67.
- Peters, J. (2021). *Violence on the move: Experiences of Afghan refugees*. Independent thesis Basic level (Degree of Bachelor of Fine Arts). Malmö University.
- Pickvance, C. G. (2001). Four varieties of comparative analysis. *Journal of Housing and the Built Environment*, 16(1), 7-28.
- Prins, B. (2006). Narrative accounts of origins: A blind spot in the intersectional approach?. *European Journal of Women's Studies*, 13(3), 277-290.
<https://doi.org/10.1177/1350506806065757>
- Ragin, C. C. (1998). The logic of qualitative comparative analysis. *International Review of Social History*, 43(S6), 105-124.
- Ragin, C. C. (2008). What is Qualitative Comparative Analysis?. Accessible at: https://eprints.ncrm.ac.uk/id/eprint/250/1/What_is_QCA.pdf

- Ragin, C. C. (2014). *The comparative method: Moving beyond qualitative and quantitative strategies*. Univ of California Press.
- Rai, S. (2004). 'Gendering global governance. *International Feminist Journal of Politics*, 6(4), 579–601.
- Ramsay, J. (2007). Policy activism on a 'wicked issue' the building of Australian feminist policy on domestic violence in the 1970s. *Australian Feminist Studies*, 22(53), 247-264. <https://doi.org/10.1080/08164640701364661>
- Regional Refugee and Resilience Plan (2022). *Turkey country chapter 2021-2022*. Retrieved June 14, 2024 from: https://www.unhcr.org/tr/wp-content/uploads/sites/14/2021/03/3RP-Turkey-Country-Chapter-2021-2022_EN-opt.pdf
- Regulation on the Opening and Operation of Women's Shelters 2013. <https://www.aile.gov.tr/uploads/ksgm/uploads/pages/mevzuat/6-kadin-konukevlerinin-acilmasi-ve-isletilmesi-hakkinda-yonetmelik.pdf>
- Richardson, J., & Feder, G. (1996). Domestic violence: a hidden problem for general practice. *British Journal of General Practice*, 46(405), 239-242.
- Ruble, A. N. (2020). Creating postfascist families: reforming family law and gender roles in postwar East and West Germany. *Central European History*, 53(2), 414-431.
- Rudek, F., and Herold, H. (2022). *Bundesweite Frauenhaus-Statistik. Frauenhaus-Koordinierung e.V.* Retrieved May 14, 2024 from: https://www.frauenhauskoordinierung.de/fileadmin/redakteure/Publikationen/Statistik/2022-11-01_Langfassung_Frauenhaus-Statistik_2021_FHK.pdf
- Rueschemeyer, M. (1993). Women in East Germany: From state socialism to capitalist welfare state. *Democratic Reform and the Position of Women in Transitional Economies*, 75-91.
- Saharso, S., & Scholten, P. (2013). Comparative migration studies: An introduction. *Comparative Migration Studies*, 1, 1-6. [10.5117/CMS2013.1.SAHA](https://doi.org/10.5117/CMS2013.1.SAHA)
- Saruc, S., Kesen, N. F., & Dasbas, S. (2015). Social profile of women in women's shelters. *International Journal of Humanities and Social Science*. 5(8),114-121.
- Schneider, P., Kreyssig, U., Hecht, D., & Trieselmann, M. (n.d.). (publication).

Von 1995 bis 2005 10 Jahre BIG, Berliner Interventionszenrale bei hauslicher Gewalt. Retrieved May 19, 2024 from: https://www.big-berlin.info/sites/default/files/medien/10_Jahre_BIG.pdf.

Schneider, T., Shraiky, J., Wofford, D., & Awad, R. (2017). Cultural and structural violence in the lives of Syrian refugees. *Journal of Health and Human Experience*, 3(2), 66-86.

Scholte, J. A. (2004). Civil society and democratically accountable global governance. *Government and Opposition*, 39(2), 211-233.

Scholte, J. A. (Ed.). (2011). *Building global democracy?: civil society and accountable global governance*. Cambridge University Press.

Şen, A. A. (2018). Türkiye’de kadına yönelik şiddetle mücadelede kurumlar arası iş birliği süreci ve 6284 sayılı yasanın uygulanabilirliği. *Motif Akademi Halkbilimi Dergisi*, 11(22), 141-161.

Silvey, R. (2004). Power, difference and mobility: feminist advances in migration studies. *Progress in human geography*, 28(4), 490-506.

Sirman, N. (1989). Feminism in Turkey: A short history. *New perspectives on Turkey*, 3, 1-34.

Snyder, R. C. (2008). What is third-wave feminism? A new directions essay. *Signs: Journal of women in culture and society*, 34(1), 175-196.

Sosa, L., & i Mestre, R. M. M. (2023). The Istanbul Convention from an Intersectional Perspective. In S. de Vido & M. Frulli (Eds.), *Preventing and combating violence against women and domestic violence: A commentary on the Istanbul Convention* (pp. 4-21). Edward Elgar Publishing.

Sosa, L., & Mestre i Mestre, R. (2022). *Ensuring the non-discriminatory implementation of measures against violence against women and domestic violence: Article 4, Paragraph 3, of the Istanbul Convention: A collection of papers on the Council of Europe Convention on preventing and combating violence against women and domestic violence*. Retrieved May 3, 2024 from: https://dspace.library.uu.nl/bitstream/handle/1874/420126/Brochure_Article_4_Para_3_in_English_web_version.pdf?sequence=1

Stake, R. E. (1995). *The art of case study research*. Thousand Oaks, CA: SAGE Publications.

Stake, R. E. (2008). Qualitative case studies. In N. K. Denzin & Y. S. Lincoln

- (Eds.), *Strategies of qualitative inquiry* (pp. 119–149). Sage Publications, Inc.
- Steinert, J. D. (2014). Migration and migration policy: West Germany and the recruitment of foreign labour, 1945–61. *Journal of Contemporary History*, 49(1), 9-27.
- Tekeli, S. (2010). The Turkish women's movement: A brief history of success. *Quaderns de la Mediterania*, 14, 119-123.
- Telseren, A. (2020). Changing Gender Politics in Turkey throughout the 2000s: A Feminist Analysis of Gender Policies Pursued by Justice and Development Party (Adalet ve Kalkınma Partisi-AKP) Governments. *Interdisciplinary Political Studies*, 6(2), 357-395. [10.1285/i20398573v6n2p357](https://doi.org/10.1285/i20398573v6n2p357)
- Temporary Protection Regulation 2014. <https://www.mevzuat.gov.tr/MevzuatMetin/21.5.20146883.pdf>
- Terre des Femmes (2017). *Domestic violence and the protection of victims in Germany*. NGO submission. UPR on Federal Republic of Germany. Retrieved June 2, 2024, from: https://www.upr-info.org/sites/default/files/documents/2018-04/tdf_upr30_deu_e_main.pdf
- Tezcan, T. (2019). Return home? Determinants of return migration intention amongst Turkish immigrants in Germany. *Geoforum*, 98,189-201. <https://doi.org/10.1016/j.geoforum.2018.11.013>
- Thimm, V., & Chaudhuri, M. (2019). Migration as mobility? An intersectional approach. *Applied Mobilities*.6(3), 273-288. <https://doi.org/10.1080/23800127.2019.1573780>
- Toprak, Z. (2015). *Türkiye'de kadın özgürlüğü ve feminizm (1908-1935)*. Istanbul: Tarih Vakfı Yurt Yayınları.
- Tosun, Z., & Öztürk, A. B. (2010). *Kadın sığınmaevi modelleri: Türkiye ve çeşitli ülke uygulamaları*. United Nations Population Fund. https://turkiye.unfpa.org/sites/default/files/pub-pdf/ks_modelleri.pdf
- Turgut, E. (2024, June 20). Sığınmaevi ve ŞÖNİM sayısı yıllardır artmıyor: Şiddete karşı harcanmayan bütçe Diyanete aktarıldı. *Evrensel Newspaper*. Retrieved May 18, 2024 from: <https://www.evrensel.net/haber/521381/siginmaevi-ve-sonim-sayisi-yillardir-artmiyor-siddete-karsi-harcanmayan-butce-diyanete-aktarildi>

- UN Women. (n.d.). *Frequently asked questions: Types of violence against women and girls*. Retrieved August 26, 2024, from <https://www.unwomen.org/en/what-we-do/ending-violence-against-women/faqs/types-of-violence>
- UNFPA & TKDF (2023). *Ev içi şiddet acil yardım hattı 2007-2021 yılları arası verilerinin istatistiksel analizi*. Retrieved August 20, 2024 from: https://turkiye.unfpa.org/sites/default/files/pubpdf/tkdf_ev_ici_siddet_acil_yardim_hatti_2023_raporu_1.pdf
- UNHCR. (2016). *UNHCR's commitment to gender equality from women and development to an age gender and diversity approach*. Retrieved April 15, 2024, from: <https://www.unhcr.org/sites/default/files/legacy-pdf/56b478939.pdf>
- UNHCR. (2017). *Türkiye'deki Suriyeli mülteciler sıkça sorulan sorular (Frequently Asked Questions about Syrian Refugees in Turkey)*. Retrieved June 11, 2024 from: <https://data2.unhcr.org/en/documents/download/59167>
- UNHCR. (2024) *Germany fact sheet February 2024 [Fact Sheet]*. Retrieved June 14, 2024, from: <https://reliefweb.int/report/germany/unhcr-germany-fact-sheet-february-2024>
- United Nations Declaration on the Elimination of Violence against Women, December 20, 1993. Retrieved April 17, 2024 from: https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.21_declaration%20elimination%20vaw.pdf
- United Nations Declaration on the Elimination of Violence Against Women CEDAW, General Recommendation, Number 19, 1992. Retrieved June 13, 2024, from: <https://www.refworld.org/legal/resolution/cedaw/1992/en/96542>
- Ustabaş, F. S. (2014). Kadın sığınmaevleri olanak ve sınırlılıkları. *Yaratıcı Drama Dergisi*, 9(18), 101-106.
- Uzun, M. (2015). Kadına yönelik şiddete genel bakış ve Türk Ceza Kanunu'nun kadına yönelik şiddet ile ilgili hükümleri. *İstanbul Barosu Dergisi*. 89,130-150.
- Üstün, K., & Vargün, B. (2022). Uluslararası göç ve Afgan göçmenler örneği. *Ardahan Üniversitesi İnsani Bilimler ve Edebiyat Fakültesi Belgü Dergisi*, (6), 76-86.
- Vatavu, O. (2023). *The Istanbul Convention shelters and specialised support*

services for victims of violence against women: standards and good practices. Retrieved June 15, 2024, from: <https://www.watchdog.md/wp-content/uploads/2023/06/Study-Shelters-Revamped.pdf>

WAVE (2021). *Women's specialist support services in Europe and the impact of Covid-19 on their provision*. WAVE country report. Retrieved May 13, 2024, from: https://wave-network.org/wp-content/uploads/WAVE_Country-Report.pdf

WAVE (2023). *The status and value of women's specialist services in preventing and tackling gender-based violence against women*. WAVE country report 2023. Retrieved May 14, 2024, from: https://wave-network.org/wp-content/uploads/WAVE_CountryReport2023.pdf

WAVE. (2017). *WAVE Handbook: Prevention and support standards for women survivors of violence*. Retrieved June 4, 2024, from: https://fileservers.wave-network.org/trainingmanuals/WAVE_Handbook_2017.pdf

WAVE. (2018). *WAVE Handbook: Prevention and support standards for women survivors of violence*. Retrieved May 11, 2024, from: https://www.qmg-ks.org/wp-content/uploads/2019/01/WAVE_Handbook_180928_web.pdf

WAVE. (2023, February,1). Don't hesitate to seek help: Germany-wide women's refuge search. *Women Against Violence Europe*. Retrieved from: https://wave-network.org/germany-wide-womens-refuge-search/#_ftn1

Weiß, F. (2020). Germany's position on the protection of migrant women against domestic violence: in the context of the debate on the ratification of the Istanbul Convention 2016/2017. Umea University.

Westendorp, I. (2020). The right to adequate housing of battered women: The added value of the Istanbul Convention?. In J.Niemi, L.Peroni & V. Stoyanova (Eds.), *International Law and Violence Against Women: Europe and the Istanbul Convention*. (pp. 191-207). Routledge.

White, J. B. (1997). Turks in the new Germany. *American Anthropologist*, 99(4), 754-769. <https://doi.org/10.1525/aa.1997.99.4.754>

Wild, J. L. (2020). *Domestic violence & abuse: prevention, intervention and the politics of gender* (Doctoral dissertation, University of Leeds).

World Health Organization (WHO). (2012). *Understanding and addressing violence against women: Intimate partner violence*. Retrieved April 10, 2024, from:

https://iris.who.int/bitstream/handle/10665/77432/WHO_RHR_12.36_eng.pdf?sequence=1

- World Health Organization (WHO). (2021). *Violence against women prevalence estimates, 2018: global, regional, and national prevalence estimates for intimate partner violence against women and global and regional prevalence estimates for non-partner sexual violence against women*. World Health Organization. Retrieved April 10, 2024, from: <https://www.who.int/publications/i/item/9789240022256>
- Yabancılar ve Uluslararası Koruma Kanunu (Law on Foreigners and International Protection), No. 6458, Resmî Gazete No. 28615 (2013). <https://www.mevzuat.gov.tr/MevzuatMetin/1.5.6458.pdf>
- Yazıcı, B. (2012). The return to the family: Welfare, state, and politics of the family in Turkey. *Anthropological Quarterly*, 85(1), 103-140.
- Yılmaz, A. O. (2015). Marital Rape. *Turkish Medical Student Journal*, 2(3), 169-172.
- Zack, N. (2007). Can third wave feminism be inclusive?. In L.M. Alcoff & E. F. Kittay (Eds.), *The Blackwell guide to feminist philosophy* (pp 193-207). Blackwell Publishing.
- Zelenko, L. (2022, January). Waves of feminism: history and present. In *Sworld-Us Conference proceedings* (No. usc09-01, pp. 108-111).

APPENDICES

Appendix A: Chronological Developments in Germany

Chronological Developments in Germany		
Year	Key Developments	Notes
1949	Germany was divided into Eastern and Western blocs	Included a statement on the equality of men and women & After the Second World War, Europe was divided into blocs
1957	Act on Equal Rights for Women and Men amended West German family law	
1949-1972	East Germany implemented women's legal right to employment, incentive programs for placement in non-traditional occupations, and the expansion of kindergartens and other childcare facilities	It also prioritized protecting family unity however, due to its socialist regime rules promoted equality between women and men
1960s	Student movements were widespread in West Germany	The student movements later transformed themselves into feminist movements that included violence against women. Movements such as Brot und Rosen grew out of student communities
1960s-1970s	Migration to Germany was particularly intense	
1971	Brot und Rosen women's movement in Berlin	

1976	The first women's shelter was opened	It is noteworthy to remember that the first steps of Project Frauenhaus were taken with the idea that women would help women and effected the opening of the first shelter.
1980	Germany signed CEDAW	Germany ratified CEDAW in 1985
1980s	relationship between migrant women coming to the shelter and their deportation began to be discussed	
1989	Unification of Germany	Led to many innovations in social values and reformist approaches to gender equality and domestic violence against women
1989	The Unabhängiger Frauenverband (UFV), the Independent Women's Federation	in 1998, the UFV was banned as a national organization but during the 1990s many projects applied
1995	The Berliner Initiative gegen Gewalt an Frauen (BIG e.V.) project started	1. Represented the collaboration of activists from East and West Germany and it was supported by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, and the Berlin Department of Labor, Women and Social Affairs. 2. Guidelines developed for immigrant women who are subjected to domestic violence
1999	New citizenship law and migration reform came to the agenda	New regulations in Germany addressed residence durations and required migrant women to stay with their husbands for two years. However, an exception was introduced, allowing women facing violence to leave their husbands under a hardship clause.

1999	The Federal Government introduced the first Action Plan to Combat Violence against Women	
2002	Protection Against Violence Act	The survivor of violence can apply for a protective court order to prevent the perpetrator from contacting or approaching her/him
2007	the Second Action Plan to Combat Violence against Women	Established by the findings of the first action plan
2011	Germany signed the Istanbul Convention	Germany ratified the Istanbul Convention in 2017

Appendix B: Chronological Developments in Türkiye

Chronological Developments in Türkiye		
Year	Key Developments	Notes
1926	Turkish Civil Code	Recognized women as equal citizens and granted the most important privilege
1975	Women's movement gained significant momentum	
1976	the Federation of Women's Associations	
1985	Türkiye ratified CEDAW	
1987	Solidarity against the Battering campaign	
1989	Purple Needle Campaign	

1990	The Presidency on the Status and Problems of Women was established	This was established as a national mechanism within the state administration in 1990 and continued to work as the Directorate General on the Status of Women in 1991
1990	Women's shelters under the Social Services and Child Protection Agency were opened by the Bakırköy and Şişli Municipalities	In 1987, the impact of the Purple Needle Campaign reached the local elections in 1989 and created a serious public outcry against male violence.
1992	Women's shelters under the Social Services and Child Protection Agency were opened in Bursa and Antalya	
1993	Women's Solidarity Foundation Shelter opened	This shelter is opened by the initiative of the feminist movement and related foundation
1995	Mor Çatı Women's Shelter Foundation	This shelter is opened by the initiative of the feminist movement and related foundation
1998	Law No. 4320 on the Protection of the Family, which entered into force	It is the first law on the prevention of domestic violence in Türkiye. It was abolished in 2012. It was replaced by Law No. 6284
2002	In the Civil Code, joint sharing of property acquired in marriage	
2003-2010	"Gender Equality" added in many legal instruments	This term was accepted and added to the Constitution in 2004 and 2010, the Criminal Code in 2003, and the Labor Law in 2003
2005	In the Turkish Penal Code, sexual crimes were recognized as crimes against the individual	

2009	the Equal Opportunity Commission for Women and Men was established in the Grand National Assembly of Türkiye	Essential steps were taken toward women's rights
2011	The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence is signed and ratified	Türkiye was the first signatory to the convention
2012	The Law No. 6284 on the Protection and Prevention of Violence Against Women was approved	Due to the fact that Law No. 4320 on the Protection of Family did not meet the standards of the Istanbul Convention a new one was prepared
2013	Law on Foreigners and International Protection came into force	
2014	Temporary Protection Regulation came into force	
2014	Federation of Women's Associations of Türkiye (TKDF), founded in 1976, established a hotline	
2018	KADES, a mobile application in partnership with the Ministry of Interior and the General Directorate of Security launched	
2021	Türkiye withdraws from the Istanbul Convention	Controversial decision to withdraw from the convention, which sparked protests and debate on women's rights and protection from violence