**RESPONSES OF THE GÜLPINAR SUSTAINABLE LIVING ASSOCIATION
 TO QUESTIONS OF THE UN SPECIAL RAPPORTEUR ON WOMEN, GIRLS AND THE RIGHT TO A CLEAN, HEALTHY AND SUSTAINABLE ENVIRONMENT**
 *Selma Kanbur Yılmaz*

1. **An important consequence of climate crisis is changes in the precipitation regime.** Two important problems caused by changes in the precipitation regime are **floods and droughts**. Due to droughts and floods arising from heavy precipitation in recent years, productivity in agriculture, livestock and wildcrafting/foraging have fallen. **The people who will be most affected by falling productivity are women and girls in rural areas.** Agriculture is the sector in which unpaid family labour is most widespread[[1]](#footnote-1), and most women and girls work as family labourers without pay or social security. Due to falling productivity, households find access to adequate and healthy nutrition more difficult and their falling income sources force them to migrate to urban areas. As a result of migration, women are become unemployed and impoverished in urban areas, lose the power of production, nutrition support and diversity they derived from agriculture, find it more difficult to access healthy and dependable nutrition, become lonelier because of lower social support and find it difficult to access social and judicial mechanisms. Girls are meanwhile made to drop out from or interrupt their education, are forced to marry at an early age or face increasing intra-familial violence.

The fertile arable land and pastures in the Kazdağları region are being rendered unsuitable for agriculture because of mining for metals, coal power plants, geothermal and wind power plants and unplanned development; the air and water pollution caused by these activities lowers the quality of produce and women and girls working in the field consume the polluted air and water. **As women are excruciatingly aware that the destruction of the environment through mining and energy projects spells much worse days ahead for themselves and their children, they make up the great majority of people resisting the destruction of the environment.** In places where people are not formally organised, lack of awareness of legal rights or high judicial costs can render the access of women to justice more difficult.

1. As in all decision-making processes, it is one of the most important responsibilities of the state to aim for and realise gender equality in decision making and implementation mechanisms for the prevention of environmental destruction, measures against the climate crisis etc. However, gender sensitive laws, policies and programmes to ensure the right to a clean, healthy and sustainable environment are absent in Türkiye.
2. **Article 56 of the Constitution of the Republic of Türkiye states** *“Everyone has the right to live in a healthy and balanced environment.* *It is the duty of the State and of citizens to improve the environment, protect environmental health and prevent environmental pollution.*” **Article 10 states** “*Women and men have equal rights.* *The State is obliged to realise this equality.* *Measures to be taken to this end may not be construed as contrary to the principle of equality.*” Many laws contain equality clauses that are derived from Article 10 of the Constitution. However, the presence of such clauses in the laws of Türkiye does not mean they are actively implemented. Furthermore, **Article 10 of the Constitution reduces gender equality to equality between men and women,** thereby legally omitting LGBTI+, which shows that discrimination is also present in the Constitution.
3. Central and local administrations are far than amenable to taking up the effects of the climate, biodiversity and pollution crises. Instead of taking steps to solve major environmental issues, administrations constantly issue licences and permits for **metals mining, energy generation facilities (**thermal, geo-thermal and wind power plants) **and intensive construction work, which all contribute to greenhouse gas emissions.** The central administration has issued **mining discovery and exploitation licences for 79% of the Kazdağları region where we live.** As the central administration has issued a discovery and exploitation licence for any company that applied without adequate assessment and oversight, it can hardly be expected for companies to take measures to alleviate the effects of climate, biodiversity and pollution crises or to reflect these concerns in their business policies. Central and local administrations also fail to undertake work that will increase gender equality in participation in processes that discuss the effects of the climate crisis or in environmental decision-making processes. The fundamental aim of the Gülpınar Sustainable Life Association is “**to protect the environment in order to build up a sustainable life**”. To advocate for the right to a habitable environment that is sensitive to gender, we have elected **90 percent of members of both principal and deputy boards of directors from among women.** This way, the participants of the decision-making processes at our association were mainly women. We have held various training seminars as part of the **Strong Civil Space for Gender Equality** project we undertook together with UN Women. The greatest challenge we have faced is that the effects of the climate crisis on women and girls rank far behind the concerns of local people, such as economic hardship and unemployment, and **the local people unfortunately viewing the climate crisis as a problem for the distant future.** Another challenger is rural women viewing gender equality as equality between men and women, not accepting or displaying prejudice against LGBTI+ individuals.
4. **The specific measures we will propose target solutions which will unfortunately take years to achieve:** Training on gender, climate crisis and the right to a clean, healthy and sustainable environment should be provided at schools, universities and for occupational groups in which discrimination poses a threat to fundamental human rights (police officers, military, members of the judiciary, physicians, etc.). All legislation should be made sensitive to gender equality and relevant international conventions should be signed and ratified[[2]](#footnote-2). Necessary regulations should be introduced to include women and LGBTI+ persons in decision-making processes without discrimination to advocate for and strengthen the right to a clean, healthy and sustainable environment.[[3]](#footnote-3) Impunity should be eliminated and supervisory mechanisms should be strengthened. Development plans shall be introduced to decrease greenhouse gas emissions and measures should be taken to reduce the impacts of climate crisis and to protect disadvantaged groups; programmes encouraging these steps should be prepared and implemented. Relevant organisations and institutions should broadcast on television and via social media about measures to be taken against the climate crisis and on gender equality.

Moreover, in recent years, freedom of association in Türkiye has been heavily obstructed and put under pressure with the closure of many CSOs[[4]](#footnote-4), detention of and filing of lawsuits against rights advocates over various charges[[5]](#footnote-5) and their imprisonment for long periods running up to several years[[6]](#footnote-6). **All obstacles to and pressure on of the freedom of association should be immediately lifted.**

The following measures should be taken to strengthen the impact of women and LGBTI+ individuals as agents of positive environmental transformation:

* + **Expert support** should be provided and encouraged to increase opportunities to organise.
	+ **Legal support** should be provided for the right to access justice and rights advocacy.
	+ Training on gender equality; the right to a clean, healthy and sustainable environment; **climate justice, rights advocacy, eco-feminism and leadership** should be provided with the foresight that the groups most affected by the climate, biodiversity and pollution crises will be marginalised women and LGBTI+ individuals.
	+ **Participation of women and LGBTI+ individuals in politics** **should be encouraged** to ensure they are present in decision-making mechanisms and political parties should be engaged to ensure they allocate quotas to this end.
1. The following transformations should take place:
	* Students should be provided with training on gender, climate crisis and the right to a clean, healthy and sustainable environment throughout their time in education, beginning at kindergarten.
	* Central and local administrations, law enforcement officers, members of the judiciary and physicians should be provided with training on gender equality and the right to a clean, healthy and sustainable environment; planning should be carried out with this perspective.
	* All legislation, primarily the Constitution should be rewritten to address gender equality and the protection of the environment as most fundamental priorities.
	* International conventions that advocate for gender equality and the right to a clean, healthy and sustainable environment should be signed and legislation should be made compatible with international documents.
	* Legislation should be introduced to make participation in decision-making mechanisms pay regard to gender equality and disadvantaged groups.
	* Article 122 of the Turkish Penal Code, which regulates hate crimes should be rendered unambiguous and rewritten from the perspective of the existential threat targeting disadvantaged groups.
	* Reduced sentences in femicides and LGBTI+ homicides on grounds of “good behaviour, provocation and customs and traditions” should be eliminated; the Istanbul Convention, signed to prevent violence against women and LGBTI+ should be re-enacted; provisions of CEDAW to which Turkey is a party, which oblige the state with the duty and responsibility to eliminate all forms of discrimination against women and to take measures accordingly should be implemented.
	* Importing plastic waste, sorting of which heavily relies on child, women’s and refugee’s labour, should be terminated; shipbreaking of vessels containing asbestos should be prohibited. On-site sorting and recycling of waste should be prioritised as projects.
	* The Ministry of Environment, Urbanisation and Climate Change should change its mandate and be renamed “Ministry of Environmental Issues and Climate Crisis”, with "urbanisation”, which stands for regulating construction projects only, removed from the Ministry’s mandate.
	* Energy generation facilities with heavy carbon emissions should be replaced with renewable energy sources, road transport should be powered by electricity, public, rail and maritime transport should be encouraged.
2. While Türkiye is a signatory to the United Nations Convention on Biological Diversity, the most recent **National Biological Diversity Strategy and Action Plan[[7]](#footnote-7)** of the Ministry of Environment, Urbanisation and Climate Change dates back to 2007. The Ministry’s current webpage does not contain any strategies or action plans on this subject, but only provides a document on biodiversity[[8]](#footnote-8) intended for children. The Ministry’s webpage also reveals that there are no action plans in place for gender equality. An examination of the **1st Periodic Realisation Report of the Ministry’s 2022 Budget and Investment Programme[[9]](#footnote-9)** (January 1st 2022 – March 31st 2022) shows that the Ministry does not undertake gender-sensitive budgeting or allocates a budget for gender equality. Türkiye, which carries out half of its exports to European Union countries, ratified the Paris Agreement in 2021 and prepared the **Climate Change Law Proposal**[[10]](#footnote-10) due to the **“Carbon Border Adjustment Mechanism”** of the EU, as stated by the Minister himself.

An overview of the environmental legislation of the Republic of Türkiye[[11]](#footnote-11) shows that there are no specific laws or regulations to realise, protect or strengthen the right to a clean, healthy and sustainable environment which is sensitive to gender equality. The Sustainable Development Goals Evaluation Report (2019)[[12]](#footnote-12) of the Presidency of the Republic of Türkiye mentions gender equality and gender equality-sensitive budgeting as a statement of intent but does not discuss the legal transformations for realising them, how to guarantee the right to a clean, healthy and sustainable environment which is sensitive to gender equality or how to solve the problems of disadvantaged groups by adopting such a perspective.

1. Currently, **environmental sustainability** forms an important part of business planning for many companies. Under pressure from consumers and employees, companies have started to realise the commercial risks of ignoring their negative impact on the environment and the commercial benefits of being sensitive to the right to the environment. Nevertheless, empowering women and increasing gender equality do not feature in the environmental sustainability policies of companies. Nowadays, international companies in particular mark their products to read “eco-friendly product” or “biodegradable materials used” etc. A “**supervisory board of company policies**” to be established within an independent organisation such as the UN, should produce a logo that reads, “**product prepared according to policies for the right to a clean, healthy and sustainable environment which are sensitive to gender equality**” and should demand companies which meet the requirements to place this logo on their products and should promote this through worldwide campaigns. This unit should also supervise the production processes of companies which wish to use this logo. To encourage companies, the unit should announce that companies with proper production processes shall be announced on the UN website. The contribution of companies to the realisation of “the right to a clean, healthy and sustainable environment which is sensitive to gender equality” may only be ensured by **managing companies’ commercial concerns.**

The violation of the right to a clean, healthy and sustainable environment is the result of economic activities which use up resources excessively and without oversight and harm the environment. The United Nations Environment Programme (UNEP) defines the green economy as “**an approach which increases social equality and welfare and at the same time significantly reduces environmental risks and ecological scarcities**”. A green and sustainable economy based on gender equality could ensure women’s and girls’ right to a clean, healthy and sustainable environment by also altering companies’ plans and policies.

Preparing and publishing reports such as “Sustainable Rural Development and Women’s Entrepreneurship”[[13]](#footnote-13) do not suffice alone.

1. For many years, **women have borne the flag of environmental activism in the Kazdağları region**, where our association is based. Individuals who strive to guarantee the right to a clean, healthy and sustainable environment and members of the association, groups, platforms and CSOs are mainly women. Environmental disasters in the making such as the **Kirazlı Gold Mine** and the opening of **Akçay Wetlands** to development have so far been averted by lawsuits filed by associations with majority women members and administrators. These events have been publicised throughout Türkiye using social media posts and have earned the support of the public. In the same vein, women around the country from **Artvin İkizdere** to **Muğla Akbelen Forest,** from **Munzur Springs** to **Validebağ Woods,** are engaged in a struggle to protect their living spaces and to participate in decision-making mechanisms.
2. **Women make up half of the world’s population and are significant actors of change, but their potential is wasted due to gender inequalities.** Realising and protecting women’s and girls’ right to a clean, healthy and sustainable environment will:
	* Prevent climate crises related migration and circumvent problems experienced by women such as unemployment, poverty and alienation; thereby averting violence experienced during periods of poverty and crisis,
	* Ensure the increased participation of women who benefited from education opportunities in employment and allow them to work in healthy environments and in jobs that constitute sustainable economic activities. Girls will receive an education instead of working.
	* Ensure women who received an education as girls to demand an education for their daughters also. This will guarantee more girls attending education in the future and for them to take ownership of their right to a clean, healthy and sustainable environment.
	* Better education will ensure efforts to eliminate gender inequality, resulting in the prevention of early and forced marriages, and lower rates of motherhood in childhood and mother and infant deaths.
	* Girls will be less employed in from intra-family unpaid domestic care and cleaning jobs, instead spending time to improve themselves and will get the opportunity to engage in activities that bring out their skills and creativity.
	* Girls will leave behind the traditional roles seen fit for them and will be able to choose a future in science, technology, arts and sports.
	* Women’s and girls’ right to a clean, healthy and sustainable environment will ensure their participation in decision-making mechanisms about their own living spaces, resulting in a more just and sustainable social and economic order.

1. https://www.sbb.gov.tr/wp-content/uploads/2020/04/IsgucuPiyasasi\_ve\_GencIstihdamiOzelIhtisasKomisyonuRaporu.pdf [↑](#footnote-ref-1)
2. CEDAW should be implemented and Türkiye should once again become party to the Istanbul Convention. [↑](#footnote-ref-2)
3. <https://ka-der.org.tr/8-mart-karnesi/> [↑](#footnote-ref-3)
4. <https://gazetekarinca.com/khk-ile-375-dernek-kapatildi-chd-ohd-gundem-cocuk-dernegi-de-listede/> [↑](#footnote-ref-4)
5. <https://www.gazeteduvar.com.tr/tarlabasi-toplum-merkezi-davasi-ertelendi-haber-1565248> [↑](#footnote-ref-5)
6. <https://medyascope.tv/2022/04/25/gezi-davasinda-karar-aciklandi-kavalaya-muebbet-hapis-mucella-yapici-can-atalay-tayfun-kahraman-ve-diger-15-saniga-18-yil-hapis-ve-tutuklama-karari/> [↑](#footnote-ref-6)
7. http://www.surdurulebilirkalkinma.gov.tr/wp-content/uploads/2016/06/ULUSAL\_B%C4%B0YOLOJ%C4%B0K\_%C3%87E%C5%9E%C4%B0TL%C4%B0L%C4%B0K\_STRATEJISI\_VE\_EYLEM\_PLANI.pdf [↑](#footnote-ref-7)
8. https://webdosya.csb.gov.tr/db/bolu/icerikler/biyolojik-cesitlilik-20180222082554.pdf [↑](#footnote-ref-8)
9. https://webdosya.csb.gov.tr/db/strateji/haberler/2022-1.donem-gerceklesme-20220426154427.pdf [↑](#footnote-ref-9)
10. https://csb.gov.tr/bakan-murat-kurum-iklim-degisikligi-ve-uyum-koordinasyon-kurulu-toplantisina-katildi-bakanlik-faaliyetleri-36232 [↑](#footnote-ref-10)
11. https://www.cevremuhendisligi.org/index.php/cevre-aktuel/cevre-mevzuati [↑](#footnote-ref-11)
12. https://www.sbb.gov.tr/wp-content/uploads/2020/03/Surdurulebilir-Kalkinma-Amaclari-Degerlendirme-Raporu\_13\_12\_2019-WEB.pdf [↑](#footnote-ref-12)
13. https://dergipark.org.tr/tr/download/article-file/727413 [↑](#footnote-ref-13)