



**TESTIMONIES OF WOMEN APPLYING TO
VAN STAR WOMEN'S ASSOCIATION
RIGHTS MONITORING REPORT ON THE FIGHT
VIOLENCE AGAINST WOMEN**

2023

This publication has been produced with the financial assistance of
the European Union under the Etkiniz EU Programme.
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2023

"those of us who stand outside the circle of this society's definition of an acceptable woman; those of us who have been forged in the crucibles of difference – those of us who are poor, who are lesbians, who are Black, who are older – know that survival is not an academic skill. It is learning how to stand alone, unpopular and sometimes reviled, and how to make common cause with those others identified as outside the structures in order to define and seek a world in which we can all flourish. It is learning how to take our differences and make them strengths. For the master's tools will never dismantle the master's house. They may allow us temporarily to beat him at his own game, but they will never enable us to bring about genuine change. And this fact is only threatening to those women who still define the master's house as their only source of support".

Sister Outsider – Audre Lorde

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INTRODUCTION

Patriarchy, public morality, binary gender system, racism, nationalism, speciesism and other forms of hierarchy and domination resulting from different and/or multiple power systems are among the most important problems that rights defenders struggle against in Turkey and around the world. As we all witness, forms of domination such as gender inequality and discrimination have devastating consequences on all living beings.

Since its establishment in 2019, Star Women's Association has been working in Van and its neighboring provinces to identify inequalities in different fields and reveal problems in order to contribute to gender equality.

This monitoring report was prepared by Van Star Women's Association within the scope of Etkiniz EU Programme's Human Rights Monitoring Support. The aim of the study is to reveal the picture of violence and discrimination against women as a violation of human rights in Van and the mechanisms for combating violence in the locality, based on the information and experiences of women who have been subjected to violence who have applied to Star Women's Association, and to contribute to ensuring women's access to human rights and violence prevention mechanisms.

In the long run, this study will contribute to the elimination of gender-based violence, which is one of the obstacles to women's equal participation in all areas of life. This study, which considers violence against women as one of the consequences of gender inequality, has been prepared with a perspective that goes beyond the concept of "equality before the law", which represents the formal understanding of equality in eliminating violence, perceives equality of opportunity as a tool until full equality is achieved and emphasizes the necessity of transforming gender relations. In the light of the findings obtained within the scope of the monitoring study, it was tried to determine to what extent the local mechanisms for combating violence are working effectively, due to which failures women experience violations of their rights, and which institutions responsible for combating violence fail to fulfill their responsibilities according to international and national standards.

This monitoring report also commented on how the political will's abandonment of the gender equality norm is reflected in official policies and texts and its consequences in practice in its assessment of the structural monitoring of gender equality mainstreaming policies. The Istanbul Convention, considered as the 'gold standard' for combating violence against women, was signed on May 11, 2011 and entered into force on August 4, 2014. The Convention aims to

prevent violence against women and domestic violence, to protect victims of violence, to punish perpetrators of violence and to develop holistic policies to combat violence. Unlike previous international conventions, the Istanbul Convention, which has been signed by all member states of the Council of Europe, includes a monitoring mechanism called Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). The Istanbul Convention underlines the responsibilities of states in combating violence and aims to support national policies by evaluating the activities of countries in this field within the framework of international norms through GREVIO.

The government's withdrawal of its signature from the Convention appears to have blocked access to justice for women in disadvantaged groups, which is also evident in the findings of our report. Some of the important realities underlined by the findings of the report are the lack of a stable sense of trust that women can establish with support mechanisms, women's lack of access to services in their mother tongue for their rights claims and deepening women's poverty.

Due to the recent history of the UN Secretary-General's report entitled "Ensuring women's full and effective participation in public life and decision-making processes and eliminating violence to achieve gender equality and the empowerment of all women and girls (E/CN.6/2021/3) presented at the 65th session of the UN Commission on the Status of Women, we have formed our recommendations.¹

While preparing this report, we, as Star Women's Association, had the responsibility to address all kinds of violence against women cases that we follow, to address all deprivations while examining the inequality experienced by women, and to make the unique dynamic and regional disadvantage visible.

We hope that this short-term monitoring study will serve as a guide for the field of combating gender-based violence and will be one of the next steps in these efforts.

¹ <https://undocs.org/Home/Mobile?FinalSymbol=E%2FCN.6%2F2021%2F3&Language=E&DeviceType=Desktop&LangRequested=False>

Why was this study needed?

With this monitoring study, it was aimed to reveal whether the services provided in support mechanisms are organized in accordance with international standards through the applications made to the Association in 2022 and 2023 and the experiences of those who have been subjected to violence, and to contribute to the development of practical recommendations.

In this monitoring study it is targeted:

- to make visible the experiences of women who have been subjected to violence,
- to make visible the problems in the services provided in support mechanisms for combating violence,
- to develop recommendations for relevant institutions,
- to initiate a tradition of continuous, systematic and independent monitoring,
- to contribute to the development and establishment of a participatory democracy in Turkey that is sensitive to gender-based inequalities,
- to reveal whether the existing local mechanisms for combating violence are in compliance with the relevant international standards and the national legislation and structure created for the realization of these standards.

How was the scope of this monitoring study established?

Our monitoring report is based on the application data we received from Van and its neighboring provinces in the years 2022-2023. In this monitoring study conducted in these cities, which are predominantly inhabited by Kurdish-speaking communities, male violence against women and violations of women's rights were analyzed in this context and reality. While these rights are fundamental rights, such as those enshrined in the Universal Declaration of Human Rights, they also include rights recognized by mechanisms to prevent violence against women, taking into account the unique status of women. The right to life, the right to access to justice and the right to participation are some of these rights.

CURRENT SITUATION

Violence against women aims to oppress and control women, who represent half of the world's population, and is one of the biggest obstacles to the development of women's potential. Violence and discrimination against women mean the violation of women's human rights. Recognizing and protecting women's human rights, preventing human rights violations against women and punishing those who cause them are among the responsibilities of states arising from national and international regulations. The obligation to eliminate violence and discrimination against women and to ensure equality between women and men is defined in international conventions to which Turkey is a signatory. The principles underlying CEDAW and the Istanbul Convention, which are among the most fundamental texts addressing these standards, are reflected in the national legal framework. The implementers of mechanisms protecting women from violence and discrimination, the judicial system and its members, the staff of relevant public institutions, law enforcement, the health system and its employees must make decisions and fulfill their duties and obligations in the light of national and international standards. In order for legal regulations to be put into practice, these regulations and the principles on which they are based must be well understood and adopted by practitioners.

In Turkey, despite the positive legal arrangements to prevent violence against women and protect women who are subjected to violence thanks to the struggle of the Women's Movement, there are still serious problems in the implementation of the laws. The main sources of these problems are the discourses and actions of the government that legitimize gender inequality, the lack of an administrative structure that would enable the implementation of laws, and the fact that arbitrary attitudes of law enforcers do not face any sanctions. As the organization preparing the report, the right to citizenship, which is enshrined in the Universal Declaration of Human Rights, was monitored in a city governed by a trustee governor, which is a major blow to democracy.

The legal regulations referenced for monitoring and evaluation in the report are The Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), Declaration on the Elimination of Discrimination against Women (CEDAW), Law No. 6284 on the Protection of the Family and Prevention of Violence against Women (Law No. 6284), Turkish Penal Code (TCK) No. 5231, Civil Code No. 4721 and Child Protection Law No. 5395.

In our report, the international protection of human rights emerges at various levels. For Turkey, the human rights protection systems established by the United Nations and the Council of Europe are of great importance. While some of the human rights documents explicitly include provisions on violence against women, others include provisions on the prohibition of gender-based discrimination and equality between women and men. Some of the documents, on the other hand, have the quality of providing guidance on the prevention of violence against women as they are basic texts. National legislation also contains regulations on equality between women and men and violence against women. The Constitution, the Civil Code, the Penal Code, the Law on the Protection of the Family and the Prevention of Violence against Women are among the main regulations. Most of the concepts in national regulations on combating domestic violence and discrimination against women are based on international conventions. According to Article 90 of the Constitution, international agreements on fundamental rights and freedoms which are duly put into force are part of domestic law. If these regulations contain different provisions on the same subject with the laws, the provisions of the international treaty shall prevail in case of disputes that may arise.

The 35th General Recommendation of the CEDAW Committee on 'Gender-Based Violence against Women', adopted in July 2017, states that the prevention of violence against women is recognized as an international legal norm for States. The General Recommendation makes distinctions such as gender-based violence against women being considered torture in some cases and restrictions on reproductive rights being considered violence against women. The General Recommendation also provides detailed explanations and recommendations on the root causes of violence against women and the measures that can be taken to prevent it.

In the last 2 years, 23 women were killed by men in Van, 6 women under the age of 18 and 11 women over the age of 18 committed suicide for unknown reasons. There were 13 cases of violence in which the male perpetrator was a member of the public safety organization.²

Star Women's Association intervenes in cases of asymmetrical violence and harassment of women, even if they are not directly applied to it, and tries to mobilize the mechanisms of violence by following up cases and bringing them to agenda.

² <https://www.otekileringundemi.com/star-kadin-dernegi-yillik-raporunu-acikladi>
Jinnews Femicide and Suspicious Death Tally 2022-2023

As an important testimony, it is worth recalling the following finding by Amnesty International in its report³ on sexual violence against women in detention in Turkey:

"While all women in Turkey are at risk of violence, Amnesty International is concerned that Kurdish women as well as women with political views unacceptable to the government or the military, particularly those living in the South-East region, are at a higher risk of being subjected to violence by state agents because of certain patterns of discrimination. Such violence is a violation of the internationally guaranteed right not to be tortured. Women who dare to speak out have extreme difficulty obtaining justice and are silenced by both the state and society."

Star Women's Association monitors these cases of violence with its rights advocacy identity and ensures that they are not forgotten. In the report, the cases of violence experienced by women whose reason for associating with the association was not to apply for support show that limitations in women's access to support mechanisms are among the important obstacles. Access to support mechanisms is only possible through active citizenship participation that respects gender equality. Active citizenship participation, which is an important dynamic in the construction of gender equality, and in this context, access to municipal services, which is the cornerstone of participatory democracy, was significantly disrupted by the trustee appointments in 2016 (the trustee appointment continued in the next local elections held in 2019), causing traumatic declines in women's active citizenship participation roles.

There are only 145 women's shelters in Turkey. In 2016, the shelter, which was operating within the Rojin Life Center under the current Van Metropolitan Municipality Directorate of Women's Policies, was closed down by the trustee.

³ <https://www.amnesty.org.tr/icerik/turkiyekadinlara-yonelik-gozaltinda-cinsel-siddete-son>

METHOD

This work was completed in a very short period covering September and October 2023.

In the first phase of the work, a monitoring strategy was written. According to this monitoring strategy, the main objectives of the monitoring, monitoring steps and roadmap were determined.

The main source of information for the follow-up study was the experiences of women who applied to the Star Women's Association between January-December 2022 and January-October 2023. In addition to the analysis of the application forms, an interview form was prepared to convey the experiences of those subjected to violence and face-to-face interviews were conducted with 10 women.

Data analysis was conducted only on the applications and interview forms. This study was designed as the first phase of monitoring. As the second phase, it is planned to conduct institutional monitoring in the fight against violence against women in the future.⁴

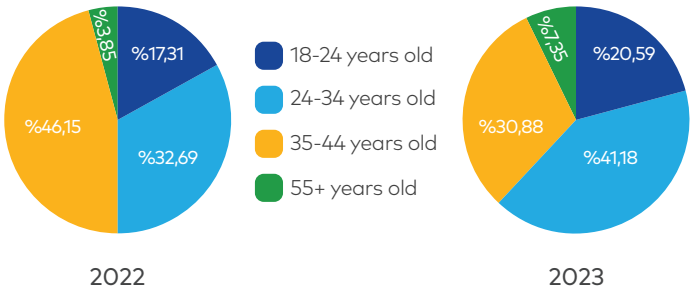
⁴ <https://www.cumhuriyet.com.tr/haber/kayyim-kadin-siginma-evini-kapatti-653239>

MONITORING FINDINGS

Within the scope of this monitoring study, the data of 115 women who applied to the Star Women's Association between January 2022 and October 2023 were analyzed.

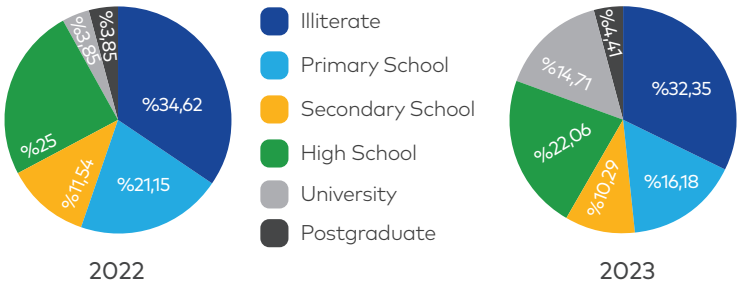
Accordingly, the age range, education level, marital status, perpetrator of violence and reason for application are presented in tables:

Application Age Range



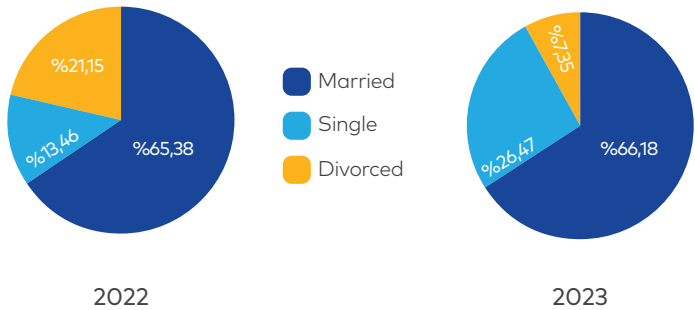
While more than half of the applicants to the association in 2022 were women in the 35-44 age group, those who applied in 2023 are predominantly in the 24-34 age group.

Applicant Education Level



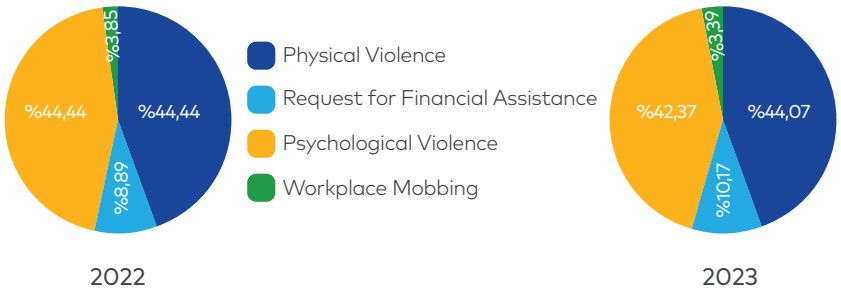
Most of the women who applied to the Association in both 2022 and 2023 are illiterate. In this monitoring study, we can once again see that inequality of opportunity for women in education is a deep-rooted problem.

Marital Status of the Applicant



The majority of women applying to the Star Women's Association are married. In 2023, there is an increase in the number of single women applying.

Reason for Application



Since violence is not always seen as a single type; it is multilayered, based on power inequalities and can be practiced with different methods within relationships, physical violence and psychological forms of violence constitute the main reason for application in 2022 and 2023.

Another prominent increase in the graph is the increase in the demand for financial aid in 2023. Economic crises and precarious economic policies have been observed to deepen women's poverty.

Assault Report



In 2023, there is a significant decrease in the rate of applicants who have been subjected to violence having an assault report. The decline in 2023 is mainly due to two main reasons: deepening women's poverty and women's inability to receive services in their mother tongue in mechanisms of violence against women.

Perpetrator of Violence of Applicants



In 2023, the number of applicants who were subjected to violence by their husbands increased compared to 2022.

Where Applicants are Referred to



In 2023, the number of applicants referred to the Van Bar Association for legal aid increased. Due to the lack of shelters in Van and neighboring provinces, the number of applicants referred to ŞÖNİM, which functions as the first step in the mechanism to prevent violence against women, has decreased. Among the underlying reasons for this decrease is the reluctance of women to visit these centers due to their inability to provide effective preventive services.

How did the women decide to apply to the Association?

Within the scope of the monitoring report, face-to-face interviews were also conducted with 10 women using semi-structured interview forms.

In this context, the channel of application of the applicants to the association varied according to the age range. The 24-34 age group reached out to the association through social media, while the applicants aged 34 and over stated that they became aware of the association mostly through participation in workshops in the neighborhood.

In the words of one of the applicants who decided to apply to the association;

"I was exhausted and had waited for years for children to grow up. When my daughter was beaten, I came to your organization and found the strength to apply because of your support for my daughter".

It was observed that the women applicants felt themselves in a deadlock and refrained from applying until the last moment. It can be said that when women face the difficulties of life directly and there is nothing left to do, they apply with a last hope. The criminalization of the civilian arena, which has been implemented in Van for the last 5 years, is also seen as a reason for women's hesitation in requesting support during the application process. It was also stated that even if they decided

to apply, they were prevented from doing so for financial and social reasons. As an example of this one applicant stated that she lived in the village and had previously met us at the suggestion of a friend who lived in the city, but that she had postponed her decision to apply because of the lack of frequent transportation to the city and her lack of financial means to afford it.

Among the other seemingly important reasons affecting the application is that their trust in any civil society organization is at a minimum level.

"I couldn't call the police because it was dangerous for me for this to be publicized, so I wanted to reach out to associations, and then when I found you, my only fear was whether I was using my limited right to call in the right place. I was afraid that the fact that my name is a bit different (she says her name is Kurdish) would prevent an association from helping me."

It is possible to see this mistrust and cultural-structural violence experienced in accessing civil society volunteers and rights defenders in the following sections of the report.

What were the other institutions that were consulted before applying to the association?

In response to this question, the interviewees, to whom the questions were directed within the scope of the monitoring report, stated that although they thought of applying to the Gendarmerie if they lived in rural areas, they were often afraid that this would cause them to be bullied in the village in the future. However, we can see that the applicant who applied for violence often went to the police or health institutions before reaching the association. Again, the first place that rural applicants often go to before the Association is health institutions. We observe that applicants requesting social support come to the Association after they have applied to administrative units such as the Governorship, Municipality and District Governorship and have not received a response. We consider this in the context of important structural deficiencies in women's access to the system for combating violence against women in Van.

Another important and critical limitation in access to application mechanisms for the prevention of violence against women is the isolation, shame and blaming of the perpetrator of violence due to the lack of space for women in this regard. We can refer to this as cultural self-violence. The applicant conveyed the dilemma of gender inequality caused by structural deficiencies and disabilities as follows:

"I couldn't reach anyone. It was very difficult for me. I had a university education, I had a religious identity, I knew that wherever I applied I would

come back home and both my family and his family could make the world hell for me. I was married outside the city and I waited to come to Van to do something. When I came to Van, I went directly to the lawyer to get a divorce".

Where was the first point of contact when violence was experienced and how was it handled?

While we observe that the interviewees do not share the first violence they experienced in any way, the rate of applicants using KADES in cases of continuous and multiple incidents of violence is quite low. In face-to-face semi-structured interviews with 10 women, we monitored that only 1 woman used the KADES application. Again, we can see that rural women do not have access to a support mechanism due to social dynamics and difficulties in access. It can be observed that applying to the gendarmerie as a means for rural women to access support mechanisms does not open safe pathways for the victim.

"I have been subjected to violence from my mother-in-law, husband and brother-in-law since the first years of my marriage. Since only the gendarmerie came to the village, I was afraid to tell them in case everyone would hear. One day I called the ambulance because I had suffered violence on my back when I was pregnant and they came. I begged them to save me but they did nothing, they downloaded something on my phone (referring to the KADES application) and told me that I could use it if it happens again."

When we asked the applicant about the assault report, he stated that he could not receive services in his mother tongue:

"...I was married at a very young age and one day I wanted to go to the gynecology clinic to tell my problems and get support from the people there to get rid of the beatings I was receiving. When I went to the hospital, it was my turn, and then the doctor said that she didn't speak Kurdish, so she called my sister-in-law, with whom I was going, to come in. Of course, I couldn't make that plan anymore. I realized that I was very desperate. It is very difficult when health professionals don't speak our language..."

An applicant who stayed at ŞÖNİM (Violence Prevention and Monitoring Center) because there was no shelter in Van described the situation as follows:

"I stayed at ŞÖNİM in Van for 6 weeks. I swear I will never go back. There were 6 women in the same room. Everything was very dirty; the building was very bad. The food was very bad. I saw a psychologist once in 6 weeks and it was

a man and it was as if he hated us. I actually thought they would teach us to read and write there, but even that was not there. There were some very religious women who organized conversations and I would go there but they were in Turkish. I am thankful that I was able to get out of there without being depressed."

Following this, it is observed that women who want to carry the violence experienced forward and to the support mechanisms are prevented from accessing transportation, services in their mother tongue, and access mechanisms due to their reservations about mediation with the notion of sacred family rather than legal initiative. We witness from the statements of the interviewees that the dialogue between women, which was the first place where the women's struggle sprouted, still continues regardless of social class and age, and that every woman who cannot overcome the barrier of access to mechanisms is strengthened by another woman:

"The first time I visited, I went to a friend who is a feminist. She told me about the Star Women's Association and Morçatı. It was a very empowering experience and did not make me feel alone. But since this is a small city and I knew that the police and other institutions do not work sensitively, I did not apply and did not go, even though I knew I should have applied to those institutions."

Level of knowledge about rights and related mechanisms

The women interviewed stated that they did not have sufficient information about their rights and relevant mechanisms at the time they were subjected to violence. Seven out of 10 women who participated in the interview stated that if they had been informed earlier, they would have taken action years ago and would not have been subjected to violence for so many years. Most of them stated that they had to endure violence for years due to lack of knowledge of their rights and lack of proper guidance. The women interviewed stated that they learned about the mechanisms to be applied in case of violence much later, and that knowing these mechanisms before or during the experience of violence would have changed a lot in their lives.

When asked about existing mechanisms and institutions to combat violence against women, women stated that they can apply to the police and the Provincial Directorate of Family and Social Services. When asked about ŞÖNİM, the majority of the clients said "I prefer not to go there". In addition to these, they stated that there is no shelter and expressed their complaints about this.

CONCLUSIONS AND RECOMMENDATIONS

This monitoring study sought to determine the extent to which women are aware of their existing rights and legislation in the context of violence against women and gender equality, and addressed their access to these mechanisms. The study also examined the problems in the application processes of women to the relevant mechanisms in cases of violence against women and discrimination and the obstacles to their applications. In the study, it was attempted to obtain findings on which paths should be followed in order to mobilize women's pursuit of rights and mechanisms to prevent violence. In the study, it was attempted to obtain findings on which paths should be followed in order to mobilize women's claim for their rights and mechanisms to prevent violence.

Based on the recent history of the UN Secretary-General's report to the 65th session of the UN Commission on the Status of Women entitled Ensuring women's full and effective participation in public life and decision-making and eliminating violence to achieve gender equality and the empowerment of all women and girls (E/CN.6/2021/3), we would like to reiterate our recommendations.

During the preparation of this report, we, as Star Women's Association, followed all cases of violence against women, and while examining the inequality experienced by women, we had the responsibility to address all deprivations and to make the unique dynamic and territorial disadvantage visible.

As a rights-based organization that has been following this case from day one, Fatma Altınmakas, who has become a symbol in the context of women's need for mother tongue, was reminded of the importance of these studies when she was subjected to violence, was denied the opportunity to express herself and was ignored by law enforcement officers. The findings of this monitoring report and our experiences show that the right to mother tongue is indispensable and is in a stunning location in access to justice and in the work of an inclusive system of combating violence against women.

Recommendations

- The main international regulations to which Turkey is or is not a party for the protection of women's human rights, especially CEDAW and the Istanbul Convention, and the provisions of the national legislation in force based on these regulations, especially Law No. 6284, should be well understood, adopted and implemented by the mechanisms to combat violence against women in Van.
- Both public institutions and non-governmental organizations working in this field in Van should employ Kurdish-speaking experts. Again, services should be established for public institutions working in this field in Van to provide services to the applicants in their mother tongue.
- The provisions of Law No. 6284 and the Regulation on Violence Prevention and Monitoring Centers should be implemented without exception by institutions responsible for the protection of women from violence and discrimination in Van.
- Administrative, legal and judicial processes in Van should be concluded quickly and the judicial system and its members should interpret and implement national regulations in the light of international standards.
- Workshops should be provided for the employees of institutions such as the Provincial Directorate of Family and Social Services and the Social Assistance and Solidarity Foundation in Van to provide guidance on legislation and correct practices. In addition, the authorities, duties and responsibilities of the employees of these institutions should be clearly defined and reminded in the directives regarding the principles, approaches and scope in which they should work.
- In order to prevent women from experiencing secondary trauma or entering a new cycle of violence after a complaint, decisions to protect women from violence should be taken by institutions without waiting. Legal processes should be accelerated to ensure social justice.
- Women should be encouraged to access mechanisms to combat violence against women.
- In Van, mechanisms and related services for combating violence against women should be introduced to rural neighborhoods and villages, which are not aware of many opportunities, and women should be encouraged to learn about their rights.

- Qualified personnel should be employed as defined in the Regulation on ŞÖNİM.
- Psycho-trainings with focus groups should be provided for perpetrators of violence against women, and information should be provided on violence, the factors that feed violence, and the legal and social consequences of violence. Those working in the field of violence against women in public institutions and NGOs should receive human rights trainings and individuals with a rights-oriented perspective should be employed in those units and should be appointed with absolute merit.
- During and after their stay in the shelter, women should be provided with vocational training to enable them to participate in business life. In order to remove the second barrier to women's employment, women should have free access to daycare centers or child-friendly spaces where they can leave their children. During and after their stay in the shelter, women should be provided with vocational training to enable them to participate in business life.
- Compulsory alternative dispute resolution processes, including mediation and conciliation, as set out in the Istanbul Convention, should not be applied in all cases of violence against women and necessary legal and other measures should be taken to prohibit them. It is important to note that the Law on Mediation in Civil Disputes also states that disputes involving allegations of domestic violence are not eligible for mediation.
- According to the Law on Municipalities, "Metropolitan municipalities and municipalities with a population over 100,000 are obliged to open guesthouses for women and children. Other municipalities can also open guesthouses for women and children by evaluating their financial situation and service priorities. According to 2021 statistics, shelters should be opened in the provincial center and districts of Van, which has a population of 862,757 according to this regulation.
- Law enforcement officers working in the mechanisms of violence against women, all units under the Ministry of Family and Social Services, members of the judiciary, those working in Family Courts and legal aid offices, health professionals should provide counseling, services and guidance within the framework of national regulations and professional principles, taking into account the best interests of the woman and child who have been subjected to violence.

- Psychological support and psycho-trainings should be organized by ŞÖNİMs for women in order to prevent them from returning to violence or being subjected to violence after leaving shelters, and women should be empowered by standing on their own feet.
- Separate interview rooms should be established for mechanisms such as law enforcement units in the Directorate of Family and Social Services and ŞÖNİM. ŞÖNİM should have the physical conditions and equipment as outlined in the relevant regulation.
- The personnel of institutions and organizations working in the field of violence against women and children in Van should receive in-service training on violence against women and discrimination, and experienced experts should be employed in this field.
- Regular cooperation and coordination should be ensured between all public institutions and NGOs working in this field in Van.
- All institutions and organizations working in this field in Van should organize rest and motivational activities at regular intervals in order to strengthen those working in mechanisms to combat violence against women, to prevent secondary trauma and to prevent desensitization.
- Supervision support should be provided to experts working in the field of violence against women in institutions.

NOTES

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