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**The United Nations Convention on the  
Rights of the Child**

**ENGLISH**

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**Combined 4<sup>th</sup> and 5<sup>th</sup> Periodic Reports as per Article 44 of the Convention**

**Turkey**

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## Introduction

1. The Republic of Turkey is a unitary, democratic, secular and social state governed by rule of law. As emphasised in the initial report, its administrative structure, based on the principle of separation of powers, is composed of legislative, executive and judicial branches.
2. Turkey signed the UN Convention on the Rights of the Child (CRC) on 14 September 1990, the Convention was ratified by the Council of Ministers' decision dated 9 December 1994 and numbered 4058, and it subsequently entered into effect on 27 January 1995.
3. As per paragraph (1) of Article 44 of the CRC, Turkey submitted its initial report in 2001, combined second and third report in 2012 to the UN Committee on the Rights of the Child. Current report is the combined fourth and fifth country report covering the years from 2012 to 2017, and was prepared in coordination of Ministry of Family, Labor and Social Services (MoFLSS)<sup>1</sup> with participation of relevant public institutions
4. Turkey serves a population of approximately 23 million children as well as nearly 1.5 million Syrian children under temporary protection status. Total population of Syrians in our country is 3,079,917. Detailed statistical information is presented in Table 72 of the Annex.
5. Turkey is a party to 16 out of 18 Human Rights Conventions of the UN<sup>2</sup>, thus takes place in top category.

## I. General Implementation Measures

### Reservations

6. There is not yet a consensus concerning definition and implementation of minority rights, which is a distinct subject within field of human rights law. As indicated in previous reports, Turkey acts within framework of provisions of the UN Convention of Civil and Political Rights (Article 27) and specifically within framework of provisions of Peace Treaty of Lausanne (Article 39 cont.).
7. Without prejudice to these provisions, children belonging to different groups of ethnic origin, language or religion do not have any difficulty in enjoying their culture, believing in or practicing their own religion or using their own language. The official language of the State is regulated in the Constitution of Republic of Turkey (Article 3). This provision is among those articles of the Constitution which cannot be amended (Article 4) and is an essential element of the Republic.
8. Article 2 of the Constitution regulates that “The Republic of Turkey is a democratic, secular and social state governed by the rule of law, with the notions of public peace, national solidarity and justice, respecting human rights, loyal to the nationalism of Atatürk, and based on the fundamental tenets set forth in the Preamble”. Article 10 upholds principle of equality of individuals and regulates that “Everyone is equal before law without distinction as to language, race, colour, sex, political opinion, philosophical belief, religion and sect, or any such grounds”.
9. Country opinion about reservations included in the Convention took place in previous reports and common basic documents. Studies continue on the implementation of recommendations about reviewing the revocation of reservations on various articles of the Convention.

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<sup>1</sup> Unification of former Ministry of Family and Social Policy and Ministry of Labor and Social Security

<sup>2</sup> See <http://indicators.ohchr.org/> for documents Turkey is party to. Access Date: 11.04.2017

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### **Minimum age limit with regards to involvement in armed conflicts**

10. In Article 2 of Military Law (ML) No. 1111, it is ensured that military eligibility age shall begin on 1<sup>st</sup> January of the year when an individual reaches age of 20 and in this related article, there is no distinction about conditions of warfare or peace. Age limit of involvement in armed conflicts is already age 20, and it is considered that this matter follows provisions of the aforementioned Convention. Detailed information is given under topic title XI.

### **Optional Protocol on Involvement of Children in Armed Conflict, information about penal and other legal provisions**

11. With the aim of improving implementation of CRC, Individual Application Protocol annexed to the Convention, entitling the UN Committee on the Rights of the Child to inspect individual applications, was signed by Turkey on 24 September 2012, and Law No. 6976 regarding Approval of the Aforementioned Additional Optional Protocol was acknowledged on 9 March 2017. The decree about approval of the aforementioned Protocol entered into effect upon the decree numbered 2017/10836 published in the OG dated 7 December 2017 and numbered 30263.<sup>3</sup>

### **National Strategy Documents on the Rights of the Child**

12. Various strategy documents and action plans are prepared by relevant public institutions with the aim of protecting and developing the rights of the child. Turkey's Strategy Document and Action Plan on the Rights of the Child, covering the years from 2013 to 2017, was prepared with the participation of all relevant stakeholders for efficient implementation and coordination of child rights. Monitoring and assessment of implementation of the document is carried out by "Child Rights Monitoring and Assessment Board" under the presidency of MoFLSS.

13. National Programme on the Elimination of Child Labour (2017-2023) was prepared with the participation of all relevant shareholders under the coordination of MoFLSS.

14. To implement protective and supporting measures under Child Protection Law (CPL) No. 5395, and ensuring cooperation and coordination among relevant institutions, "Strategy Paper on the Coordination of Child Protection Services (2014-2019)" was prepared. Monitoring and assessment regarding the implementation of the document has been carried out by Central Coordination Board under the presidency of MoFLSS's undersecretary.

15. Strategy Document and Action Plan on Fight Against Drugs (2016-2018), which was performed in cooperation of 8 ministries under the coordination of Ministry of Health (MoH), was prepared, and entered into effect with the approval of the President of the Fight Against Drugs High Council.

16. Turkey adopted "International Standards on Childcare" developed by the International Save the Children Alliance and it is implemented by alternative care institutions under the name of "Minimum Standards for Children Deprived of Parental Care".

17. Turkey has actively participated to national strategy documents as well as strategy documents on child rights, prepared by international institutions.

### **Coordinator institution responsible for the Convention and Optional Protocol and its authority level**

18. In Turkey, institution responsible for implementation and monitoring of the UN CRC is MoFLSS. Works related to the CRC and additional optional protocols are coordinated by Directorate General of Child Services (DGCS), which is a main service unit of the Ministry.

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<sup>3</sup> Detailed information under this heading can be found in the Annex, Table 96, I.

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### **Budget allocated for the Convention and Optional Protocols**

**19.** In Turkey, rate of budget for education and social assistances has remarkably increased. While budget of Ministry of National Education (MoNE) in 2012 was 39,163,379,190 TL, it was 85,048,584,000 TL in 2017. Information given by relevant institutions about expenses on children is provided in Tables 1, 2, 3, 4 and 5 of the Annex.

**20.** While a total of 664,524,491 TL transferred within the scope of Conditional Cash Transfer for Education, Assistance for the Families of the Disabled in 2012, financial resource of 1,845,263,987 TL was transferred within the scope of Conditional Cash Transfer for Education, Assistance for Needy Children of Soldiers, Orphan Assistances, Assistance for Home Care of Disabled Children, Assistance for Free Transport of Disabled Students, Free Coursebook Assistance, Lunch Allowance in 2016. Detailed information is given in Table 1 of the Annex.

### **Benefiting from international support and development assistances for the Convention, Optional Protocols and Strategy Documents**

**21.** In order to achieve protection and promotion of child rights, Turkey has been in cooperation with international organisations such as the European Union (EU), the Council of Europe (CoE), United Nations International Children’s Fund (UNICEF) and International Labour Organisation (ILO) in the field of child rights and has been conducting joint projects.

### **Independent Monitoring Institutions**

**22.** The right to individual application, a secondary judicial remedy for the individuals whose fundamental rights and freedoms indicated in the Constitution are violated by public force, was settled with Law Concerning the Amendment of Some Articles of the Constitution of the Republic of Turkey, dated 7 May 2010 and numbered 5982.

**23.** The Ombudsman Institution was established with the Law No. 6328 on The Ombudsman Institution. It has been performing its duties to investigate, research and make recommendations about the conformity of all kinds of actions, acts, and behaviours of the administration with law, fairness, and respect to human rights. The institution, consisting of Chief Ombudsman and five Ombudsmen selected by the Turkish Grand National Assembly (TBMM), started to receive applications on 29 March 2013. One of the ombudsmen is performing his/her duties particularly in the field of women and child rights.

**24.** The Ombudsman Institution, stipulated in Article 74 of the Constitution, titled “Right to Petition, Information and Application to Ombudsman” has a constitutional basis. Independence and impartiality of the Institution is guaranteed by law. Activities carried out by the Institution within a year and a short summary of its recommendations are submitted to the TBMM’s Joint Commission in the form of an Annual Report, which is discussed at TBMM’s General Assembly. The Institution, if necessary, can submit Special Report to TBMM without waiting Annual Report.

**25.** One can freely apply to the Ombudsman Institution via e-mail or by post. Without requiring the condition of reciprocity, foreigners can also lodge complaints and they can apply in their own languages.

**26.** The Ombudsman Institution, which independently and impartially investigates applications, also accepts applications directly made by children. Condition of interest regarding applications on child right is not required; individuals and NGOs witnessing violation of child rights can apply to the Institution. OI Child Website ([www.kdkcocuk.gov.tr](http://www.kdkcocuk.gov.tr)), which was prepared for this purpose, brought into use in 2014.

**27.** If applications are about women and child rights, the Institution can conduct on-site investigation and research, listen to witnesses, seek the assistance of an expert and demand

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all kinds of information and document from administrations for the resolution of the complaint.

**28.** Human Rights and Equality Institution of Turkey (HREIT) was established in 2016 with Law No. 6701 on Human Rights and Equality Institution of Turkey (LHREIT). The Institution is in line with the UN Principles Related to the Status of National Human Rights Institutions. According to Article 17 of LHREIT No. 6701, all natural and legal entities, including children, asserting the claim that he/she suffers due to violation of prohibition of discrimination, can apply to the Institution. The Institution has the authority to investigate applications of prisoners at penal institutions, including children, within the scope of the Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

**29.** To ensure the efficient and rapid operation of law enforcement complaint system and developing its transparency and reliability, the Law No. 6713 regarding the establishment of “Law Enforcement Monitoring Commission” to record and monitor crimes claimed to be committed by law enforcement officers entered into force upon its publication in the Official Gazette (OG) in 2016. The Law covers actions and procedures conducted or need to be conducted by administrative agencies concerning actions, acts, and behaviours that require disciplinary penalty or crimes claimed to be committed by law enforcement officers working in institutions such as Turkish National Police, Gendarmerie General Command and Coast Guard Command. Law Enforcement Monitoring Commission was established by this law. The Commission works under the body of Ministry of Interior (MoI) as permanent board. All warnings and complaints made to the Commission and/or other administrative bodies about law enforcement officers are recorded through central record system.

#### **Announcement of the Convention and optional protocols and their integration into curriculum**

**30.** In line with the UN Convention and National Children’s Rights Strategy Document, protection of child rights was brought into the country’s agenda at utmost level. 64<sup>th</sup> and 65<sup>th</sup> Government Action Plans state that “Child rights will be protected in the widest legal framework”.

**31.** Under the coordination of MoFLSS, publicity campaigns, forums, conferences and similar activities are organised to make principles and provisions of the UN Convention learnt by adults and children and to put them into effect.

**32.** Child rights are included in curricula. As of 2012-2013 academic year, “Human Rights, Citizenship and Democracy” course, “Law and Justice” course, and, to enhance the interest of our students to recognise and learn different dialects “Living Languages and Dialects” course are included in the curriculum as optional courses. Child rights and human rights are included in content of some other courses.

#### **Announcement of reports and concluding observations to public and all relevant parties**

**33.** Reports and concluding observations are shared with all public institutions through official correspondence. They are open to public access via official website of MoFLSS. Concluding observations are shared with children and the presidency of TBMM in National Child Forum organised regularly every year.

#### **Participation level of non-governmental organisations (NGOs), children and the youth to the implementation process of the Convention and Optional Protocols**

**34.** National and international activities such as conferences and workshops are carried out within the scope of the Convention and optional protocols. During the preparation and



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implementation of these activities, participation of universities, NGOs, children and the youth is ensured.

**35.** As also indicated in the previous reports, Provincial Child Rights Committees and Child Advisory Board perform activities related to child rights. Under these committees, various local and national activities such as trainings, forums, workshops, seminars, meetings, exhibitions, etc. are being carried out. Provincial Child Rights Committees and Child Advisory Board have acquired legal ground. Turkish Child Rights Coordinators are members of Child Rights Monitoring and Assessment Board, which bears the characteristic of a supreme board, with equal voting rights, and they have the opportunity to express their views directly.

**Research, assessment, monitoring of activities of business enterprises in terms of child rights and measures taken**

**36.** Investigation activities, which have been carried out on behalf of the state and have covered research, inspection and monitoring related to implementation of all legislation provisions regarding working conditions, working hours, wages, occupational health and safety, welfare of employees, employment of children and youth, black economy, unemployment, employment and labour market practices are performed by labour inspectors according to basic labour laws and other labour legislation provisions such as ILO Convention No. 81 on Labour Inspection Convention, Law No. 3146 on Organisation and Duties of Ministry of Labour and Social Security, Labour Law No. 4857 and Law No. 6331 on Occupational Health and Safety. In inspections to be conducted, children and young workers are targeted as primary risk group. Complaints and warnings about children and young workers are primarily evaluated within the scope of non-scheduled inspections, and taken in the scope of inspection. Fines are imposed upon employers violating Article 71 of Law No. 4857 and Regulation on Employment of Young and Child Labourers.

## **II. Definition of the Child**

**37.** According to CPL No. 5395, the term child connotes any individual who is not over the age of 18, even if they are declared adult at an age earlier. Also, according to TPC No. 5237, child is defined as an individual who is not over the age of 18. As a consequence, Turkey accepts all individuals under the age of 18, even if they are declared adult, as children by making a more comprehensive definition of the child than that in the CRC.

**38.** According to Turkish Civil Code (TCC) No. 4721, an individual is of full legal age upon completing the age of 18. On the grounds that a child gets married or attains the age of 15, he/she may be declared adult by court decision. In this case, the child can benefit from his/her rights as if he/she attained the age of 18. Nevertheless, as indicated above, with the aim of protection, he/she is considered as a child.

**39.** Marriage age for girls and boys is 18, and on this subject, there is no distinction between girls and boys. Child who attains the age of 17 may get married with the permission of his/her legal representative. Apart from this, by attaining the age of 16, in case of an emergency or a very important reason, the child may be declared adult and allowed to get married by court decision.

## **III. General Principles**

### **A. Non-discrimination**

**40.** As also indicated in previous reports, all individuals are equal before the law, without distinction as to language, race, colour, sex, political opinion, philosophical belief, religion, sect, disability and any such grounds, as per the Constitution, Law No. 1739 on Basic

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Education (LBE), LHREIT No. 6701, TCC No. 4721, CPL No. 5395, Law No. 2828 on Social Services and other laws. According to the Constitution, measures to be taken in favour of children, the elderly, the disabled, widows and orphans of martyrs and veterans shall not be considered to be in violation of the principle of equality.

**41.** All children in Turkey, including children under temporary protection status, freely benefit from education and health services.

**42.** All coursebooks/teaching materials are prepared by MoNE with an approach that supports fundamental human rights and freedoms and rejects all forms of discrimination. The principle of social equality is pursued in the presentation of individuals and events in given examples and course subjects. There are no elements in content and visual images that violate individuals' rights and freedoms, neither expressions that will be discriminatory, prejudiced or against human rights. Individuals' names in coursebooks are used in a way that does not represent only a certain section of the society and gender balance is considered in given examples and characters. Value judgements, dressing and life styles of society are properly reflected in expressions and visual elements; expressions that degrade or create prejudice about a certain part of society, a political view or a way of thinking are not included.

**43.** In case of possible right violations, provision of all public services, individual application can be made through independent monitoring mechanisms to institutions stated in relevant section of this report.

#### **B. Best interest of the child**

**44.** Rights and duties are defined based on best interest of the child in the Constitution, TCC No. 4721 and CPL No. 5395.

**45.** With the purpose of preventing domestic violence, Law No. 6284 on the Protection of the Family and the Prevention of Violence Against Women entered into force in 2012. Protective and supportive measures for victims and effective punishments for those committing violence are applied by mentioned Law.

**46.** Ministry of Justice (MoJ) has been carrying out works to revise all legal regulations in public and private law related to the child in line with the principle of "best interests of the child" and to enhance productivity and efficiency of the system. With a view to assess child legislation, Department of Victim Rights (DVR) organised a workshop in 2016. In this scope, in order to analyse child legislation, a report was prepared by an advisory team and shared with all relevant parties.

#### **C. Right to life, development and protection<sup>4</sup>**

**47.** According to Article 17 of the Constitution, it is stated that "Everyone has the right to life and the right to protect and improve his/her corporeal and spiritual existence. The corporeal integrity of the individual shall not be violated except under medical necessity and in cases prescribed by law; and shall not be subjected to scientific or medical experiments without his/her consent".

**48.** In cases of domestic violence and/or violence against women (including violence based on customs, honour and gender), protection and care services for women and children are provided by women's guest houses and childcare institutions. While the number of women's guest houses was 36 in previous report, it has increased to 136 as of December 2017. As per Article 14 of Municipality Law No. 5393, "Metropolitan Municipalities and municipalities with population more than 100,000 shall open shelters for women and children", local administrations also share this responsibility.

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<sup>4</sup> Detailed information about the legislation under this heading can be found in the Annex, Table 96, III, C.

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49. In Turkey, child death statistics are kept based on age, gender and causes. Detailed information is given in Table 16 of the Annex. We have a classified and comprehensive data system regarding death statistics.

**D. Respect for the views of the child**<sup>5</sup>

50. In TCC No. 4721 and Child Protection Law particularly, the principal of taking the views of the child with regard to measures concerning him/her is clearly regulated.

51. With the aim of creating an established democracy culture in school system, “School Student Assemblies” are formed in primary school and secondary school institutions. These assemblies take students’ views and suggestions about student affairs in school management into consideration.

52. At the first stage of preparation of curricula and coursebooks/teaching materials implemented/taught in secondary education institutions, opinions and views of students from different school types are asked and at the second stage opinions and suggestions of student representatives are taken.

## **IV. Civil rights and freedoms**

**A. Birth Registration, name and nationality**<sup>6</sup>

53. When informed about existence of children not reported and adolescents not registered, birth registration offices are entitled to invite adolescents themselves, and parents and legal guardians/trustees of children, if not, grandparents, siblings, those hosting these children or local authorities to notification. Upon this invitation, those concerned are obliged to apply to and notify birth registration offices within thirty days. In case the notification is not made within the given time period, upon demand of local authority, persons may forcibly be brought by law enforcement officers and registration of the child to family index is provided. Detailed information is provided in our combined second and third report.

54. In line with Decree Law No. 633, maternity benefit program, which was put into practice as of 15 May 2015, had a positive impact on birth registration rates.

55. While the percentage of children registered within the year they were born was 87.07% (in 2005), during the previous report period, this percentage increased to 93.67% in 2016 (of all the recorded births in 2016, 93.67% is registered in legal period, 3.70% is registered within the year of birth and 2.63% is registered after longer than a year).

56. In Turkey, especially in rural areas, births are registered in due course of time and there is no registration problem regarding births.

**B. Preservation of identity**

57. According to TCC No. 4721, it is regulated that “Change of name may only be claimed from the judge based on valid grounds. Any change made in the name is registered in the birth record and announced officially. Change of name does not result in any change in the status of a person”. Legal and subsequent proceedings regarding the change of name are transparent.

58. According to the same law, it is stated that “With the aim of preserving inheritance and other rights of the adopted child and maintaining family ties, all kinds of ties are constituted between family tree of the adopted child and family tree of adoptive family. Also, final court decision about the adopted child is recorded in both state registers. In case of doubtful

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<sup>5</sup> Detailed information about the legislation under this heading can be found in the Annex, Table 96, III, D.

<sup>6</sup> Detailed information about the legislation under this heading can be found in the Annex, Table 96, IV.

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ancestry, relevant parties and third parties shall be responsible to agree to compulsory research and investigations, unless there is a health issue, to determine paternity”.

**59.** According to Turkish Citizenship Law No. 5901, a child born to a Turkish mother or father within the unity of marriage, whether in Turkey or abroad, is a Turkish citizen. A child born to a Turkish mother and through a foreign father out of wedlock is Turkish citizen. A child born through a Turkish father and to a foreign mother out of wedlock acquired Turkish citizenship if the principles and procedures ensuring the establishment of descent are met. A child born in Turkey, but acquiring no citizenship of any state by birth through his/her foreign mother or father is a Turkish citizen from the moment of birth.

### **C. Freedom of expression, right to legal remedies and right to information**

**60.** Information provided in the initial national report about freedom of expression stated in the Convention is still valid. As per Article 36 of the Constitution, “Everyone has the right of litigation either as plaintiff or defendant and the right to a fair trial before the courts through legitimate means and procedures”. According to Article 74 of the Constitution, everybody has the right to information and apply to the Ombudsperson. Regarding the right to legal remedies, application can also be made to institutions stated in independent monitoring institutions section.

### **D. Freedom of thought, conscience and religion**

**61.** As also indicated in previous reports, freedom of thought, conscience and religion is guaranteed by the Constitution and other laws.

**62.** Curricula implemented in primary and secondary schools and coursebooks/teaching materials are prepared on the basis of the Constitution, General Aims of Turkish National Education and Fundamental Principles of Turkish National Education.

**63.** In conformity with curricula, coursebooks are also renewed and are now being used in schools. Recommendations such as the Toledo Principles, including critical, pluralistic, overall education criteria in terms of content, language and discourse as well as social sensitivities are taken into consideration. Primary and secondary educations’ Religious Culture and Moral Knowledge curricula are revised in this framework, and subjects of Alevism, Bektashism, Djaferism and Nusairism are included in the aforementioned curricula and put into practice as of 2010-2011 school year.

### **E. Freedom of association and right to peaceful assembly**

**64.** Information provided in the previous report about freedom of association is still valid. Everybody has the right to organise meetings and demonstrations with particular aims, which are not regarded as crime by law, unarmed and without committing any attack with preliminary permission required. Although children are not allowed to take part within organisation committee according to Law No. 6021 on Meetings and Demonstrations, there is no obstacle for them to participate in peaceful gatherings. While the number of associations for the elderly and children is 324, the number of associations founded by children is 16 in 2017.

### **F. Protection of Dignity and Privacy<sup>7</sup>**

**65.** In Article 20 of the Constitution, privacy and protection of private life; in Article 21 inviolability of the domicile and in Article 22 freedom of communication is regulated as a fundamental freedom for everyone.

**66.** Confidentiality in proceedings carried out by child units is essential. Media is not allowed to photograph, have interview with, publish documents, disclose identity of child having an on-going judicial proceeding and necessary precautions are taken. It is not allowed to make the name of the child subject to legal proceeding public, to release to the press information

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<sup>7</sup> Detailed information about the legislation under this heading can be found in the Annex, Table 96, IV, F.

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about him/her, to carry out acts related to the allegation such as crime scene investigation, in the presence and participation of the press, to have them answer questions from the press, to take or display their pictures, and to publish their documents; and all due measures are taken in order to prevent this.

**G. Access to information and protection from harmful materials**

**67.** There are a total of 1,140 libraries within the body of Ministry of Culture and Tourism. Mobile libraries serve in 1,165 centres in 40 provinces.

**68.** There is no obstacle for children to access information via internet and necessary legal regulations to protect children from harmful online content are in force. In this scope, limited to crimes indicated in Article 41 titled “Protection of Family and Child Rights” and Article 58 titled “Protection of the Youth” of the Constitution and Law No. 5651 on Regulating Broadcasting in the Internet and Fighting Against Crimes Committed Through Internet Broadcasting, “denial of access” is regulated. Regarding online material, warn-remove method is adopted primarily in order to prevent denial of access to an internet address altogether.

**69.** All activities conducted within the scope of these legal arrangements have been carried out in line with “European Strategy for a Better Internet for Children” dated 2 May 2012 and numbered COM (2012) 196 of the European Commission, with the aim of ensuring that children make the most of internet freedom and reach a better internet environment. In this respect, as in the EU countries, Turkey is combating pornographic content which children can easily access and sexual abuse of children in particular, and almost entire denial of access is practised against contents of this sort. Measures are implemented as a response to illegal content and there is no regulation or practice that makes access to information difficult or prevents freedom of communication. In this scope, there is not any wide-ranging restriction on internet and implemented measures aim to protect children and their families in online environment.

**70.** Child and family profile are created through secure internet service, and which websites will be included in these profiles is decided according to criteria determined by “Child and Family Profile Criteria Study Group” consisting of experts in their fields. In child profile, there is no access to websites where children can communicate with strangers, such as chat or social media websites or websites which have weak content management (whose content can be changed by visitors). In family profile, there is no access to websites which contain illegal contents such as obscenity, child abuse, violence, racism, gambling, phishing websites, websites containing malicious software or products declared unhealthy by MoH. These websites are filtered and public is protected from their content.

**71.** In order to raise awareness of our children and families, education and awareness raising activities such as use of secure internet, use of social media, etc. are organised regularly. Within the scope of MoFLSS Family Education Programme (FEP), trainings on Media Knowledge, Comprehending Media, Conscious Media Use and Family and Internet are provided to parents. Since 2013, when the programme was launched, a total of 38,384 adults have participated in public educations on media. 24/7 controlling of social media platforms and websites create a safe environment for children and the youth. One can access to cartoons, programmes, short videos, whose content is determined according to age and learning outcomes, through TRT Kids’ updated website. Parents are informed about child development, baby care and education via parents section of the website.

**72.** Within primary and secondary education curricula, trainings are provided on subjects such as information and media literacy, ethical values in use and production of information and communication technologies, privacy, information security and cybercrimes.<sup>8</sup>

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<sup>8</sup> Detailed information about the legislation under this heading can be found in the Annex, Table 96, IV, G.

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## **H. Role of the media in protection and promotion of children's rights**

**73.** Media is actively used in awareness raising activities concerning child rights. In this respect, under awareness raising activities concerning child rights, there are four recommendations on PSAs prepared in 2016 by various institutions and approved by the Supreme Board.

**74.** Law No. 6112, prepared in full compatibility with the EU's Audiovisual Media Services Directive, contains provisions for the protection of children and youth. In this respect, along with radio and television broadcasting services, programmes containing content that may be harmful to mental, physical or moral developments of minors and young people, their time interval of broadcast and their broadcast with protective symbols are regulated. In case of violation of broadcasting principles, administrative sanctions are imposed.

**75.** Another practice performed by RTÜK in order to protect children from audiovisual media is "Sleep Well Children!" project. Within the scope of this project, news ticker saying "Sleep Well Children!" appears on TV channels at 21.30 to remind minors to stop watching TV.

**76.** PSAs prepared by TRT to raise awareness on drug addiction, safety in traffic, importance and promotion of education, health, sports, public interest associations and foundations, prevention of violence are broadcasted by all TV channels.

**77.** There are 9 media service providers broadcasting child themed programmes in the satellite and cable environment.<sup>9</sup>

## **V. Violence against the child**

### **A. Abuse and neglect**

**78.** There are provisions concerning protection of children against all kinds of abuse and violence in the Constitution, TPC No. 5237, and other relevant legal regulations. Turkish Criminal Law prescribes heavy sanctions for crimes against children.

**79.** Within the scope of protection of children from violence and abuse, under the coordination of MoFLSS, National Strategy Document and Draft Action Plan on Combating Violence Against Children (2018-2022) is prepared and it is submitted to the opinion of relevant institutions and organisations.

**80.** The subject of the rights of the child, including violence against children, is included in social activities such as conferences, panels and seminars organised by the Presidency of Religious Affairs (PRA), and also in preaches and sermons. Within the scope of Family School Project, "Healthy Individual, Happy Family, Peaceful Society" seminars are organised. Detailed information about 'Healthy Individual-Healthy Relationship', 'Love and Respect Relation Within Family', 'Marriage and Divorce', 'Sex Education for Children and Adolescents' and 'Mother-Father-Child Communication' is provided by expert trainers. In this respect, 2,111 personnel attended family school seminars since 2012. Within the first six months of 2016, 6,400 preaches and 35 sermons on the rights of the child were given across the country and 543 religious social activities such as conferences, seminars and panels were organised.

**81.** As of 2013, "Violence Against Children, Child Neglect and Abuse" module is integrated into Project Ensuring Contribution of Religious Officials to Protection of Family and Prevention of Violence Against Women trainings. Approximately 50,000 personnel received training.

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<sup>9</sup> Detailed information about the legislation under this heading can be found in the Annex, Table 96, IV, H.

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## **B. Prohibition and elimination of all harmful practices including female circumcision, early and forced marriage**

**82.** There is no such tradition or practice in Turkish culture as female circumcision.

**83.** In Turkey, administrative measures are taken with the aim of preventing early marriages. “National Child Rights Strategy Document and Action Plan”, which is prepared by Directorate General of Child Services affiliated to MoFLSS, and entered into effect in 2013, contains goals and strategies to prevent early and forced marriages.<sup>10</sup>

**84.** In the National Action Plan on Combating Violence Against Women (2016-2020), there are articles directly addressing children victim/witness of violence. In the aforementioned Action Plan, under the title of Creating Awareness and Transformation of Mentality, it is stated that “At national and local level, activities to prevent early and/or forced marriages will be carried out”. It is also emphasised that support programmes to ensure that girls receive 12-year compulsory education and to prevent drop-outs from school will be carried out; foreigners under temporary protection status will also be included into activities carried out at local and national levels.

**85.** Activities were carried out in 2017 by MoFLSS in provinces where the rate of early and forced marriages is high, after interviews made with representatives of relevant public institutions and organisations within provinces and in line with primary needs of provinces, draft “Provincial Action Plan on Combating Early and Forced Marriage” is created.

**86.** In line with the 2030 Sustainable Development Goals, efforts on preparation of “Strategy Document and National Action Plan on Combating Early and Forced Marriage (2018-2023)” have been accelerate with the cooperation and participation of public institutions and organisations, local administrations, universities and NGOs with the view to tackle early and forced marriage problem.

**87.** Social assistance programs, aiming to prevent early and forced marriages and to ensure girls receive compulsory education, are implemented. “Conditional Cash Transfer” implementation includes elements of positive discrimination in this respect.

**88.** Increasing compulsory education period to 12 years in 2012 had a positive impact on prevention of early marriages.

**89.** With regard to prevention of domestic violence and early marriages, activities such as scientific research, awareness raising projects, regional projects, trainings, seminars, public service announcements are carried out.

**90.** Within the scope of the Regulation on Violence Prevention and Monitoring Centres, “Presentation on Combating Early and Forced Marriages” was prepared and submitted to Provincial Coordination, Monitoring and Evaluation Commissions for Combating Violence Against Women, and sent to provinces for in-service trainings, targeted at increasing the awareness level of public officials on the subject.

**91.** Turkey is the first country to sign and ratify the CoE Convention on Preventing and Combating Violence Against Women and Domestic Violence, which contains significant provisions for establishing forced marriages as crime and taking necessary measures.

## **C. Sexual abuse and exploitation of children<sup>11</sup>**

**92.** Forensic Interview Rooms (AGO) that are technically equipped, compatible with sound and visual information system (SEGBiS) and with suitable interview conditions for child victims and witnesses, children pushed into crime, adult victims of sexual crime and domestic violence and adults in other vulnerable groups have been established.

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<sup>10</sup> Detailed information about the legislation under this heading can be found in the Annex, Table 96, V, B.

<sup>11</sup> Detailed information about the legislation under this heading can be found in the Annex, Table 96, V, C.

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**93.** Forensic Interview Rooms consist of three separate rooms: “Waiting Room”, which is prepared in line with needs of child victims and witnesses, children pushed into crime and adult victims of sexual crime, domestic violence and adults in other vulnerable groups, before testimony, declaration and interrogation processes; “Interview Room”, where only expert and interviewee are present and interviews are recorded via camera; and “Observation rooms” where relevant parties such as public prosecutor and lawyer observe the interview and convey questions they want to be asked to legal interviewer through microphone and headphone.

**94.** Regulation of Forensic Interview Rooms, which was prepared with the aim of determining administrative process and work-flow of Forensic Interview Rooms along with service and working standards of experts and other personnel to be employed in Forensic Interview Rooms entered into effect on 24 February 2017. In this scope, “Training on Forensic Interview Rooms” was provided to Deputy Chief Prosecutors who are responsible of 41 legal interview rooms founded in different 26 courthouses, and 656 psychologists, pedagogues and other social workers in Family, Juvenile and Juvenile Heavy Criminal Courts together with Forensic Interview Room coordinator in 10 groups. National Judiciary Informatics System (UYAP) became accessible for social workers and Forensic Interview Room coordinators that will work in these rooms.

**95.** Psychological Counselling and Guidance Services Manual was prepared by MoNE and upon its publication it was delivered to Guidance Teachers. In relevant sections of this manual, basic approaches on child victim of sexual abuse and legal liabilities on this subject are explained. Studies on psychoeducation and group psychological guidance targeting to strengthen students, teachers and families against challenging life events are regularly carried out by Guidance Teachers.

**D. Prevention of torture, including corporal punishments, or other cruel, inhumane, degrading treatment or punishment<sup>12</sup>**

**96.** In the Turkish legal system, death penalty and physical punishment are abolished under all circumstances. According to Article 17 of the Constitution, “No one shall be subjected to torture or maltreatment; no one shall be subjected to penalties or treatment incompatible with human dignity”.

**97.** According to the Police Organisation Discipline Regulations, police officers who commit torture shall be dismissed. With the amendment made in 2002 in the Law of Civil Servants, State can recourse to responsible officers for compensations charged by European Court of Human Rights (ECtHR) for crimes of torture or cruel, inhumane or degrading treatment which has preventive nature against torture and ill-treatment.

**98.** Circular No. 158 on Allegations of Human Rights Violations and Torture and Ill-treatment was issued by MoJ in 2015.

**99.** Within the scope of prevention of Human Rights Violations and Torture and ill-treatment, trainings, seminars and awareness raising activities are regularly carried out for all personnel working within judiciary system; promotional materials are prepared and study visits abroad are carried out.

**100.** With in the scope of Improving the Efficiency of the Turkish Criminal Justice System Project, vocational trainings are provided to judge and prosecutor candidates trained in Turkish Justice Academy. Within the scope of the aforementioned project, pre-service training is provided to 516 judge-prosecutor candidates and in-service training to approximately 500 judges and prosecutors on Right to Fair Trial, Precautionary Measures, Terror Crimes, Cybercrimes, Effective Allegation and Fight Against Corruption.

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<sup>12</sup> Detailed information about the legislation under this heading can be found in the Annex, Table 96, V, D.



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**101.** By summarising resolutions of the ECtHR on police practices, Turkish National Police published 2,347 books, under the names of ECtHR Legal Summaries on Police Practices I and ECtHR Legal Summaries on Police Practices II, on subjects such as case-laws, general principles and recommendations of ECtHR and assessments on subject matters, and these books are distributed to all police units. Turkish texts of judgments of the ECtHR are sent to relevant departments, and the aforementioned resolutions are also published in Pol-Net portal with the aim of ensuring that all personnel can easily benefit from these resolutions. “Understanding Human Rights”, a book by Prof. Wolfgang Benedek, was translated into Turkish and published. Also, a book called ECHR and Policing was translated into Turkish and is about to be published.

**102.** Efforts have started to ensure that new and modern penitentiary institutions that can meet the needs of enforcement and follows Minimum Penitentiary Standards of the European Council and the UN are constructed and put into service until the end of 2017.

**103.** Initial physical and mental examination and treatment services for prisoners in penitentiary institutions are provided by family physicians; those who need further examination, treatment and rehabilitation are referred to state hospitals, those who need advanced health service are referred to university hospitals; all results of examinations and treatments are recorded in health file of the individual. The ratio of family practitioner units to population is currently 1/3.500 in Turkey. It is ensured that Family Practice Units are put into service if the number of convicts and detainees at Penitentiary Institutions exceeds 1,000.

**E. Physical and psychological recovery of child victims and their social integration**

**104.** For the purpose of protection, care and psycho-social support of child victims, Child Support Centres (CSC) are created within the body of MoFLSS. 65 Child Support Centres provide service countrywide in line with needs of child victims in different fields of specialisation.<sup>13</sup>

**105.** Also, with the participation of children registered in Provincial Child Rights Committees, social adaptation programmes including activities such as psycho-social support, peer-to-peer social adaptation trainings, awareness raising trainings, leisure activities, recreation, entertainment and cultural activities for all children, including Syrian children, are organised.

**106.** With a view to ensure recognising negative mental impacts of trauma on childhood and enhancing knowledge and skills about basic approaches, MoH organises “Psycho-Social Protection, Prevention and Crisis Management Training”.

**107.** With the aim of preventing child abuse and providing conscious and efficient intervention to children suffered abuse, in hospitals/institutions affiliated to MoH, Child Monitoring Centres (CMC) are founded primarily in order to minimise secondary trauma of children who suffered sexual abuse, and to ensure that judicial and medical processes are carried out at once and in a single centre where people trained in this field work. 30 CMCs provide services in 27 provinces throughout Turkey.

**108.** Within the scope of the Instrument for Pre-Accession Period (IPA 2), a standard twinning project titled “Development of Practices for Victim Rights in Turkey”, which will be executed by MoJ, is signed.

**109.** Within the scope of make-up training provided by MoNE to students falling behind their education due to terror, guidance services and psycho-social support works are being carried out.

**110.** Under coordination of MoFLSS, families that directly or indirectly suffered from/affected by or forced to migrate due to terror incidents are visited at their place of

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<sup>13</sup> Information about ANKA Child Support Programme can be found in the Annex, Table 94.

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residence by social workers and given psycho-social support and economic assistance service.

#### **F. Availability of hotline services for children**

**111.** “Alo 183” Social Support Hotline established within the body of MoFLSS freely serves on 24/7 basis, with the aim of providing psychological, legal and economic advisory and consultancy services to all parts of society that need social service support and ensuring they can reach type of service they need at the earliest possible time by informing about social service institutions they can benefit from.

**112.** Within the body of MoH, “Alo 191” Anti-Drug Advisory and Support Hotline was established in 2015. This support line freely serves on 24/7 basis with the aim of strengthening mechanisms of prevention, treatment and rehabilitation of drug addiction.

**113.** Within the body of MoI, YİMER 157, Communication Centre for Foreigners, which was established in 2015, serves freely on 24/7 basis in Turkish, English, Arabic, Russian, German and Farsi.

**114.** Alo 155 Police Emergency Hotline, Alo 156 Gendarmerie Emergency Hotline, and Alo 112 Emergency Hotline serve freely on 24/7 basis to all parts of society.

## **VI. Family environment and alternative care**

### **A. Family environment and parental guidance compatible with children’s development capacity**

**115.** FEP is prepared with the aim of drawing attention of society to significance of family, and minimising problems within family. FEP consists of 198 subjects and 27 modules, namely education and communications, law, economics, media and health, covering all daily needs to ensure that family members comprehensively acquire knowledge, abilities and attitudes regarding basic family life skills required in modern era. Since 2013, public training is underway throughout the country through trainers. 8,354 trainers have been trained so far. Through these trainers, 706,361 adults have participated to at least one public training on these subjects. Within the scope of “First Quarter of Life” module aiming at ensuring contribution of parents to their children’s emotional, social and mental developments, ensuring that they do not disregard situations that may occur outside of the expected development process and they can better tackle behavioural problems, public training provided to a total of 44,133 adults.

**116.** “Family Education Course Programme (for families with children of 0-18 ages)” consisting of four different age groups was developed by MoNE with the aim of developing parental skills of individuals responsible for childcare, primarily disadvantaged parents and children under risk due to their socio-economic conditions, providing them a healthy and positive family environment, and supporting development and education of children. Parent Education Seminars are efficiently put into practice by activating Schools Getting Closer to Homes and Changing Parent Roles project for the purpose of ensuring integration of parents and schools, and supporting physical and mental developments of children with the support of their families.

**117.** Value Education Through Activities Programme was developed and put into effect in cooperation with PRA with a view to eliminate spiritual and social poverty of children under the protection and care of institutions affiliated to MoFLSS, to support their social, personal and emotional developments and to enhance their sensitivity to fundamental social and spiritual values.

### **B. Parental responsibilities, assistance to parents and childcare services**

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**118.** Preschool education for children at the age of 36-66 months is provided in nursery schools, kindergartens and practice classes under MoNE. Education is free of charge in public preschools. Dual education is provided in preschool in order to fully benefit from physical environments and for more children to benefit from preschool education. Thanks to projects executed, idle buildings are transformed into early childhood education centres, and prefab kindergartens are established in disadvantaged regions and they are put in to service of families in these regions. Additional appropriation, stationery and auxiliary personnel support is provided to schools in disadvantaged areas.

**119.** Private Day Care Centres and Private Child Clubs provide services with the approval and under the supervision of MoFLSS. Children of parents in need freely benefit from Private Day Care Centres and Private Child Clubs.

**120.** Day care service can be provided by public institutions and organisations within the institution itself, according to the criteria of number of personnel.

**121.** “Supporting Registered Employment of Women Through Home-Based Childcare Services Project”, which was launched in 2015 with the aim of increasing participation of women that have children at the age of 0-24 months to working life and facilitating reintegration of women who are out of working life due to birth, increasing formalization of women providing home-based childcare services, is still being implemented.

**122.** Grandmother Project to Support Women’s Employment was launched in pilot provinces in 2017. Thanks to this project, grandmothers taking care of their grandchildren are provided with financial support.

#### **C. Separation from parents**

**123.** According to Article 41 of the Constitution, “Every child has the right to protection and care and the right to have and maintain a personal and direct relation with his/her mother and father unless it is contrary to his/her best interests”. In this respect, unless it is contrary to best interest of the child, his/her care within his/her family environment is the first preference in the services provided by the MoJ and MoFLSS. If caring the child with his/her family is not possible, children benefit from family-based services and families are provided with psycho-social and economic support to ensure the reunification of children with their birth family.

#### **D. Family reunification**

**124.** As also indicated in the previous reports, there are no special provisions that regulate entrance to and exit from the country for the purpose of family reunification.

#### **E. Compensating Childcare**

**125.** According to TCC No. 4721, “Due expenses of childcare, education and protection are covered by mother and father. If mother, father and child cannot afford them, these expenses are covered by State”.

**126.** In the event that mothers and fathers cannot fulfil their responsibilities towards their children due to economic reasons, families are supported with social and economic assistances. Within this scope, in 2017, until the end of December, 161,163 children had benefited from Social and Economic Support service.

#### **F. Children deprived of family environment**

**127.** As also indicated in the previous reports, rights of children deprived of family environment are guaranteed as per international agreements, to which Turkey is party, and national legislation.

**128.** Our main service policy on children in need of protection is that children should benefit from family-based service models without entering into institutional care. If families cannot afford their children’s care and apply for institutional care due to economic reasons, they are

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provided with economic assistance instead of separating children from the family for institutional care.

**129.** Our other target on alternative care services is reunification of children under institutional care with their families. For children who cannot reunite with their birth family, foster family service, with their relatives in the first place, is provided. 5,642 children are under protection and care of 4,654 Foster Families as of December 2017.

**130.** Children who cannot be provided care in their family and cannot benefit from foster family service can benefit from adoption service.

**131.** Children who cannot benefit from family-based services are, as a last resort, placed into apartment type children homes and children houses sites, which are organised as a home, as close to a family environment as possible. Within the scope of service transition, dormitory type institutions were closed as of June 2017. As of December 2017, 1,195 child homes, 108 Child Houses Sites and 65 Child Support Centres have been operating throughout the country. There are a total of 14,189 children under institutional care.

**132.** In line with indicated quality indicators, Implementation Guide with regard to “Self-Assessment” system, which is a means of assessment of service provided by managers working in the field of childcare services, is created. Self-Assessment Guide aims at enhancing quality of childcare services and contributing to welfare of children benefiting from these services.<sup>14</sup>

#### **Periodical monitoring of placement**

**133.** Institutional care, foster family, children living with their families and given social and economic support, and children benefiting from adoption services are periodically monitored as per relevant legislation. For each child under institutional care, individual implementation plan is prepared which involves comprehensive targets to cater for needs of each child and eliminate problems they face. Implementation plans are periodically revised and revisions including new targets and activities are conducted. Reports about observations about children, about whom protective and supportive measures are taken, are prepared and submitted to the court quarterly. Children living with their families by social and economic assistance are monitored in quarterly periods.

**134.** With the aim of monitoring, supporting and providing counselling to individuals whose protection/care measure terminates, in line with Circular dated 2016/01, “Post-Care Guidance, Monitoring and Assessment Commission” was established within provincial directorates. If individual whose protection/care measure has terminated approves, monitoring and guidance activity has been carried out for a year in given periods, by assigning a professional member by unit providing social service model these individuals have lately benefited from.

**135.** Efforts on effective online monitoring of conditions of children under alternative care have been conducted. Thanks to newly created Family Information System, information about children under protection and care is collected into a single system. Information including application date for the child, reason of application, arrival and admission date of the child to the institution, measures, educational background, etc. is accessed through this system.<sup>15</sup>

#### **Adoption (domestic and intercountry)<sup>16</sup>**

**136.** Turkey has been party to the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption in 2004. The Convention entered into force on 1 September

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<sup>14</sup> Detailed information about the legislation under this heading can be found in the Annex, Table 96, VI, F.

<sup>15</sup> Detailed information about the legislation under this heading can be found in the Annex, Table 96, VI, F.

<sup>16</sup> Detailed information about the legislation under this heading can be found in the Annex, Table 96, VI, F.

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2004 for Turkey. In terms of the Convention, central authority is MoFLSS's Directorate General of Child Services.

**137.** As enacted in Article 21 of the CRC, children who have the chance to live in their own family environment are supported socially and economically. Children who cannot remain under the care of their family or are forced to be taken away from their family environment due to risks, benefit from foster family or adoption service.

**138.** While adoption service is executed by MoFLSS with "Intermediary Institution" authority as per Article 320 of TCC at national level, intercountry adoption procedures are executed within the determined standards by social workers holding undergraduate degree in this field and focusing on best interests of the child as "Central Authority" as per the Hague Convention of Intercountry Adoption.

**139.** As per the Hague Convention, efforts on adoption of children within their own country have been carried out. Since there are a number of families in waiting lists for adoption in Turkey, all children who are eligible for adoption immediately benefit from domestic adoption service. 4,490 children have benefited from adoption service between January 2012 and December 2017.

**140.** Turkey has been party to The Hague Convention dated 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children in 2016 and the Convention entered into force.

#### **Illicit Transfer and non-return of children**

**141.** Turkey has been party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction with regard to unrightful abduction of children from habitual residence to another country or unrightful detention in this country. To apply the Convention, Law No. 5717 on The Legal Aspects and Scope of International Child Abduction was introduced and entered into force upon its publication in the OG dated 4 December 2007. The task of central authority is executed by MoJ.

**142.** "Regulation on Combating Human Trafficking and Protection of Victims" regarding procedures and principles of prevention of human trafficking, protection of human trafficking victims without discrimination between Turkish citizens and foreigners, and provision of residence permit to foreigner victims and support services to be provided to victims, entered into force. Also, in TPC No. 5237, human trafficking is regarded as a crime, and regulations on human trafficking are included into Law No. 6458 on Foreigners and International Protection. In case of detection of child victims, special measures are taken by protecting child's best interests in every process.

#### **Measures taken to protect children whose parent is imprisoned and children living with their mother in prison<sup>17</sup>**

**143.** For children living with their mother in prison, FEP has been carried out. Various socio-cultural activities and treatment efforts, such as theatre, cinema, painting and story reading, in cooperation with NGOs, public institutions and organisations and universities have been carried out at kindergartens, day-care centres and child clubs. These activities aim to protect and develop physical, cognitive and emotional wellbeing of children in age group 0-12, ensure their social harmony, introduce them to basic values and behaviours, reintegrate them into society as healthy individuals by ensuring that they are not affected by the environment they are living in and get them out of negative conditions of prison life to a certain extent.

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<sup>17</sup> Detailed information about the legislation under this heading can be found in the Annex, Table 96, VI, F.

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**144.** Children can remain with their mothers in penitentiary institutions until the age of 6, and upon completion of this age they are delivered to their family or guardian. Children who have no one to care for benefit from alternative care services. Child living with his/her mother can be delivered to his/her other parent or relatives of family upon the consent of mother.

**145.** Children in age group 0-12 of convicts and prisoners in Penitentiary Institutions and Prisons affiliated to MoJ freely benefit from private kindergartens and day care centres and social assistance services.

## **VII. Disability, basic health and welfare**

### **Services provided for children with disabilities and active participation of the disabled persons in society<sup>18</sup>**

**146.** As per Article 10 of the Constitution, Law No. 5378 on Persons with Disabilities and the Convention on the Rights of Persons with Disabilities, rights of persons with disabilities are guaranteed.

**147.** Turkey has been party to the Additional Optional Protocol of the Convention on the Rights of Persons with Disabilities in 2015.

Within the scope of “Improved Integration of Disabled Persons into Society Project (IDP)”, civil society trainings were organised in a total of 16 provinces with the aim of strengthening dialogue between General Directorate of Services for Persons with Disabilities and NGOs operating in this field, and building capacity of NGOs to convey knowledge, experience, opinion and recommendations about policies on persons with disabilities in Turkey. A total of 1,258 representatives attended to seminars on UN Convention on the Rights of Persons with Disabilities. In line with NGO education programmes carried out within the scope of IDP Project, educational needs of NGOs operating in the field of disability were identified, and Seminars on Capacity Building for Civil Society were organised. Between 2015 and 2016, within the scope of the project, civil society trainings were organised in 8 provinces with attendance of 937 representatives.

**148.** In the context of “Population and Housing Survey”, which was carried out by Turkish Statistical Institute in 2011 at national level and was a comprehensive sample survey based on administrative registers with reference to recommendation of the UN, data about disability has been gathered, taking Washington Group criteria into consideration.

**149.** In cooperation with MoFLSS and the UN Development Programme, “Project on Implementation and Monitoring of the Convention on Rights of Persons with Disabilities” covering the years 2013-2016 was executed with a view to promote implementation of the Convention and to increase monitoring capacity of this implementation. At the end of the Project, indicator sets to be used during implementation and monitoring of the Convention were identified and printed in Turkish and English.

**150.** As per Law No. 5378 on Persons with Disabilities, until 7 July 2018, all public transport and service vehicles will become accessible to persons with disabilities.

**151.** Within the scope of “Regulation on Ensuring Accessibility of Intercity Passenger Transport Service and Intracity Service and Tourism Transport Service”, which entered into effect in 2017, arrangements on ensuring accessibility of transport services to persons with disabilities were regulated.

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<sup>18</sup> Detailed information about the legislation under this heading can be found in the Annex, Table 96, VII; information regarding the National Action Plan for Persons with Autism Spectrum Disorder can be found in Table 73; information regarding mosques and mosque facilities with access for persons with disabilities can be found in Table 78 thereof.

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**152.** Scientific research, social awareness raising activities, regional projects, trainings, seminars, etc. have been organised within the scope of the rights of persons with disabilities and accessibility.

**153.** Owing to good practices which are implemented by providing allocation and technical information support and Transportability/Accessibility Support Projects, efforts on expanding accessibility in all provinces and schools are carried out.

**154.** Making new policy and model recommendations for ensuring more efficient and effective use of services and public resources by identifying current status and problem of special education and rehabilitation centres is targeted through research on Efficiency of Support Special Education Services Project.

**155.** In the context of “Preparation of a Rehabilitation Model for Children with Autism at Care Centres”, which was prepared and implemented within the scope of 2014-2015 Working Plan signed between MoFLSS and UNICEF Turkey Country Office, efforts on development of a rehabilitation model for children with disabilities carried out in childcare services.

**156.** In parallel with efforts carried out by MoH and MoFLSS with regard to development and augmentation of community-based mental health services and community-based care services, “Development of Services For People with Disabilities” Project, which was financed by the EU and executed with technical support of World Health Organisation, was carried out.

**157.** As per provisions of protocols signed between Ministry of Youth and Sports (MoYS) and MoFLSS, children and adolescents with disabilities, who benefit from alternative care services, can utilise youth camps.

**158.** With the aim of enabling social solidarity among children with progeria and their families and raising awareness on this disease which is not widely known by public, “International Progeria Meeting Istanbul 2014” was organised in cooperation with NGOs for the first time in Turkey.

**159.** Along with trainings provided to children with disabilities through practices of integration/inclusion with peers, special education boarding and/or day schools are also established. Educational services are provided either at home or at hospitals for individuals who are at the age of but cannot benefit from compulsory education due to disability.

**160.** Taking number of children in need of special education based on their disability type, features of settlement area, transport opportunities and public interest into consideration, 55 special education schools/institutions were established in 2015-2016 school year, and construction of 106 special education schools/institutions in 2017 was planned.

**161.** All students receiving education in special education schools/institutions are provided with free transportation and lunch.

**162.** Efforts on establishment of special education classes for children in need of special education at secondary school level have been completed. Students with hearing disability or orthopaedic disability who cannot be registered to a school in their province are freely registered to special vocational education high schools.

**163.** It is regulated that students in need of special education shall be enrolled in schools that receive students with talent/aptitude examination (fine arts and sports high schools). Examination guide for students in need of special education within the scope of Central Common System Examinations is prepared.

**164.** In 2017, to accelerate investments in special education schools/institutions, projects were prepared and published in investment programme of Ministry of Development. In this scope, a budget of 50,000,000 TL was allocated for the “Project on Improvement of Special

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Education”. The target of this project is to standardise Special Education Vocational Education Centre Workshops, to meet training material needs of special education classes and supportive education rooms and to repair/restore special education schools.

**A. Survival and development<sup>19</sup>**

**165.** Newborn, Child, Adolescent Monitoring Protocols are updated and distributed to the field. Main prediction in newborn and child monitoring is predetermination and prevention of conditions causing diseases. Based on determined monitoring periods and protocols, monitoring of newborns and children are conducted and in case of an identification of a problem, early response is implemented. To ensure improved monitoring of premature and underweight infants, High-Risk Infant Monitoring Manual was prepared and distributed.

**B. Health and health services<sup>20</sup>**

**166.** In Turkey, within the scope of general health insurance practice, all children up to 18 years of age benefit freely from health services. All individuals under the temporary protection status, who have to take refuge in Turkey due to various reasons, also benefit from the same rights freely.

**167.** In Turkey, owing to family doctor practice, each individual has a family physician. Monitoring, screening (cancer, chronic diseases, prenatal and post-natal maternal and infant health, newborn and child health, adolescents, adults, etc.) and primary care, including protective services, are administered by family doctors according to age, gender and disease groups.

**168.** MoH has been executing “Psycho-Social Development Support Programme in the age group 0-6”, and its main aim is to integrate monitoring and support stages of mental and social development of a child into primary care health services, thus ensuring a holistic monitoring of pregnant women and infants with a bio-psychosocial point of view. Within the scope of the programme, risk factors such as poverty at the level of nutritional deficiencies, growth deficiencies, and mental disorders of mother/father, violence, and negligence-abuse can be identified.

**169.** In order to provide community-based mental health services, Community Mental Health Centres (CMHC) were established, and efforts to generalize these centres is continuing. CMHCs, which were established to operate in affiliation with inpatient health facilities of MoH, are health units, which inform patients with heavy mental disorder and their families within their geographical region, provide outpatient treatment and follow-up service to patients, aim at building community-residing skills of patients by using methods such as rehabilitation, psychoeducation, occupational therapy, group or individual therapy, work in cooperation with psychiatric clinics and, if necessary, follow-up patients where they live with a mobile team.

**170.** It is compulsory to indicate in labels of infant formula, that breastfeeding is far superior and infant formula is a product that must be used upon the recommendation of authorised health personnel if breastfeeding is not possible. For infant formulas and infant milk suitable for infant feeding during the first months of life, Turkish Food Codex Communique on Infant Formula was regulated, including provisions of International Code of Marketing of Breast-Milk Substitutes (Infant Formula Code).

**171.** Within the scope of “Transformation in Health Programme”, 29 health service regions were constituted throughout the country, thus, it was ensured that treatment diversity

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<sup>19</sup> Information regarding programmes on early diagnosis and treatment of infant illnesses and the efforts on prevention of infant deaths can be found in the Annex, Table 75.

<sup>20</sup> Detailed information under this heading can be found in the Annex, Table 76.



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expanded. In this framework, it is aimed that patients receive all sorts of health services within their health service regions under the most convenient conditions.

**172.** In order to expand treatment diversity throughout the country, complete regional development in the field of health, enhance service quality, and provide all needed services within the same campus in an integrated way, city hospitals were put into practice in 2017.

**173.** In Turkey, treatment services for children under the age of 18 are provided by Child and Adolescent Drug Addiction Treatment Centres (CADATC). There are a total of 17 CADATCs in Turkey. In these centres, Tobacco, Alcohol and Drug Addiction Programme has been implemented within the scope of psycho-social support and social integration along with medical treatment. Treatment services at these centres are provided freely within the scope of social security.

**174.** Medical care and rehabilitation of bedbound patients is carried out in home environment by Medical Services at Home practice.

**175.** Project for Increasing Future Blood Donors, which is prepared for the purpose of contributing to enable children to have a more conscious and healthier future through proper, efficient, on-time and effective education, and which is implemented under the presidency of MoFLSS in cooperation with MoNE and Turkish Red Crescent was completed on 24 June 2016. Within the scope of the project, which targets to create blood donation awareness and prospective behavioural change through early childhood education, 252,000 primary and secondary education students in age group 06-18 were reached countrywide, training and interactive activities were performed.

**C. Endeavours to identify health problems, strengthen physical and mental health of children, prevent and combat against contagious and non-contagious diseases**

**176.** Detailed information is given in Table 77 of the Annex.

**D. Reproductive health rights of the adolescent and healthy life**

**177.** In order to optimise provision of service to adolescents and the youth, “Adolescent Monitoring Protocols” are completed, and for Primary Healthcare Personnel, efforts on preparation of a “Pocket Book on Approaches on Adolescent Health and Problems” continue.

**178.** Subjects such as health, human reproduction, growth and development, as well as measures that can be taken for adolescent health are included in curriculum of Sciences (3<sup>rd</sup>-8<sup>th</sup> Classes) implemented in primary and secondary schools by MoNE. Subjects related to health culture, healthy and balanced nutrition are included in curriculum.

**E. Measures to protect children from use of drugs<sup>21</sup>**

**179.** According to the Constitution and TPC No. 5237, relevant public institutions take necessary measures to protect children and young people from alcohol and drug addiction, committing crime, gambling and similar bad habits. If drugs or stimulants are provided or sold to a child, penalties to be imposed on individual who provides or sells these substances are aggravated.

**180.** The High Council for the Fight Against Drugs was established under the presidency of a Deputy Prime Minister with the participation of senior representatives of public institutions, who will be deemed appropriate by relevant Ministers and the President, by Circular of Prime Minister’s Office No. 2014/9 to ensure inter-institutional cooperation and coordination, set

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<sup>21</sup> Detailed information about the legislation under this heading can be found in the Annex, Table 96, VII, E; information regarding trainings on the prevention of drug and substance addiction can be found in Table 79; information regarding country-wide studies on drug addiction can be found in Table 80; and information about ANKA Child Support Programme can be found in Table 94 thereof.

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out basic strategies and prepare, approve, amend, and update action plans, follow-up and evaluate their implementations with regard to combat against drugs.

**181.** National Action Plan for Combating Drugs covering the years 2016-2018 and Combating Drug Addiction Project Strategy Document were prepared and implemented.

**182.** Within the framework of the Action Plan, Addiction Prevention Training Programme of Turkey, which is appropriate for each age level, evidence-based and comprised of modules, was prepared in compliance with a scientific approach. The main target of this Programme is to reach students involved in every level of formal training as well as teachers, parents and all parts of society through informal training. E-learning portal for this programme was also set up. The programme continues trainings based on modules which are separately and exclusively prepared for kindergarten, primary school, secondary school, high school and adult age groups. Trainings were provided to 22,000 guidance teachers. In 2016, within the scope of Addiction Prevention Training Programme of Turkey, 41,208 courses were introduced, and 1,486,239 individuals were reached through these courses.

**183.** Within the framework of National Emergency Action Plan for Combating Drugs, “Addiction Prevention Training Programme” was prepared to enhance efficiency of services provided at the first stage, and to ensure family doctors to have the necessary qualifications to treat individuals, who use or are addicted to drugs, and families of these individuals. Within the framework of this programme, trainings in 81 provinces were completed in 2015 and 2016, and 19,187 family doctors were trained. By providing addiction training to family doctors, it is ensured they provide early diagnosis and counselling services to the people they are responsible for and providing outpatient treatment to patients whose addiction is not severe.

**184.** In Turkey, in order to optimise the fight against production and sale of drugs and stimulants, the “Narkotim Project” was put into effect by Turkish National Police, and efforts on prevention of production and sale of drugs at places where children are located continue incessantly. To protect children from drugs, 958 training activities were organised, primarily at schools, in 2015.

**185.** “Cooperation Protocol on Provision of Safe Environment at Schools”, which was signed between MoI and MoNE, was revised in 2016.

**186.** By Circular of Turkish National Police No. 2017/23 and MoI No. 2017/3, it is ensured that number of supervisions on protection of children by Child, Narkotim and Public Order teams in coordination with other institutions are increased to protect students against drug addiction and other bad habits. Narkotim teams are appointed around schools by Motorcycled Police Teams and Anti-Drug Units.

**187.** For the purpose of drug use and addiction prevention, a Circular No. 2014/20 on “Drug Use and Addiction Prevention” was issued. Necessary measures were taken in schools and institutions.

**188.** Within the scope of “0-18 Years Family Education Programme”, which is conducted by MoNE, trainings are provided to parents and students in schools/institutions.

**189.** Preaches and sermons about addiction prevention and bad habits are regularly given each year.

**190.** Research on Attitudes and Behaviours on Tobacco, Alcohol and Drug Use in Turkey was conducted to high school students, through which 11,812 individuals have been reached. It was found that the percentage of students who have used an illegal addictive substance at least once is %1,5.

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## **F. Social security, childcare services and facilities**

**191.** As indicated before, as per Law No. 5510 on Social Security and General Health Insurance, individuals under the age of 18 are considered to be insurance holders. Detailed information is given in Table 81 of the Annex.

## **G. Measures taken to secure the child's physical, mental, moral and social development and to reduce poverty and inequality, including material assistance and support for living standards and food, clothing and shelter<sup>22</sup>**

**192.** Social assistance and project support programmes are executed with a home-based approach by MoFLSS. Assistance provided for poor families takes notice of household composition. Especially for households with children, assistances aiming education and health of children are primarily provided.

**193.** Education plays a significant role in building an efficient social assistance programme and succeeding in fighting against poverty. With reference to this fact, Directorate General of Social Assistance uses substantial part of its Social Assistance and Solidarity Encouragement Fund resource for educational assistances.

**194.** At the beginning of every school year, basic school needs such as school uniforms, shoes, school-bag and stationery of children of poor families or families in need, who are educated in primary schools and high schools, are covered through Social Assistance and Solidarity Encouragement Fund. Coursebooks of primary education students are free and provided by MoNE. Free Transportation Service for Providing Access to Schools for Students in Need of Special Education still continues.

**195.** "Conditional Education Assistance" is provided to Syrian families under temporary protection and other disadvantaged families having difficulties in sending their children to school due to financial difficulties, on condition that their children continue their education.

**196.** Within the scope of Conditional Health Assistance, regular cash assistance is provided to families in the poorest segment of society on condition that they regularly bring their children in the age group of 0-6 to health checks.

## **VIII. Education, leisure and cultural activities**

### **A. Right to education including vocational training and guidance<sup>23</sup>**

**197.** Right to education is guaranteed by the Constitution, TCC No. 4721, LBE No. 1739, TPC No. 5237, CPL No. 5395 and other legal regulations. Primary school education is compulsory and free, administrative and legal sanctions are imposed for those who do not send their children to schools. Individuals under temporary protection status and who have to take refuge in Turkey due to various reasons, also benefit from these rights freely.

**198.** Under Increasing School Attendance in Secondary Education Project, which was co-financed by the EU and the Republic of Turkey, support was provided to children of poor families, who are at high school age and under the risk of leaving school early, by making a one-time incentive in 2014 -2015 and 2015 – 2016 school years. The project was prepared within the scope of the Instrument for Pre-Accession Period (IPA 4) Development of Human Resources Programme and approved by the EU Commission in 12 November 2014. 85% of the project budget was funded by the EU resources, while 15% was co-financed by Social

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<sup>22</sup> Detailed information about the legislation under this heading can be found in the Annex, Table 96, VII, G.

<sup>23</sup> Detailed information about the legislation under this heading can be found in the Annex, Table 96, VIII, A; information regarding schools in Organized Industrial Zones can be found in Table 90; and information regarding skills provided to students through pre-school and primary school education institution standards system can be found in Table 82 thereof.

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Assistance and Solidarity Encouragement Fund as the total approved budget of the Project amounts 48.000.000 Euro (app. 158.000.000 TL). 41.000.000 of which was covered by EU and 7.000.000 by Social Assistance and Solidarity Encouragement Fund.

**199.** Under Providing State Incentives for Occupational/Vocational Training in Enterprises, the students who are involved in vocational training in enterprises are paid not less than 30% of the minimum wage regardless of the number of employees working in the enterprise. State support is provided for 2/3 of the minimum amount to be paid to students for enterprises employing less than 20 staff and 1/3 of the same total is provided to enterprises employing 20 or more staff. The State subsidy will be covered by the Unemployment Insurance Fund.

**200.** An internship fee will be paid to the students who are doing the internship, such as vocational training in enterprises.

**201.** There are ongoing legislative efforts to include apprenticeship training within the scope of compulsory education.

**202.** Regarding the Syrian students under temporary protection who are studying in schools under MoNE, studies have been initiated for introducing additional programs on Turkish language education, organizing orientation program and compensatory education primarily for students whose equivalency conditions are fulfilled and enrolled to intermediate classes, providing their school materials, enabling selection of elective courses to learn their own language, meeting the classroom and teacher need which may arise in these schools.

**B. Goals of education by also referring to the quality of education**

**203.** Ministry of Education Strategic Plan for 2015 - 2019 was prepared by taking the access to and quality in education and training, and institutional capacity aspects into account. In 2015, National Education Quality Framework High Planning Council has accepted the objective of "annual monitoring and assessment of student, teacher, school, district and province development levels throughout the country and establishment of MoNE Education Quality Index".

**204.** A Pre-School Education and Primary Education Institution Standards System was established to increase the quality of education in schools affiliated to Basic Education Institutions. Necessary information on available resources in schools are collected via Standard and Sub-Standards in this system. The System aims to ensure all children in school age have unconditional access to education and regular attendance to school.

**205.** Within the scope of studies to increase the quality of education, weekly course schedule has been updated in accordance with the qualitative and quantitative research results and opinions and suggestions received from education managers, education inspectors, private school representatives, various NGO representatives, teachers, students and parents and it has been approved by the Board Decision Number 10 dated 20.02.2017. This Schedule will be applied in all classes starting from the 2017-2018 academic year.

**206.** Within the scope of the efforts to make foreign language learning more effective in schools, studies are in progress for foreign language intensive education practice in the scope of "The first year after the primary school shall be restructured as preparatory language class to secondary school for all students" numbered 6 and "Education methods shall be developed and necessary arrangements shall be made in the curriculum to enable individuals to learn at least one foreign language with verbal and written communication skills. A preparatory class shall be instructed before passing to the secondary school." numbered 9 in the "2017 Program" which was published in the repeated OG dated October 30, 2016 and numbered 29873.

**207.** Within the framework of 64. Government Program 2016 Action Plan and "Priority Transformation Programs" of the Tenth Development Plan, the studies on evaluation, simplification, updating and development of the mutual and elective courses to be given in

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the secondary education institutions have been completed and submitted to the Head Council of Education and Morality and all the mutual courses have been included in the agenda of the Board.

**208.** A quality-oriented understanding is adopted in education and training in accordance with the objective of "Increasing attendance and completion rates in each type and level of education and training, especially among disadvantaged groups until the end of the plan period" included both in the Tenth Development Plan and the MoNE 2015-2019 Strategic Plan. In this respect the studies of MoNE on the fields of strengthening access to education and training, quality and institutional capacity in education and training is intensely executed. Abolishment of dual education within the scope of improvement of the quality of education and human capital and curriculum of the fifth grades are rearranged with regard to foreign language education.

**209.** Updating/development of the curriculum continues by taking the developments in science and technology and needs and requirements of individuals, society and economy into consideration. The panel system, for the examination and evaluation of textbooks, contributes to the improvement of the quality of textbooks and the capacity of the sector to prepare high quality textbooks.

**210.** The implementation of project schools is carried out to increase the quality of education as well as access to it.

#### **C. Cultural rights of children from minority and indigenous groups<sup>24</sup>**

**211.** Article 10 of the Constitution emphasizes the principle of equality before the law. The fundamental rights and freedoms are guaranteed by the Constitution. Citizenship is organized in accordance with the principle of equality without relying on ethnic identity. Different ethnic and religious groups in the country are considered a part of cultural wealth.

**212.** Turkish law and its practice recognize the rights of the children, their parents or legal representatives in the Convention without distinction as to race, color, gender, language, political or other opinions; national, ethnic and social origin or other status. Therefore, no official statistics are kept and no analysis is made in the country depending on ethnicity.

**213.** Minority rights in Turkey are regulated in accordance with the Lausanne Peace Treaty of 1923, under which Turkish citizens belonging to non-Muslim minorities fall within the scope of the term "minority". Turkish citizens belonging to non-Muslim minorities enjoy the same rights as and are equal before law with the rest of Turkish citizens. Additionally, they benefit from their minority status in accordance with the Lausanne Peace Treaty. Non-Muslim minorities have their own schools, places of worship, foundations, hospitals and media organizations. Non-Muslim places of worship are administered by their own associations or foundations. Property rights regarding places of worship rest with the real or legal persons that have founded them.

**214.** Non-Muslims have the right to prepare their religious programs and submit them to the Head Council of Education and Morality within the scope of elective basic religious knowledge course.

#### **D. Education about human rights and civic education**

**215.** HREIT is also responsible for making contributions to the preparation of sections regarding human rights and prohibition of discrimination in the MoNE curriculum. In the curriculum of "Human Rights, Citizenship and Democracy" which is taught in primary schools; concepts of right, freedom, justice, equality, coexistence, respect for differences etc. formed the general framework. In the elective Law and Justice course; learning outcomes

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<sup>24</sup> Information regarding the "Living Languages and Dialect" lessons can be found in the Annex, Table 74.

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like the right to seek legal remedies, the right to know the legal means of the process of legal remedies, and fact that conflicts can be settled through peaceful manners are included. Learning outcomes related to rights, freedom, equality etc. are included in courses of Turkish language, Social Studies, History of Turkish Revolution and Kemalism etc.

**E. Right to rest, play, leisure, recreation and take part in cultural and art activities<sup>25</sup>**

**216.** Free events are organized in the Primary education institutions in order to help students socialize through educational and entertaining activities and to contribute to their mental, physical, social and cultural development.

**217.** Activities are organized especially for young people at high school level under the name of Youth Movement in Traffic Project, which is executed within the framework of responsibility movement in traffic aiming at raising awareness and improving individual responsibility on safety in traffic.

## **IX. Special Protection Measures**

**A. Refugee, migrant and unaccompanied refugee children<sup>26</sup>**

**218.** All the unaccompanied children, which are identified as in need of protection, are protected in our country under CPL No. 5395. The MoFLSS Directorate General of Child Services Unaccompanied Children Directive was issued on 20.10.2015 in order to increase the efficiency and performance of the services provided for unaccompanied children and also to ensure the coordination between the institutions/organizations serving in the field of unaccompanied foreign children, for whom 10 Child Support Centers were established.

**219.** Psycho-social support service is provided to Syrians by the Psycho-Social Support Offices/Units or Provincial Directorates in provinces with temporary refuge centers (Hatay, Kilis, Gaziantep, Osmaniye, Sanliurfa, Kahramanmaras, Adiyaman, Adana, Malatya and Mardin). In order to improve the capacity of the psycho-social support services provided by the Ministry and ensure the coordination on the provincial basis, efforts have been initiated to establish "Psycho-Social Support Office/Units" in provinces where 70.000 or more Syrian live or temporary refuge centers are located, and to assign an authorized person in other provinces.

**220.** The geographical reservation made by Turkey on Geneva Convention Relating to the Status of Refugees dated 1951 does not negatively affect the access to rights and services by relevant children.

**221.** Within the scope of the "Child and Youth Social Protection and Support Program" carried out by the MI, adaptation of disadvantaged children under international protection is ensured and efforts are made to eliminate the challenges they face in social and education areas.

**222.** "Social Adaptation and Training Programs for Syrian Children Living Outside the Temporary Refuge Centers" was introduced to ensure their integration to society through Provincial Child Rights Committees with cooperation of MoFLSS and UNICEF. Minimizing social adaptation problems of Syrian children, raising awareness regarding current risks and their sources in the society and the improvement of mutual understanding and tolerance

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<sup>25</sup> Information regarding the efforts under this heading can be found in the Annex, Tables 83, 84, 85

<sup>26</sup> Detailed information about the legislation under this heading can be found in the Annex, Table 96, IX, A; information regarding trainings provided to social workers by AFAD and UNICEF can be found in Table 86; information regarding projects conducted by AFAD in temporary refuge centers can be found in Table 87; and information regarding immunization services provided to persons under temporary protection by the Ministry of Health can be found in Table 88 thereof.

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between two cultures are aimed within the scope of the program and about 30,000 children were reached as of the end of 2016.

**223.** In 2014, 19 chapters from Family Training Programs, which are considered to meet the needs of Syrians in the temporary refuge centers, have been translated into Arabic and applied under cooperation of MoFLSS and UNICEF to strengthen the families by seeking best interest of children. Child Protection Training is also included in the program. Trainings of trainers program were organized for Syrians who are at least university graduates and 105 trainers were trained. These trainers provided training to approximately 15,000 Syrians in 12 refuge centers through public trainings. UNICEF makes incentive payments to Syrian trainers to support their socio-economic status in return for their public education services. This way, it becomes easier for Syrians to establish positive relations with and adapt to society by realizing their own capacities.

**224.** Sixty thousand brochures in Arabic were published and sent by PRA to the relevant muftiates for distribution, to inform and contribute to the development of healthy communication skills of foreigners under international protection in Turkey on the subjects of family, communication between parents, child and youth psychology.

**225.** Within the scope of psycho-social protection, prevention and intervention services by the MoNE, Psycho-education (Post Traumatic Normal Response) Program is implemented with students to increase their coping skills and ensure their normalization. Further studies are carried out by Group Psychological Counseling (Teaching of Recovery Techniques) Program to children who are experiencing the traumatic effect of war and migration excessively and who are having difficulty to normalize. Parents' sessions of each mentioned program are carried out with the families of the students, aiming to support the family.

**226.** Information and consultancy services about the appropriate higher education institutions, occupations and central examinations are provided to students under temporary protection.

**227.** Among children who were pushed into crime or are victims or witnesses of a crime; vulnerable groups such victims of sexual crime and domestic violence, victims for whom it might be risky to face the perpetrator, and victims whose statements must be taken in a special environment can primarily benefit from AGOs. The vulnerable groups also include victims of terrorism, migrant smuggling and trafficking, and children, women, elderly and disabled victims.

#### **B. Children from minority or indigenous groups**

**228.** Information on this issue is given in the previous report and VII.C. section of this report.

#### **C. Children living on the streets**

**229.** Mobile Peace Team Project is being implemented in cooperation with different institutions and organizations in provinces where protection of children, who are forced to work or beg on the streets, must be ensured immediately, since they are vulnerable to all kinds of abuse and danger.

**230.** Mobile teams have been established by MoFLSS in order to identify children who are working, begging, and at risk in all provinces of Turkey, through which it is aimed that children benefit from social services and assistance, complete their education and have a job in future.

#### **D. Children who are victims of exploitation and physical and psychological recovery and social integration measures<sup>27</sup>**

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<sup>27</sup> Detailed information about the legislation under this heading can be found in the Annex, Table 96, IX, D; information about ANKA Child Support Programme can be found in Table 94 thereof.

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**231.** The Constitution guarantees the protection of children and young people. According to the Constitution, "No one shall be employed in work that does not conform to his/her age, sex and strength. Minors and women and those with physical and mental disabilities are specially protected in terms of working conditions." Information on new developments is given below.

**232.** Department for Combating Cyber Crimes has been assigned as the Turkey's National Contact Point regarding 24/7 contact points which signatory countries must establish as per the CE Convention on Cybercrime. The 24/7 communication network is an important network for transnational requests of information transmission and storage.

**233.** In 2007, a foundation was established under the name of the National Center for Missing and Exploited Children (NCMEC), whose center is in USA, in order to combat online child abuse worldwide effectively, which has begun to cooperate with sector representatives to eliminate child pornography on the Internet. Directorate General of Security was appointed as the contact point by the agreement signed between Turkey and NCMEC on 23.10.2014.

**Children who are victims of economic exploitation, including current legal working age and child labour<sup>28</sup>**

**234.** Turkey approved the Convention on Minimum Age for Admission to Employment numbered 138 in 1998 and Worst Forms of Child Labor Convention numbered 182 in 2001.

**235.** In 2005, "Time Dependent Framework of National Politics and Programmes in order to Prevent Child Labour", which covers 2005-2015, has been prepared and implemented by MoFLSS with the contributions of relevant organizations and institutions pursuant to the Convention numbered 182. The policy and program framework, which was completed in 2015, was updated to cover the 2017-2023 period, and the National Program for Combating Child Labor (2017- 2023) was prepared.

**236.** Integrated Model for the Elimination of Worst Forms of Child Labor in Seasonal Agriculture in Hazelnut Harvesting in Turkey Project (2012-2017) was carried out in cooperation with ILO. Cooperation on Eliminating of Child Labor in Imported Agricultural Products and Sustaining Good Practices on Employment: Pilot Project on Testing Application Recommendations for Hazelnut Supply Chain in Turkey is executed under coordination of former Ministry of Labour and Social Security with contributions of Fair Labor Association. The project focuses on preventing children from working in hazelnut production and is being applied in approximately 1,000 hazelnut fields in Ordu, Düzce and Sakarya provinces.

**237.** Measures are taken to prevent children from being employed in seasonal migratory agricultural works and increasing their access to education in line with the "Project for Improving Working and Living Conditions of Seasonal Migrant Agricultural Workers (METİP)" according to the circular titled "Improvement of the Working and Living Conditions of Seasonal Migrant Agricultural Workers" numbered 2010/6 issued on March 24, 2010. The Prime Ministry Circular No. 2010/6 was updated in 2017 and METİP will be re-implemented using national resources. The circular on The Right of Children of Seasonal Agricultural Migrant/Semi-Migrant Worker Families to Access Education has been issued by the MoNE to ensure access to education and school attendance of children of seasonal agricultural migrant/semi-migrant worker families and it was put into force on March 21, 2016.

**Involvement of children in illegal production of drugs and substances**

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<sup>28</sup> Detailed information about the legislation under this heading can be found in the Annex, Table 96, IX; information regarding the National Programme for Combating Child Labor can be found in Table 89 thereof.



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238. The production and trade of drugs or stimulants is defined as a crime in TPC No. 5237. This report contains detailed information under the title of measures to protect children from substance use.

#### **Sexual abuse and exploitation**

239. Republic of Turkey is party to The Lanzarote Convention. MoJ regularly participates in studies of Lanzarote Committee, which is the supervisory body of the Committee, on behalf of Turkey.

240. Establishment of child friendly areas, taking testimonies of children by specialized persons, establishment of 31 interview rooms in 31 courthouses in 30 provinces with the aim of taking testimony of the child in one sitting and prevention of re-victimization have been the outputs of the Justice for Children Project carried out between 2012 - 2014 by MoJ. In taking the testimony of the victim, the public prosecutor or the judge asks the questions in a private room (via the headset) after an interview environment is established, which will facilitate the victim to feel safe, by having an expert beside him/her to provide support and prepare for the testimony.

241. In order to minimize re-victimization of children who have been sexually abused, CMCs are being expanded in line with the needs.

242. CSCs has been established for all victims of crime, including children who are victims of sexual abuse and 36 CSCs are active throughout the country. There are 2 CSCs and 8 units for pregnant children and child mothers who are victims of sexual crimes. The centers serve to meet the basic needs of the children, to determine physical, emotional, psychological and social needs of the children and to perform the necessary interventions to prepare them for returning to their families and relatives. The centers are specialized in areas such as victimization, being pushed to crime, living on streets, pregnancy and substance addiction depending on age and sex.

#### **Child abduction, sale and trafficking**

243. The crime of human trafficking is regulated in Article 80 of TPC No. 5237. Kidnapping children to sell or force to slave labor or prostitution is within the context of crime of human trafficking. If children are victims of human trafficking; resorting to threat, oppression, violence, undue influence or enticement is not sought to impose punishment on the perpetrator.

244. It is also stated in this article that a security measure shall be applied to legal persons about this crime. Crime of establishing an organization in order to commit a crime is regulated and punishment is stipulated for such offense. Therefore, if the crime is committed through an organization, it shall also be punished.

#### **Other forms of exploitation**

245. Law No. 1117 on the Protection of Minors from Obscene Publication, which aims to protect children from negative effects of media, continues to be implemented.

246. For the implementation of CPL No. 5395, the principle of "Taking measures to ensure that identity of the child cannot be determined by others in on-going proceedings and the execution of judgments" is abided by in order to protect the rights of the child.

247. The Law No. 6502 on Consumer Protection has a preventive nature on exploitation of children in advertisements and announcements.

#### **E. Children in conflict with the law, child victims and child witnesses**

248. DVR offers information and psycho-social support services primarily to children who take part in judicial processes as victim, witness or juvenile pushed into crime, as well as women victim of domestic violence and sexual crimes and other victims in the vulnerable

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groups with special needs to minimize problems they may experience during judicial process and prevent re-victimizations.

**249.** Approach to Victims Guide, which contains the principles and rules of behavior of service providers working with children, such as judge, public prosecutor, lawyer, law enforcement officer, medical staff, social worker, clerk and bailiff, to victims of crime, has been issued by DVR under MoJ.

**250.** 16.000 Guides that contain instructive information about important issues and rules to follow by public officials while providing services to child, woman, elderly and disabled victims of crime as well as victims of domestic violence, terrorism, torture, human trafficking, discrimination and hate crimes, sex crime has been published and distributed.

**Juvenile justice, availability of specialised or separate courts and minimum age of criminal responsibility<sup>29</sup>**

**251.** As stated in the previous report, there are specialized courts (juvenile courts, juvenile high criminal courts and family courts). Information on the minimum age of criminal responsibility of children is up to date.

**252.** Specific measures and targets for children were included in the Strategic Plan covering the years 2015-2019 and the term "disadvantaged groups" was used for women, children, the poor, the elderly and the disabled in the mentioned plan.

**253.** Establishment of prisons with physical and social environment appropriate for the best interest of children is planned in the Development of an Institutional Model for Children Staying with Their Mother Project under the 2016 program.

**Measures for children deprived of their liberty and detained children<sup>30</sup>**

**254.** Within the scope of CPL No. 5395, 5 CSCs, which are specialized according to the age, victimization and sex of the children pushed into crime, have been established.

**255.** Investigations have been carried out regarding the issues stated about a prison in the previous concluding observations and the necessary legal and administrative sanctions have been applied for the relevant persons. Child convicts and detainees are not sheltered in the mentioned prison as of this moment.

**Alternative provisions based on restorative approach on punishment of children and prohibition of death penalty and life sentence in particular**

**256.** In Turkish legal system, death penalty and physical punishment are abolished under all circumstances. CPL No. 5395, regarding the protection and securing rights and welfare of children in need and children pushed into crime is in force in Turkish Penal System. R. The principle of protection of fundamental rights of children is pursued with this Law.

**257.** According to Article 31 of Turkish Penal Code numbered 5237, it is stipulated that, if the committed offense requires aggravated life imprisonment, imprisonment for 18 to 24 years shall be imposed for children aged between 15 and 18 years, and if it requires life imprisonment, imprisonment for 12 to 15 years shall be imposed. These penalties are implemented for shorter periods regarding the age group 12-15 and it is accepted that children under 12 years of age do not have criminal responsibility. Therefore, according to Turkish law, it is not possible to impose an aggravated life or life imprisonment on children.

**258.** As per national and international legislation (Law on The Execution of Sentences and Security Measures numbered 5275, UN CRC, Havana Rules, Beijing Rules), it is stipulated

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<sup>29</sup> Information regarding projects and programmes on juvenile justice system can be found in the Annex, Table 91.

<sup>30</sup> Information regarding guidance services by probation departments can be found in the Annex, Table 92.

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that children shall be kept separate from adults and detainees shall be kept separately from convicts.

**259.** Child detainees are held in closed juvenile prisons; where there is a small number of children or there is no closed juvenile prisons, children are held in the children's section of adult prisons. Juvenile Reformatories are the facilities where the penalties imposed on juvenile convicts are conducted with the aim of training the convicts, providing profession and reintegrating into society. In these institutions, there are no obstacles against absconding. The security of such institutions is ensured under the supervision and responsibility of the internal security officers.

**260.** Children who continue their education in reformatories can stay up to 21 years of age. At the same time children may continue their education and participate in social/sport activities carried out in their schools and courses such as foreign language, computer, university preparation, vocational training etc. to improve themselves, participate in open education, university entrance examinations and social activities such as theater, concert, sport activities outside the prison under the supervision of trainers and specialists.

**261.** Child convicts/detainees are held in detached closed juvenile prisons, which have the necessary infrastructure and equipment for education and rehabilitation activities and are comprised of institutions based on education and training where staff specialized in matters regarding children are employed. Detainee children are held in 4 closed prisons (İstanbul, Ankara, İzmir, Hatay) which conform with the international standards where children can stay in private rooms and which are protected against escape; the convicts are held in 3 juvenile reformatories which are protected against escape (Ankara, İstanbul, Denizli).

**262.** From 2002 onwards, modern institutions were built, equipped with education, rehabilitation and social areas where children could stay alone, in order to accommodate all children convicts/detainees in detached institutions. While only 4% of detainee children could be housed in a detached closed juvenile prison (Elmadağ, Elazığ, İzmir) in 2012, approximately 45% of the detainee children were accommodated in detached closed juvenile prisons in 2016. Construction of Tarsus and Kayseri Juvenile Closed Prisons, 2 of 3 Juvenile Closed Prisons (Tarsus, Diyarbakir and Kayseri) with a capacity of 288 persons were completed and entered into service.

**263.** Ankara, İzmir and Elazığ Juvenile Reformatories, which were not suitable for the juvenile criminal enforcement system, have been closed. Upon their closure, Juvenile Reformatories, which were built considering the needs of children entered into service in Ankara in 2012 and in İstanbul in 2015. Female convict children started to be housed at Denizli Juvenile Reformatory Center since 2013. In 2016, Hatay Closed Juvenile Prison was added to the detached closed juvenile prisons.

**264.** With the newly opened institutions, it is aimed to provide the places where children can stay alone and meet their self-care needs, thus minimizing the risk of abusive behavior towards each other. The number of areas such as classroom, group study room, interview room, multi-purpose room, fitness center, workshop, where training and rehabilitation studies are carried out, is increased and their quality is improved.

**Physical and mental recovery of children and their integration with society<sup>31</sup>**

**265.** The efforts to integrate the children in the institutions affiliated MoJ with the community are carried out in a multifaceted manner. Among these, improvement of institution's physical conditions in accordance with international standards, employment of and organizing pre-service and in-service trainings for qualified staff who work with children, training-rehabilitation activities for child convicts/detainees to prevent them from committing a crime again are foremost. In addition to the regulations that will enable them

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<sup>31</sup> Detailed information about the legislation under this heading can be found in the Annex, Table 96, IX.

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to benefit from the vocational and academic education as much as free individuals, development of children under institutional care is supported in social and cultural areas, psycho-social support and intervention programs are also implemented in all organizations in a planned manner.

**266.** Children who have never been educated or who have abandoned their education are evaluated to continue their education by teachers working in the education services in the institutions and all kinds of procedures for children to have education-training are carried out by this service. Studies are also carried out to support children to help them become healthier and well-adjusted individuals through individual or group studies by psychologists and social workers employed in the psycho-social service. Taking their individual characteristics into consideration, children are encouraged to have awareness of the conditions they live in and develop alternative solutions for their conditions through individual interviews and group studies by psycho-social support service experts. Necessary interventions are made by prompting their families and other social support systems.

**Educational activities organised for all professional members of juvenile justice system within the scope of the Convention, Optional Protocols and other international documents in the field of juvenile justice<sup>32</sup>**

**267.** Working with children requires a special professional knowledge, skills and competence compared. Therefore, managers and staff working with children in our institutions should know the physical, cognitive, social and emotional development characteristics of this group, and have the necessary knowledge, skills and attitudes regarding appropriate approach for this developmental period.

**268.** In this direction; “Ardıç in-service training program” has been developed to strengthen the psycho-social and management skills of the staff working in prisons. Within the scope of this program, 8 separate psycho-social support and intervention programs to be implemented through individual and group studies have been developed by Psycho-Social Support Service experts (social workers and psychologists). Personnel Training Program has also been developed to strengthen the capacity of institution managers, executioners and protection officers and other staff working in these institutions. Under this program, trainings on subjects of principles regarding approach to children in the institutions, adolescence characteristics, positive behaviour, personality development, national/international legislation, negligence and exploitation, in-house communication, teamwork, prejudices, image and exhaustion, public relations and working with NGOs, protocol rules, improving management skills, mobbing, emotion management, negotiation and mediation, crisis intervention etc. are given.

**269.** Children Intervention Programs, which are comprised of 8 different psycho-social support and intervention programs (General Information and Approach Principles, Short-time Group Studies, Family Training Guide, Anger Management Program Towards Better, Approach Program for Sexual Abuse, Confident Behavior Program (I'm here), Information Program for Guardians, Addiction Program) were developed by Psycho-Social Support Service experts to be applied for children in the institution and their families/guardians. These programs, which are developed to be used permanently in institutions affiliated to MoJ to help the psycho-social development of children in institutions, support behavioural change and personality development, strengthen the problematic areas and prepare children for reintegration to society.

**270.** Trainings on Protection of Personal Data and Cybercrime were given by Department of In-Service Training under Turkish Justice Academy under the names of "Protection of Private Life and Protection Measures within the Scope of ECtHR and European Convention

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<sup>32</sup> Information regarding the training guides published in cooperation with UNICEF can be found in the Annex, Table 95.

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on Human Rights Practices" for judges and public prosecutors with participation of 85 persons, "IT Law" with participation of 80 judges and public prosecutors, Law No. 5651 with participation of 91 judges and public prosecutors and "Protection Measures and Criminal Judgeship Procedures" with participation of 103 criminal judges.

**271.** Trainings on Organized Crime and Sexual Abuse of Children were given under the names of "Investigation And Prosecution Procedure In Organized Crime" with participation of 85 judges and public prosecutors, "Anti-Terror Law No. 3713" with participation of 77 judges and public prosecutors assigned to investigate and prosecute terror crimes committed in Diyarbakir, "Drug Crimes" with participation of 97 judges and public prosecutors, "Investigation and Prosecution of Sexual Abuse Crimes against Children" with participation of 93 judges and public prosecutors, "Investigation and Prosecution Procedures of Crimes Arising from Law no. 5607 on Anti-Smuggling" with participation of 116 judges and public prosecutors .

**272.** Regarding violence against women and children, trainings on Law No. 6284 were carried out with the participation of 162 family court judges with the aim of providing better protection for victims of domestic violence.

**273.** Trainings on CPL 5395, crimes against children through informatics, cyber-crimes and Law No. 6284 were given by the Pre-Service Training Department. Symposiums on combating violence against women in the context of effective implementation of human rights standards and regarding subjects such as child rights, anti-terrorism law, prevention of discrimination against disadvantaged groups, child maltreatment and torture, effectiveness of juvenile justice system, cybercrime and child pornography was conducted by Department of Scientific Studies and Information. Report and papers regarding the mentioned symposium were published as a book by the Turkish Justice Academy in October 2012.

**274.** International Justice for Children Symposium was organized and published as four books, comprised of Protection/Prevention Sessions, Opening Speeches and plenary Sessions, Execution Sessions and Trial Sessions, in December 2013. An international symposium titled "Freedom and Security Balance in Combating Terrorism" was organized.

**275.** A symposium was conducted with the cooperation of Turkish Justice Academy and Technical Assistance and Information Exchange European Commission DG Enlargement Institution Building Unit on "Role of Law and Justice in Combating Financing Terrorism"

**Children in armed conflicts, covering physical and psychological recovery and social integration**

**276.** As stated in our previous national report, Article 90 of the Constitution contains the following provision: "International agreements duly put into effect have the force of law. No appeal to the Constitutional Court can be made with regard to these agreements, on the ground that they are unconstitutional. (Sentence added on May 7, 2004; Act No. 5170) In the case of a conflict between international agreements, duly put into effect, concerning fundamental rights and freedoms and the laws due to differences in provisions on the same matter, the provisions of international agreements shall prevail." In this context, the provisions of these protocols are binding in Turkey's domestic law. The provisions of the Optional Protocol on Involvement of Children in Armed Conflict are mainly concerned with the recruitment of minors under the age of 18 and there is no such application for those under 18 years old according to the legislation. It is impossible for the state institutions to implement the practices regulated as crime in the Convention. Crimes related to terror organizations, armed gangs, riots, etc. have specific definitions and penalties in criminal laws. The existing legal framework is appropriate and sufficient.

**277.** Informative and preventive activities are conducted under the titles of Information Activities, Social Activities, Studies Carried Out With Families to establish and develop communication channels, prevent recruitment to terror organizations, neutralize their

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propaganda, ensure the surrender of organization members and the support of people in combating terror under the coordination of Security General Directorate, in order to prevent involvement in armed conflicts and mitigate their effects on children.

**278.** The activities are mainly aimed at preventing the participation of our citizens in terrorist organizations, especially the young people, and to keep safe young people from being affected by harmful entities. Various studies are carried out, especially in the eastern and southeastern provinces, in order to rehabilitate our citizens with trauma due to terrorism. These activities include the information activities carried out in order to ensure young people who are exposed and who are likely to be exposed to propaganda of terrorist organizations, give prudent decisions, meetings with families of the young people who are targeted by the terrorist organizations through sports, social, cultural and travel activities which terrorist organizations consider as a means of abuse as well as meetings with families of members of terrorist organizations for their return to home and benefit from the effective remorse provision.

## **X. Monitoring of Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography<sup>33</sup>**

**279.** The Committee of the Parties established under the Lanzarote Convention audits the compliance of legislation and practices of countries with the Lanzarote Convention. Turkey answers the questionnaires submitted within the scope of the audit reports of the Committee based on the information received from stakeholders. In this framework, no negative evaluation has been made about Turkey in the report issued after the urgent round of audit titled "Protection of Children Affected by the Refugee Crisis from Sexual Abuse and Exploitation".

**280.** In accordance with Law No. 5651 and the provisions of TPC No. 5237, access to any content related to "sexual abuse of children" is blocked in online environment.

**281.** CE Convention on Cybercrime was signed and approved by Turkey. Article 9 of the Convention covers offenses related to child abuse.

**282.** On May 18, 2011, İhbarWeb (ihbarweb.org.tr), which is the only crime report line in Turkey, under Information Technologies and Communications Authority has become a member of INHOPE (The Internet Association of Internet Hotline Providers), which is a crime report line established to strengthen international cooperation regarding sexual abuse of children and child pornography and combat against crimes within this scope. The cooperation between Turkey and INHOPE continues since the date of membership and joint studies are carried out against sexual abuse of children via internet, especially child pornography.

**283.** Information is provided on the conventions and other documents which Turkey is a signatory in the previous report and the list of questions annexed to the report. Provisions on the acts of sexual exploitation and abuse of children have been included in national legislation, which is in line with international legislation.

**284.** Sexual intercourse with a minor and sexual abuse of children are defined as substantive felonies in TPC No. 5237 and an increase in the punishments has been made regarding these crimes within the report period.

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<sup>33</sup> Detailed information about the legislation under this heading can be found in the Annex, Table 96, X; trainings on the prevention of child neglect and abuse, including sexual abuse can be found in Table 93; and information regarding ANKA Child Support Programme can be found in Table 94 thereof.

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**285.** Besides enacting Personal Data Protection Law No. 6698, Turkey has become party to the CoE Convention on the Protection of Individuals Against Automatic Processing of Personal Data and Additional Protocol to The Convention for The Protection of Individuals with Regard to Automatic Processing of Personal Data Regarding Supervisory Authorities and Transborder Data Flows in 2016. Necessary mechanisms have been introduced in order to protect personal data which has been taken under legal protection with these legal arrangements.

**286.** By amendments made in Law numbered 6545, necessary time for release on probation of convicts of sexual exploitation of children crime and sexual intercourse with a minor has been extended. Measures to protect the child victim such as prohibiting parolees from residing in the settlement area where the victim is living or working, getting close to the place where the victim is, working in an environment which requires coexistence with children, involvement in activities which requires caring and supervision responsibilities regarding children during the period of probation are added to protect the best interest of the child. This provision is not applicable if the perpetrator of such crimes is also a child.

**287.** As stated in previous reports, procedures such as testimonies and examinations regarding children who are victims of sexual exploitation are carried out by the specialized law enforcement officers and specialized staff at CMCs, which were established for protection of children.

**288.** Information on services offered to victims by DVR were provided under the title of "Children, victims and witnesses in conflict with the law".

**289.** Services are offered to children who are victims of crime, by CSCs under MoFLSS and Child Protection, Research and Application Centers under universities.

**290.** The meetings of the Lanzarote Committee, which gathers in regular periods within the scope of Lanzarote Convention, are participated in.

**291.** Participation in the Conference on The Global Alliance against Online Child Sexual Abuse, which aimed to prevent online child sexual abuse offenses and was first held in Brussels in 2012, was ensured.

**292.** Participation in the meetings regarding child rights especially those on preparation of Strategy Documents for Child Rights by the CoE is ensured.

**293.** Article 60 of TPC No. 5237 states the following provision under the title of "Security Precaution for The Legal Entities" "(1) Where there has been a conviction in relation to an intentional offence committed for the benefit of a legal entity, which is subject to civil law and operating under the license granted by a public institution, by misusing the permission conferred by such license and through the participation of the organs or representatives of the legal entity, the licence shall be cancelled. (2) The provisions relating to confiscation shall also be applicable to civil legal entities in relation to offences committed for the benefit of such entities."

**294.** Regarding raising awareness on the harmful results of the crimes within the scope of Optional Protocol on Child-Selling, Child Prostitution and Child Pornography and prevention of these crimes, (n) clause of the first paragraph of Article 8 titled "Media Service Principles" of the Law No. 6112 prohibits obscene broadcasting services. It is stated in (n) clause of the Article 8 of the Regulation on Principles and Procedures of Media Services dated 02.11.2011, which is prepared within this framework, as "Media services shall not be obscene". The obscenity concept is clarified with the following statement: "They shall not be in a way that is oriented to exploit sexual emotions, demonstrating individuals as sexual commodity, degrading the human body as an element of sexual incitement, containing obscene words and behaviors which cannot be exhibited in public areas, hurting the senses of honor and shame of the individuals and inciting and exploiting their sexual desires."

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**295.** Victims can be accommodated for short periods in the CMCs when necessary, and the accommodation, nutrition and medical needs of the victims are met until the procedures are completed. Sheltering and protection measures can be taken for the child by the court when necessary.

**296.** Turkey acts in cooperation with The Global Alliance against Child Sexual Abuse Online. The foundation purpose of the Global Alliance is to prevent the spread of crimes related to child sexual abuse and of images and records of children's exposure to these crimes. Global Alliance coordination in Turkey is carried out by the MoJ. Turkey participated in the meetings of the alliance at the ministerial level.

**297.** International cooperation in law enforcement operations and procedures is ensured by the Interpol Department of the Directorate General for Security.

## **XI. Monitoring of Optional Protocol on Involvement of Children in Armed Conflict**

**298.** It was stated in the amendment made in 2012 on the article 2 of the Law on National Defense Liability No. 3634, which stipulates the mobilisation of children over 15 years old, that "Those under 18 or over 65 years old and disabled and unhealthy individuals and those having child in need of nursing and pregnant women shall not be subjected to personal liability".

**299.** In Article 2 of the ML No 1111, it is stipulated that the age of military service shall begin from the first day of January of the year in which the person enters the age of twenty and there is no distinction on the conditions of war or peace.

**300.** Article 11 of the ML No. 1111 states that military service is mandatory, and no voluntary recruitment system has been regulated in the same Law. The procedures to be carried out when there is a need for increasing the total number due to insufficient number of soldiers or similar reasons are regulated by Article 57 of the same Law and it is stipulated that the source of soldiers shall be from those reserved after being discharged. It is evaluated that volunteerism is valid only within the scope of personnel recruitment activities.

**301.** Information on the issue was provided in the application of previous concluding observations section as per the Optional Protocol.

**302.** The issues related to military service are regulated by the ML No. 1111. It is stipulated that the age of military service shall begin on the first day of January of the year in which the person enters the age of twenty and there is no distinction on the conditions of war or peace. When the provisions of the ML No 1111, the provisions of the Constitution and the UN CRC are considered together, children cannot be recruited.

**303.** It is determined by law that children cannot be recruited even in case of war. The article was fully complied with during the reporting period.

**304.** As per the provisions of Law on Foreigners and International Protection No. 6458, registrations of the children applying for international or temporary protection from Turkey are made by Provincial Directorates of Migration Management and in case they are unaccompanied, they are directed to MoFLSS. In the absence of protection application of unaccompanied child, their stay in Turkey is ensured with Humanitarian Residence Permit as per Article 46 of the same Law. Provisions of CPL No. 5395 are applied to mentioned children in any case. Detailed information is given under the title of "Refugee, migrant and unaccompanied refugee children".

**305.** The support of Syrian children in need of protection in our country is firstly provided by their families. In cases where this is not possible, protective supportive measures are



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implemented within the scope of CPL No. 5395 in order to make sure that no child is left under risk on the street. Two Child Protection Departments are established under cooperation of MoFLSS and AFAD, (previously under Prime Ministry, currently under MI) for monitoring and reunification of families of the unaccompanied Syrian children in age group 13-18 that have developmental competence to meet their basic vital needs.

**Likelihood of children to join the armed forces in the event of war and to be punished for committing a war crime while recruited**

**306.** It is ensured by law that children cannot be recruited even in case of war.