



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

Sixtieth session

29 May – 15 June 2012

### Implementation of the Convention on the Rights of the Child

**List of issues concerning additional and updated information related to  
the second and third combined periodic report of Turkey  
(CRC/C/TUR/2-3)**

**Addendum**

**Written replies of Turkey\***

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\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

## **Introduction**

1. The United Nations Convention on the Rights of the Child was signed by Turkey in 1990. Article 90 of the Constitution of the Republic of Turkey includes the provision that “International agreements duly put into effect bear the force of law. No appeal to the Constitutional Court shall be made with regard to these agreements, on the grounds that they are unconstitutional (Additional sentence: 7.5.2004-5170/7). In the case of a conflict between international agreements in the area of fundamental rights and freedoms duly put into effect and the domestic laws due to differences in provisions on the same matter, the provisions of international agreements shall prevail”. Hence, the provisions included in the Convention on the Rights of the Child that Turkey ratified, have become binding in terms of domestic law.

2. In accordance with article 44 of the Convention, the States parties undertake to submit to the Committee on the Rights of the Child the initial national reports within two years of the entry into force of the Convention for the State party concerned, and their periodical reports thereafter every five years. Turkey submitted to the Committee its first national report in 2001 and the combined second and third periodic reports in 2009.

3. Ratifying the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and the Optional Protocol on the involvement of children in armed conflict, Turkey has also submitted its initial national reports under these Optional Protocols and has effectively participated in the negotiations concerning the new Optional Protocol to the Convention on a communication procedure.

4. Pursuant to provisional article 72 of the procedure of the Committee on the Rights of the Child, the Turkish delegation has been invited to submit the combined second and third periodic reports of Turkey between 29 May and 15 June 2012. The pre- sessional Working Group of the Committee on the Rights of the Child had a meeting in 10-14 October 2011 in Geneva and submitted the additional questions concerning the report.

5. The responses to the additional questions posed to Turkey by the Committee on the Rights of the Child have been compiled in a report with the participation of all relevant agencies and organizations under the coordination of the General Directorate of Child Services subordinated to the Ministry of Family and Social Policies, which is the coordinating agency responsible for the implementation and monitoring of the Convention on the Rights of the Child. The necessary national data have been compiled and the responses to the additional questions have been prepared as a result of meetings and correspondences carried out under the coordination of the Ministry of Family and Social Policies with the participation of the Prime Ministry, the Ministry of Justice, the Ministry of National Education, the Ministry of Health, the Ministry of National Defence, the Ministry of Labour and Social Security, Ministry of Interior, the Ministry of EU Affairs and the Union of Turkish Bar Associations.

## **Part I**

### **Reply to the list of issues raised in part I, paragraph 1, of the list of issues (CRC/C/TUR/Q/2-3)**

6. Turkey’s reservations to the Covenant are in conformity with States’ sovereign right to make reservations and become a party to international conventions subject to such reservations.

7. Nevertheless, Turkey is regularly reviewing its reservations to international conventions in order to withdraw them when possible. Recently, Turkey withdrew its

reservations to and declaration regarding the Convention on the Elimination of All Forms of Discrimination against Women.

**Reply to the list of issues raised in part I, paragraph 2, of the list of issues**

8. The General Directorate of Social Services and Child Protection Agency (now abolished) operating under Ministry of State was appointed as the “Coordinating Agency” responsible for the implementation and monitoring of the Convention on the Rights of the Child in Turkey until 2011. However, with the Decree-Law dated 3 June 2011, and No. 633, the Ministry of Family and Social Policies was established. Hence, with the same Decree-Law, the duties and powers of the (abolished) Social Services and Child Protection Agency (SHCEK) were transferred to the General Directorate of Child Services subordinated to the Ministry of Family and Social Policies. As a result of this restructuring, the responsibility to act as the coordinating agency for the implementation and monitoring of the Convention on the Rights of the Child was transferred to the General Directorate of Child Services of the Ministry of Family and Social Policies. Agencies carrying out child services as well as social aid services and services oriented to old-aged and disabled people and women and society were gathered under the same ministry, enabling service provision at Ministry level. The restructuring process at the Ministry of Family and Social Policies was an important development in terms of ensuring centralized more effective provision and coordination of social services. For the first time in the history of the Republic of Turkey, social service issues are attempted to be addressed at such a high level. Furthermore, while works concerning the rights of the child used to be carried out by a single division of the (abolished) Social Services and Child Protection Agency, the new arrangements have resulted in the establishment of a dedicated department on the rights of the child at the General Directorate of Child Services. The Department of the Rights of the Child have found a place in the organizational structure as an indicator of the high level of importance given to the rights of the child by the Ministry of Family and Social Policies.

**Reply to the list of issues raised in part I, paragraph 3, of the list of issues**

9. The Human Rights Presidency was established under the Prime Ministry with Law No. 4643 in order to monitor the implementation of legislative provisions on human rights, evaluate the monitoring results, coordinating the works carried out to rectify the shortcomings identified in implementation and legislation, and advise the government in these issues in Turkey. The Human Rights Boards, established in all provinces and districts nationwide, have been assigned the task of protecting and promoting human rights, reviewing and investigating allegations of human rights violations, reviewing and researching the obstacles to exercise of human rights and freedoms and the social, political, legal and administrative reasons that cause human rights violations, and formulating suggestions about how to solve them. According to article 28 of the Turkish Civil Code, the child gains the capacity to have rights (*jus capiendi*) from the time of conception, provided such conception results in a live birth. Hence, the duties of these provincial and district human rights boards also include protecting the rights of the child and ruling on any violations. The Human Rights Presidency submits monthly reports to the Prime Ministry on its activities.

10. The ombudsman agency is provided for as a constitutional institution in article 74 of the Constitution of the Republic of Turkey. In early 2012, the “Bill on Ombudsman Agency” was communicated to the Prime Ministry for submission to the Turkish Grand National Assembly (TGNA). The bill foresees 10 ombudsman agencies, one of which will be working in the field of the Rights of the Child.

11. It was announced through the media that it has been decided at the 24th Reform Monitoring Group Meeting dated 18 December 2011 to ensure that the necessary effort is made to realize institutionalization in the area of human rights through establishment of the Ombudsman Agency, the Turkish Human Rights Institution, the Law Enforcement

Supervision Commission and the Committee of Non-Discrimination and Equality so as to strengthen human rights in the country and ensure the inclusion of human rights in the state order with a holistic approach, and to speedily complete the studies and works carried out for alignment with the EU acquis.

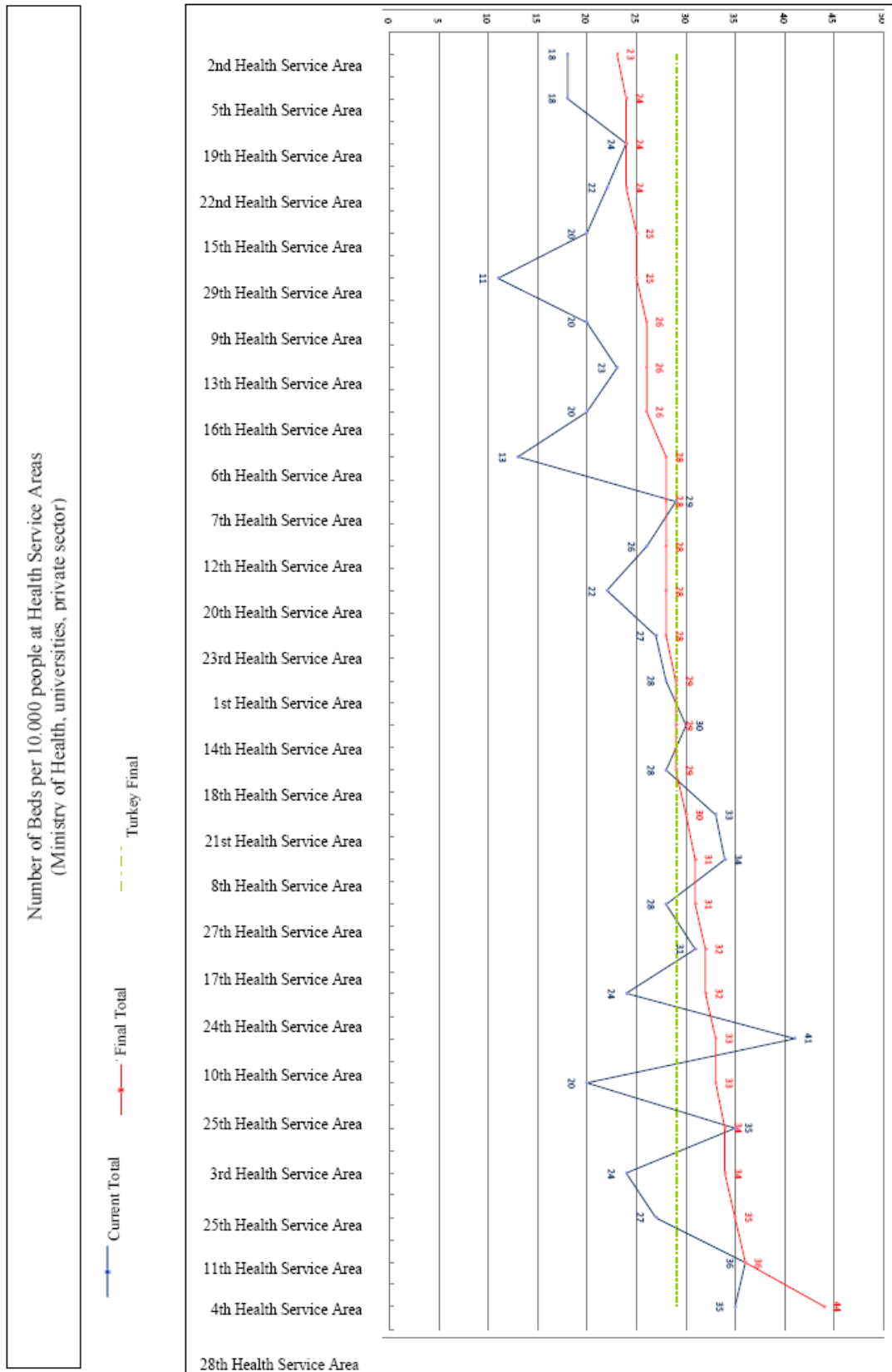
**Reply to the list of issues raised in part I, paragraph 4, of the list of issues**

12. In Turkey, education, health and social service policies are planned and implemented in a way that ensures the inclusion of all citizens of the State without any discrimination whatsoever. Considering that the majority of the Turkey's population today consist of youth and children, various social projects and programmes have been realized, which have considerably lessened the disparities stemming from geographical conditions and socio-economic statuses, for better realization of the rights of the child and for improvement of the welfare levels of all segments of the society. Furthermore, since 2003, the Ministry of Health has established 29 health service areas in the country so as to minimize regional differences, hence ensuring treatment diversity throughout the country. Similarly, various projects are being carried out by the Ministry of National Education to support socioeconomically disadvantaged groups and prevent regional and cultural disparities by The Ministry of National Education. These efforts can be summarized as follows:

- The 8-year basic education is compulsory and free. Textbooks are supplied by the State, free of charge. Various programmes and projects are being carried out, especially to promote education for girls, such as “National Education Support / Ulusal Eđitime Destek”, “The Girls Education Campaign / Haydi Kızlar Okula”, “Dad, Send Me To School / Baba Beni Okula Gönder”, “Snowdrops-the Modern Girls of Modern Turkey/Kardelenler- Çađdaş Türkiye'nin Çađdaş Kızları”. The Ministry of National Education has increased the number of Regional Boarding Primary Education Schools (YİBO) in South-East and East Anatolia where a high number of girls are unable to go to school, and has also increased the enrolment capacity available to girls in these schools. The “Catch-Up Education Programme /Yetiştirici Sınıf Öğretim Programı” was also started to ensure that children in the 10-14 age group who are at compulsory school age but who have not been able to complete their education in time with their peers due to whatever reason or who have never enrolled or who have not regularly attended school gain the competencies allowing them to continue their educations with their peers, and to ensure their attendance in primary education.
- There is also the Conditional Education and Conditional Health Aids Project being carried out by the Directorate General of Social Aids of the Ministry of Family and Social Policies. Implemented within the scope of Law No. 3294 on Encouraging Social Assistance and Solidarity, this is a cash-based social aid programme aiming to support poor families who cannot send their children to school for whatever reason or who are forced to withdraw their children from school, who cannot afford regular health checks for their preschool age children and who cannot deliver in a health institution. In terms of the number of its beneficiaries and the allocated resources, it is one of the most comprehensive aid programmes of the Directorate General of Social Aids. Within the scope of the project which was carried out to understand the programme's effect on the beneficiaries and to make the necessary arrangements in line with the results, it has been identified that conditional education aids have decreased non-attendance by 50 per cent. For girls, the non-attendance rates have decreased more than twice compared to boys. Furthermore, 71 per cent of the children receiving Conditional Health Aid have regular health checks.
- The Ministry of Health has been implementing the “Programme for Transformation in Health / Sağlıkta Dönüşüm programı) since 2003; the aim of

the programme is to ensure that health services are delivered effectively and efficiently regardless of socioeconomic differences and with equity. To improve delivery of health services, 29 health service areas have been identified throughout the country, and for each health service area a province has been designated as the health centre. When identifying the provinces that would be regional health centres, indicators such as population density, socioeconomic structure, urbanization and industrialization levels, transportation infrastructure and health services delivery quality and capacity were taken as a basis. With campus hospital projects in 29 provinces, quality and technology-intensive health services have been planned and health centres accessible to citizens have started to be constructed. Furthermore, the Ministry of Health has published a “Regulation on Home-Based Care Services”, under which services are provided to groups that are otherwise unable to access health services. For example, the “Guest Mum Project/Misafir Anne Projesi” is continuing, under which pregnant women who have difficulty in accessing health services are brought to the centres where the health institutions are located, 15 days before the expected delivery date, and are returned to their homes after delivery. The average population in health service areas is 2542172 according to the year 2010 data. The 8th health service area has the lowest population with 1260026, while the 11th Health service area has the highest with 4513 150. An evaluation between the Health service areas shows that the available bed capacity per 10,000 people varies between 11 and 41. It is aimed to bring this number to the 23 – 36 range. The number of beds per 10 thousand people and the numbers aimed with the current investments are given in the chart below:

Number of beds per 10 000 people in health service areas



## Distribution of existing and final treatment institutions by provinces

	<i>Total</i>			<i>Total</i>	
	Existing	Final		Existing	Final
Adana	28	31	İzmir	27	31
Adıyaman	14	21	Kahramanmaraş	18	23
Afyonkarahisar	26	32	Karabük	28	30
Ağrı	11	20	Karaman	26	20
Aksaray	18	19	Kars	17	23
Amasya	22	19	Kastamonu	28	32
Ankara	36	38	Kayseri	29	32
Antalya	24	28	Kırıkkale	35	38
Ardahan	14	19	Kırklareli	23	25
Artvin	27	21	Kırşehir	22	20
Aydın	24	25	Kocaeli	21	30
Balıkesir	25	24	Konya	33	32
Bartın	22	21	Kütahya	28	28
Batman	20	21	Malatya	30	35
Bayburt	20	20	Manisa	26	25
Bilecik	13	16	Mardin	9	15
Bingöl	25	27	Mersin	20	25
Bitlis	20	24	Muğla	20	21
Bozüyük	48	41	Muş	16	17
Burdur	27	23	Nevşehir	21	22
Bursa	24	24	Niğde	19	19
Çanakkale	24	24	Ordu	28	25
Çankırı	25	24	Osmaniye	19	20
Çorum	27	24	Rize	28	28
Denizli	22	24	Sakarya	17	19
Diyarbakır	25	32	Samsun	31	34
Düzce	20	24	Siirt	17	22
Edirne	49	47	Sinop	26	14
Elazığ	52	44	Sivas	37	36
Erzincan	37	26	Şanlıurfa	13	28
Erzurum	41	40	Şırnak	13	15
Eskişehir	43	40	Tekirdağ	18	20
Gaziantep	23	30	Tokat	32	26
Giresun	33	30	Trabzon	42	41
Gümüşhane	26	25	Tunceli	24	25
Hakkâri	14	19	Uşak	27	26
Hatay	16	20	Van	22	27
İğdır	15	16	Yalova	13	16
Isparta	45	36	Yozgat	20	24
İstanbul	23	33	Zonguldak	33	31

13. Citizenship in the Republic of Turkey is regulated within the framework of the principle of equality regardless of ethnic identity. In line with their constitutional rights, all citizens of the Republic of Turkey can benefit from social services, health and education services without any discrimination, and can participate in all levels of the management and decision-making mechanisms. Different ethnic and religious groups in the country are perceived as a part of cultural richness, with no segregation or “otherization” as these nations have been living together for centuries and have created an environment in which they have amalgamated in all aspects.

14. Thus, the principle of equality before the law is adopted in article 10 of the Constitution of the Republic of Turkey. Fundamental rights and freedoms are also guaranteed in the Constitution. The Turkish law and its practices give the rights enshrined in the Convention to all the children living in the country, with no discrimination based on the race, colour, gender, language, political or other thoughts, national or ethnic or social background or any other status of the child, its parents or legal representatives. For that reason, there are no official statistics or analyses based on ethnicity in the country.

15. Article 42 of the Constitution of the Republic of Turkey states that “no one shall be deprived of the right of learning and education. Primary education is compulsory for all citizens of both sexes and is free of charge in state schools. The state shall provide scholarships and other means of assistance to enable students of merit lacking financial means to continue their education. The state shall take necessary measures to rehabilitate those in need of special training so as to render such people useful to society. In this context, all necessary measures are being taken to ensure that all children benefit from educational services to the maximum level without any discrimination.

16. Within the scope of the provisions of the Treaty of Lausanne, the minority status is defined on the basis of being “non-Muslim”. In accordance with article 40 of the Treaty of Lausanne, Turkish citizens belonging to non-Muslim minorities benefit from the same rights and warrants in law and in fact as other Turkish nationals. In particular, they have an equal right to establish, manage and control at their own expense, any charitable, religious and social institutions, any schools and other establishments for instruction and education, with the right to use their own language and to exercise their own religion freely therein.

**Reply to the list of issues raised in part I, paragraph 5, of the list of issues.**

17. Article 42 of the Constitution states that “No language other than Turkish shall be taught as a mother tongue to Turkish citizens at any institutions of training or education. Foreign languages to be taught in institutions of training and education and the rules to be followed by schools conducting training and education in a foreign language shall be determined by law. The provisions of international treaties are reserved.”

18. In accordance with article 41 of the Treaty of Lausanne, which is an International Treaty in this sense, as regards public instruction, the Turkish Government grants in those towns and districts, where a considerable proportion of non-Muslim citizens are resident, adequate facilities for ensuring that in the primary schools the instruction shall be given to the children of such Turkish nationals through the medium of their own language.

19. Non-Muslim citizens are assured an equitable share in the enjoyment and application of the sums which may be provided out of public funds under the State, municipal or other budgets for educational, religious, or charitable purposes.

20. Since a considerable portion of the public employees providing Public Services in areas such as Health, Education and Social Services agencies are members of the local community where the service is rendered; there are no communication problems, in terms of culture and language, between those service providers and service beneficiaries. Services provided by law enforcement bodies in rural areas are also rendered in a similar manner, and communication is ensured by using a local interpreter when necessary.



21. In addition, in accordance with the Code of Criminal Procedure No. 5271, court proceedings related to allegations and defence can be interpreted/translated by an interpreter/translator appointed by the court if the victim or the defendant does not know or speak Turkish to express themselves adequately.

**Reply to the list of issues raised in part I, paragraph 6 (a), of the list of issues**

22. Within the framework of the 9th Development Plan of Turkey covering the 2007-2013 period, combating domestic violence is identified as one of the priority measures. Agencies and organizations are continuing to work in this framework.

23. The “Action Plan for Combating Domestic Violence Against Women (2007-2010)” was prepared by the General Directorate on the Status of Women of the Ministry of Family and Social Policies with the contribution and participation of relevant public agencies and organizations, local governments, universities, and non-governmental organizations working in this field. The relevant sections of the Action Plan are as follows:

- One of the goals of the Action Plan is “Ensuring organization and implementation of attainable protective services towards women victimized by domestic violence, and their children (if any)”. The activities included within the scope of this goal are as follows: definition of the services required for women victimized by or under risk of violence (protection, shelter, child care etc), determination of standards and procedures, and establishment of an auditing mechanism; and provision of free of charge preschool services at the Ministry of National Education (MoNE) education institutions for the children of women staying at shelters if required.
- Within the scope of the provision that “1/10 of the school enrolment capacity shall be allocated to the children of war veterans, martyrs and poor families, who shall be admitted to education institutions free of charge” as specified in Article 11/g of the Regulation on Preschool Education Institutions, the Action Plan identifies the responsible agencies and organizations for ensuring the implementation of the provision concerning free preschool services for the children of poor and victimized women staying at shelters.
- Another goal of the Action Plan is specified as “Establishing a mechanism of cooperation among institutions and relevant sectors with regard to the service delivery to women victimized by domestic violence, and their children (if any)”.
- Within the framework of the Action Plan, the “Protocol on Increasing the Institutional Capacity of Services Provided to Victims of Domestic Violence and their Children, and Developing Cooperation” was signed in 2009 between the Directorate General on the Status of Women, (abolished) the General Directorate of Social Services and Child Protection Agency, and the Directorate General of Security (Turkish National Police), and with the General Command of Gendarmerie in 2010. The aim of the Protocol is to increase the institutional capacity and effectiveness of services delivered to victims of domestic violence and their children, develop cooperation, eliminate the problems encountered in implementation, and ensure that the services are accessible for all victims. The Protocol is still in effect.

24. A concrete and important legal step taken in combating domestic violence against women in Turkey was the “Law No. 4320 on the Protection of the Family”, which came into effect in 1998. Introducing the concept of “domestic violence” into our legal system, the Law, in terms of its content and rationale, essentially aims to protect women from violence, although it is the “Law on Protection of the Family”. In addition to general provisions, the law introduces the practice of “protection orders” aiming to provide immediate protection to a family member who has been exposed to or is at risk of domestic

violence. Moreover, the Law includes not only the prevention and protection aspect but also the punishment aspect. Due to problems in implementation, the Law was amended in 2007, and a Regulation on the Implementation of the Law was published in 2008 in order to clarify ambiguities. In order to eliminate the problems in implementation persisting despite the amendment of 2007, the “Draft Law on Protection of Women and Family Members from Violence” was prepared by the General Directorate on the Status of Women of the Ministry of Family and Social Policies within the framework of the “Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence” signed by Turkey; and the draft of which has already been submitted to the Council of Ministers. The draft law aims to prevent violence and protect women, children and other family members who are victims of or at risk of violence, and the victims of unilateral and persistent stalking. Measures oriented to children include providing shelter and crèche (day care) services to the child either in his/her neighbourhood or somewhere else, ensuring that any contact based on a court decision for contact takes place in the presence of a suitable attendant, limiting or completely banning personal contact, and banning the perpetrator of violence from approaching the child, when necessary, reserving the occasions on which personal contact is allowed.

25. Moreover, in line with the Circular of the Prime Ministry no 2006/17 on “Measures to be Taken or the Prevention of Acts of Violence Against Children and Women, and Custom and Honour Killings”, the (abolished) General Directorate of Social Services and Child Protection Agency was appointed as the coordinating agency with regard to violence against children. The Coordinating Agency receives information and data from 81 provinces and from all stakeholders, and compiles them in quarterly reports, which it sent to the Ministry for submittal to the Prime Ministry. The Circular of the Prime Ministry involves the protective and preventive measures, institutional services, education, health and law-related activities as well as it identifies the responsibilities of institutions those provide service in these areas.

26. Under the Ministry of Family and Social Policies, the General Directorate of Child Services continues its efforts to provide psychosocial, legal and economic counselling and guidance services to women and children in need of support and at risk of or victim of abuse, to inform them about the service agencies which they can use and to ensure that they can swiftly access the service type they require. One of the projects within this framework is the “Alo 183 Helpline for Family, Women, Children, Disabled People and Social Service”, which has been in operation 24/7 since 2007 and which is free of charge. The Helpline employs professionals (Social Workers, Psychologists etc.) and takes all calls made from anywhere in Turkey.

27. In the event of criminal victimization of children, the police can be reached via the “155 Police Hotline” for free or by e-mailing [asayiscocuk@egm.gov.tr](mailto:asayiscocuk@egm.gov.tr). Victimized children can also apply to the nearest police centre/station. The children’s police and professionals carry out the necessary procedures based on the application received.

28. Furthermore, within the scope of the “Poppies/Gelincik” Project, launched by the Bar Association of Ankara on 2 April 2011, a “444” helpline is being operated 24/7 to help women and children who are victims of violence. Legal counselling services are delivered nationwide through this helpline. Another aim of the Project is to organize trainings for prevention of domestic violence and to spread the Project throughout Turkey. In this context, training programmes on domestic violence and legal mechanisms are being organized on neighbourhood basis through municipalities in the province of Ankara. Moreover, the Project is promoted to other provincial bar associations in Turkey, and the importance of having such centres is explained.

29. A “Child and Environment Protection Unit” has been established by the General Command of Gendarmerie of the Ministry of Interior so as to protect children from crime and prevent commission of crime by children as well as to ensure that the gendarmerie is

able to carry out its duties more effectively while protecting the best interests of the child. So far, seven Gendarmerie Child Centres have been opened in the provinces of Istanbul, Ankara, Izmir, Aydın, Erzurum and Antalya. The personnel at these child centres work in civilian clothes.

30. In addition, the General Command of Gendarmerie organizes trainings on areas such as “juvenile law”, “preventing juvenile delinquency”, “child development and psychology” and “social service” for the personnel who will be working with children.

31. The “Protocol on Increasing the Institutional Capacity of Services Provided to Victims of Domestic Violence and Their Children, and Developing Cooperation” was signed between the General Directorate on the Status of Women, (abolished) General Directorate of Social Services and Child Protection Agency, and the General Command of Gendarmerie in 2010. The aim of the Protocol is to increase the institutional capacity and effectiveness of services delivered to victims of domestic violence and their children, develop cooperation, eliminate the problems encountered in implementation and ensure that the services are accessible for all victims.

32. The students at the Gendarmerie Schools Command receive training on “violence against women and children” and “correct identification and assessment of facts of violence” in human rights and criminal law courses. Especially, in rural areas, the number of women personnel patrolling the local area has been increased to better help victimized women who are unable to inform the agencies about their problems, the violence inflicted on them and the threats they receive due to the pressure from the family and from their social environment.

33. Furthermore, protocols have been signed for training of the personnel of the Ministry of Health, the Ministry of Interior and the Presidency of Religious Affairs within the scope of the Prevention of Domestic Violence against Women Project being carried out in cooperation by the United Nations Population Fund (UNFPA) and the General Directorate on the Status of Women.

34. The Radio and Television Supreme Council (RTÜK) applies penal sanctions against broadcasts that legitimize honour and custom killings. Moreover, the Radio and Television Supreme Council supports the airing of TV and radio spots prepared by non-governmental organizations and public agencies in order to raise public awareness on the prevention of custom and honour killings.

**Reply to the list of issues raised in part I, paragraph 6(b), of the list of issues**

35. In the Turkish Civil Code, the legal provisions on early or forced marriages include the following:

- Men or women cannot marry unless they have completed their 17 years of age and unless have permission from their parents. However, a court decision may allow marriage between a man and a woman who have completed 16 years of age.
- No one can be forced to marry, and everyone has the right to choose whom to marry.
- A person forced into marrying an unwanted person can petition the Public Prosecutor’s Office.
- If an unwilling marriage has already taken place, the person can file a lawsuit for the cancellation of the marriage.

36. With regard to identified cases of early or forced marriage, the Ministry of Family and Social Policies, the General Directorate of Child Services carries out the necessary works with children and families, monitors the cases and takes the necessary measures.

37. The Turkish Armed Forces also carries out training activities to prevent early and forced marriages, to ensure the schooling of girls and to raise awareness on domestic violence among men. Within the scope of this training program, young people attend training courses and seminars on “Domestic Violence and Preventing Violence Against Women”, which include “communication in the family”, “preventing violence in the family”, “social pressures on women”, “honour/custom killings”, “equality of men and women”.

38. Since there is a positive relationship between education level and age of first marriage, it is particularly important to raise the education levels of girls so as to prevent early marriages. Accordingly, the education policy and studies carried out in Turkey are as follows:

- The “Catch Up Education Programme/Yetiştirici Sınıf Öğretim Programı” was launched to ensure that children in the 10-14 age group who are at compulsory school age but who have not been able to complete their education in time with their peers due to whatever reason or who have never enrolled or who have not regularly attended school, gain the competencies allowing them to continue their educations with their peers, and to ensure their attendance in primary education. 67 per cent of the students in this programme are girls. In addition, the projects “Increasing the Schooling of Girls” and “Strengthening Preschool Education” were launched in 2009 with the purpose of increasing schooling rates at the secondary education level.
- The Conditional Education Aids scheme carried out under the Social Risk Mitigation Programme grants education assistance throughout the country. These aids, given directly to the mother, include an element of positive discrimination by keeping higher the amounts paid to girls attending primary or secondary education.
- “Support to National Education / Ulusal Eğitime Destek”, “The Girls Education Campaign / Haydi Kızlar Okula”, “Snowdrops-the Modern Girls of Modern Turkey / Kardelenler- Çağdaş Türkiye’nin Çağdaş Kızları” and “Dad, Send Me To School / Baba Beni Okula Gönder” are campaigns carried out to increase schooling rates particularly among girls.
- The Ministry of National Education has increased the number of Regional Boarding Primary Education Schools (YİBO) in regions where a high number of girls are unable to go to school, and has also increased the enrolment capacity available to girls in these schools.

39. Early marriage and childbearing pose considerable danger for girls also in terms of their psychological and biological health. The works carried out by the Ministry of Health in this scope are as follows:

(a) According to the results of the “National Maternal Mortality Study” carried out by the Ministry of Health, it was determined that the risk of maternal mortality in the 15-19 age group is 44 per cent higher than in the 20-34 age group. According to the Ministry of Health National Data, maternal mortality rate in 2010 is 16.4 per 100,000 live births. With the downward trend achieved in maternal mortality between 1990 and 2008, Turkey is among the top 10 countries achieving the highest decrease in maternal mortality in the world. Based on these data, the Ministry of Health has developed the Mother & Child Health and Family Planning and “Sexual and Reproductive Health National Strategies and Action Plan” for the 2005-2015 period;

(b) Raising awareness on reproductive health among young people is also considered as a preventive factor against early and forced marriage. Within the scope of these projects, 20 youth counselling and health service centres have been established. The

“Youth Counselling and Health Service Centre” was established to ensure that young people have access to higher quality Sexual and Reproductive Health (SRH) services;

(c) In order to raise awareness among men about the obstetric and SRH problems caused by early marriages, the “Turkish Armed Forces Reproductive Health Programme” was launched in 2002 in collaboration by the Ministry of Health, the Health Command of the Turkish Armed Forces, and the United Nations Population Fund (UNFPA). Trainings oriented to young people continue at the reproductive health courses opened in all military units nationwide;

(d) In 2007 “Pre-marital Counselling and Sexual Health Programmes” were launched. One of the aims of this program is to reduce early marriages. In this framework, awareness-raising meetings have been organized with the participation of women and relevant organizations by the non-governmental organizations in the regions of Central, Eastern and South-Eastern Anatolia where early marriages are somewhat widespread.

**Reply to the list of issues raised in part I, paragraph 6(c), of the list of issues**

40. Throughout the country, there are 720 organizations, operating under the General Directorate of Child Services of the Ministry of Family and Social Policies, structured according to the ages and genders of children where children can stay when in need.

41. As of January 2012, there are 81 women’s shelters in the country; women in need can stay at these shelters together with their children. The total capacity of women’s shelters is 1816.

42. The General Directorate on the Status of Women plans to open 12 women’s shelters/guesthouses with a total capacity of 300-350 in 2012. In addition, it is planned to have at least one women’s guesthouse in all provinces by the end of 2015 by opening women’s guesthouses in all provinces where there are currently none.

43. Looking at the distribution by provinces, currently there are women’s shelters/guesthouses in 45 provinces. Women applying for services are evaluated by professionals, and are referred to the nearest women’s guesthouse if there are no guesthouses in the province or if there is not enough capacity. When necessary, the travel expenses in this process are paid by the Social Assistance and Solidarity Foundation (SYDV).

44. Cooperation protocols are signed between Municipalities and the General Directorate on the Status of Women in order to procure buildings that will serve as women’s guesthouses, provide rent assistance to women leaving the guesthouse and education aid to their children, and support them in finding a job. Initiatives are continuing to enable provision of studio apartments for temporary residence for women and their children who leave the guesthouse after placement in a job. In provinces with women’s guesthouses, protocols are signed with Bar Associations so that women admitted into these guesthouses are informed about legal matters and receive counselling and guidance, as well as free lawyer services when necessary.

45. Considering that there is a high risk of mortality for women, and their children, who are victims of or at high risk of violence, these individuals are placed in initial admission points on a 24/7 basis. Women reached through these admission points, which are established in all provinces, are admitted into women’s guesthouses as soon as possible. It is aimed to shorten and speed up this process through the protocols signed between the Ministry of Interior, the General Directorate of Security (Turkish National Police) and the General Command of Gendarmerie as well as the General Directorate on the Status of Women; implementation results are constantly monitored and evaluation meetings are held at specific intervals so as to identify possible problems and implement solutions.

46. In addition to the primary health care services provided at women's guesthouses, it is ensured that the guests experiencing psychological problems get help from the psychiatry clinics, receive training on subjects including the human rights of women, and receive counselling on how to get psychological help for their spouses or the other family members with whom they live together; women who are not literate and women who want to get vocational training are referred to relevant adult training centres. In addition, mothers are informed and supported about child care and child psychology.

47. The children of women staying at the guesthouse are provided with nutrition training, toilet training and, concept training suitable for their ages and situations. It is ensured that the children's registrations are done and received all their vaccinations and that school-age children go to school. Counselling services are provided to those who have no pathological problems with their spouses or families and who have left their homes only due to communication problems, and who can return to their spouses or families if a healthy marital relation is established.

48. Women who are likely to have a divorce are assisted in finding a job and a residence so that they can be placed in a job and adapt to an orderly life; by contacting the Social Assistance and Solidarity Foundation (SYDV) and NGOs, these women are provided with rent aids, cash aids and clothing aids; after providing necessary guidance and counselling services, the process is monitored through house visits. Women who are placed in jobs are also provided with the opportunity to use free of charge child day care services to ensure that their children are in a safe environment in favourable conditions during the working hours and receive preschool education.

49. Family counselling and community centres, where protective and preventive services are provided, are operated under the Directorate General of Family and Community Services. These centres provide counselling and guidance services as well as psycho-social support and trainings during daytime.

**Reply to the list of issues raised in part I, paragraph 7, of the list of issues**

50. Within the scope of the Children's Rights Campaign launched on 20 November 1999 by the (abolished) Social Services and Child Protection Agency for the purpose of promoting and fostering the rights of the child, Provincial Children's Rights Committees were established with the participation of child representatives; these committees have been working since 2000. The studies carried out with child representatives from the provincial children's rights committees in 81 provinces can be summarized as follows:

- The "1st Turkey Strategy Document on the Rights of the Child" for the period of 2012-2016 was prepared by the General Directorate of Child Services of the Ministry of Family and Social Policies, so as to ensure effective implementation and coordination of the rights of the child. Special importance was attributed to the opinions of children during the preparation of the strategy document. In order to get the opinions of children during this process, a survey was conducted on 6230 children in the 9-18 age group, who were members of the democracy and student assemblies, child councils and provincial children's rights committees of 81 provinces; the survey results were compiled in a report, and a children's workshop was organized with the participation of 70 children. The "1st Turkey Strategy Document and Implementation Plan on the Rights of the Child" was finalized in consultation with the Turkish Industry Management Institute of the Scientific and Technological Research Council of Turkey (TUBİTAK) in collaboration with the Children's Foundation, the (abolished) General Directorate of Social Services and Child Protection Agency, and the Istanbul University as stakeholders at the First Children's Rights Congress of Turkey held on 5-27 February 2011 under the auspices of the Speaker of the Turkish Grand National Assembly. At the Congress, child and adult representatives discussed the strategy

documents. The opinions of the children were referred to in all phases of the Congress, and children and adults announced declarations on many issues experienced in the area of the rights of the child. Declarations, posters, projects and short films on the subject were published. Within the scope of these Congress works, the opinions of not only the children but also the relevant public agencies and organizations, universities, children's rights NGOs and experts' opinions were taken in order to determine a roadmap based on the right domains of children and for the realization of the rights of the child, and for identifying, implementing and monitoring the relevant standards. Special importance has been given to include the views of children at all stages of the Strategy Document.

- Children's forums are held every year on 20 November, the Universal Children's Day, with the participation of child representatives from the provincial children's rights committees of 81 provinces. Within the scope of these forums, the views of child representatives on the current affairs concerning them are compiled and shared with the MPs and officials of the parliament, a practice which has become a tradition. In the 12<sup>th</sup> Children's Forum, held in 2011, the final declarations of the children and adult workshops held as a part of the "Conference on Information and Communication Technologies in Turkey and the Use of the Internet and Internet Technologies by Children and Youth" were shared with MPs and officials at the Turkish Grand National Assembly. After the presentation of the declarations, the Speaker of the Parliament promised to have a parliamentary research committee set up to examine the subject. The commission was set up and has already started working.
- The General Directorate of Child Services, working with the vision to "make Turkey a role-model with children who can make their dreams come true, who can mirror their happiness on their faces, and who can make their voices heard", held the "Workshop on the Views of Children in the Process of Making the New Constitution" on 31 January – 2 February 2012 in Ankara, in order to ensure the participation of children in the process of making the new Constitution at the national level. Within the scope of the workshop, the report on "The Views of Children in the Process of Making the New Constitution", covering the views of children on the issues they want to address in the new Constitution, and the letters written and pictures drawn by children themselves were compiled and submitted to the Speaker of the Turkish Grand National Assembly by the children. Furthermore, dedicated web pages featuring the views of children were created on the web sites of both the Turkish Grand National Assembly and the Ministry of Family and Social Policies.
- The Basic Law on National Education Law No. 1739 has started to be implemented based on the "UN Convention on the Rights of the Child" and the "European Convention on the Exercise of Children's Rights" and the protocol on "Democracy Education and School Councils Project" signed between the Presidency of the Turkish Grand National Assembly and the Ministry of National Education. Every school has a school council, and those elected to serve in these councils elect the provincial council and the president of the council. Every year, on the week of the 23 April National Children's Festival, representatives of the provincial school councils hold a general assembly session at the Turkish Grand National Assembly, where they express their views.

51. In short, importance is given to the participation of children and young people in all areas in Turkey, and children are able to freely express their ideas and views in all areas.

**Reply to the list of issues raised in part I, paragraph 8, of the list of issues.**

52. The provisions of article 27 of the Social Services Law No. 2828 and the provisions of the Turkish Penal Code are applied to those who commit crimes against children who are under protection or care in all service units of the Ministry of Family and Social Policies (MFSP) General Directorate of Child Services. In addition, in the relevant sections of the Turkish Penal Code, if the perpetrator of a violent crime against children has lineal kinship with the child or is a public employee with supervisory powers over the child (such as teachers, health professionals etc.), this is considered an aggravating element.

53. Institutional physical punishment of the child is prohibited in our internal legislation; in the event that such a punishment is discovered, necessary judicial and administrative actions are taken against those responsible for the act, within the framework of the Circular of the General Directorate of Child Services on “Principles for Filling Official Complaints”, dated 27 March 2007 and No. 2007/05. In addition, attorneys working for the Ministry of Family and Social Policies also protect the rights of the child by participating in the court procedures as the intervening party.

54. The “Draft Law on the Protection of Women and Family Members from Violence” (see reply to the issues raised in paragraph 6 of the list of issues) includes measures regarding women, children and other family members who are exposed to violence or at risk of being exposed to violence.

55. The “Strategy and Action Plan for Preventing and Reducing Violence in Educational Environments (2006-2011)” was put into practice in 2006. The Action Plan identifies the activities that should be carried out by the Ministry of National Education and all other responsible and supportive agencies and organizations. The Action Plan was prepared with a holistic approach covering five main intervention areas: “Management Processes”, “Teachers and Administrators”, “Students”, “Educational Environment In and Around the School” and “Family”. The provincial steering committees prepare and implement their own action plans for these identified intervention areas; periodical reports are prepared twice a year, on December and June, and sent to the Ministry of National Education.

56. Preventive actions are carried out by the MoNE at three levels to address risk factors, including violence and bullying in educational environments. At the primary prevention level, teachers, students, parents and school administrators are provided with informative guidance services. At the secondary prevention level, protective and supportive psychological counselling and guidance services are provided to individuals who are in the risk group. At the tertiary level, works are carried out to address visible and tangible psycho-social problems. When necessary, these works include collaborating with the school, the family, the police and health and social service units. Activities carried out to date under the Action Plan are as follows;

- Spot films on the basic life skills that children should acquire were produced and distributed, along with visual materials, posters, banners and various activities.
- With regard to things that should be done under the Action Plan, 40,000 Summary Plan Posters describing the five intervention areas and allowing mapping of the things to do within the process were prepared and sent to school principals. This activity aimed to ensure that all school personnel see clearly the things to be done during the relevant school year, and are mobilized in line with the tasks assigned to them in that line.
- A Circular regulating how IT tools should be used during educational activities in educational environments has been issued. Through this Circular, the explanations, limits and responsibilities related to the use of IT tools have been clarified.



- Within the scope of the “Life Skills Education Programme”, children and adolescents in the 10-19 age group were reached and given training by previously trained peer educators.
- Age 7-19 Parent Education Programme was prepared and delivered to parents, to minimize domestic risks and prevent and reduce the likelihood of risky behaviours by children and adolescents.
- With the newly developed case study form, events of violence taking place in educational environments around the country are being monitored and necessary measures are being taken. It has been seen that there has been a 32 per cent reduction in events of violence since 2006. In this framework, in the light of data obtained since 2006, it is evaluated that the activities carried out under the “Strategy and Action Plan for Preventing and Reducing Violence in Educational Environments (2006-2011)” have proven functional.
- In September 2007, the “Protocol of Cooperation on Increasing Protective and Preventive Measures to Ensure a Safe Environment in Schools” was signed between the Ministry of National Education and the Ministry of Interior, Directorate General of Security.
- In order to bring the said Protocol to life, Circular No. 2007/72 was issued. The Circular defined the duties and responsibilities of education directorates, educational institutions and their personnel. The said Circular identified the working areas as per the Protocol, as follows.
  - The duties of the security directorates (police departments) under the Ministry of Interior shall be as follows under the Protocol:
    - Necessary measures shall be taken with regard to public order and traffic, especially during school start and end hours.
    - Security shall be increased around the school.
    - Inspections on school busses shall be increased.
    - Inspections shall be increased especially in parks and gardens located in the vicinity of schools and in other public areas, so as to protect students.
    - Measures shall be taken to protect students from pornographic publications and other negative elements that may have adverse effects on the development of students.
    - Efforts shall be increased to prevent students from carrying or accessing sharp, piercing, rending or other similar tools.
    - Existing measures to keep students away from illegal organizations and ideological activities shall be increased.
  - In accordance with the Protocol, provincial/district education directorates and the provincial/district police departments (security directorates) in the same province/district shall perform the following duties:
    - Contact points for school security shall be identified.
    - Provincial/district steering committees shall inform the contact points.
    - School-specific security measures will be developed by formulating security models for educational environments.
    - The relevant personnel shall be given training including information that may be useful in the process of prevention and risk mitigation.

- Internal and external factors that negatively affect safety and security in schools shall be identified.
- In 2009, the “Circular on Preventing and Reducing Violence in Educational Environments” was issued, which provided for implementation of various measures. In this framework, each unit within the Ministry of National Education has planned the trainings to be administered for their own personnel. So far, relevant trainings have been delivered to 1053 school administrators, inspectors and teachers. Additionally, at the local level, education directorates have delivered trainings on the subject to school administrators, teachers and families.

57. Since April 2006, the Ministry of National Education has been collecting data via the “Case Study Form” included in the MoNE IT Systems Module, so as to monitor violence and events that are the cause of violence in educational environments.

**Reply to the list of issues raised in part I, paragraph 9, of the list of issues.**

58. In accordance with Law No. 5366 on Renovating, Conserving and Actively Using Dilapidated Historical and Cultural Immovable Assets, 9 building plots have been listed as “renovation area” with the Beyoğlu Municipality Council Decision dated 20 February 2006 and No. 10172, and the Decision of the Council of Ministers No. 10172 published in the Official Gazette dated 28 March 2006. In this framework, the Tarlabası Neighbourhood Stage 1 Renovation project, included within the borders of the İstanbul Beyoğlu Municipality, was launched in 2006 by inviting all related property owners and ensuring consultation with their active participation; the project implementation started with a high level of support from property owners.

59. Within the project scope, the project coordination office was opened in the beginning of 2008. At the project coordination office, all relevant persons, including property owners, tenants and occupants living in the renovation area, were informed about the process through one-on-one interviews. Contracts drawn through a process of conciliation, and all evacuation covenants obtained from the tenants were signed in the presence of a notary public, after setting the conditions through mutual agreement.

60. In order to eliminate any damage to tenants and occupants, rents were not collected from tenants who had signed a covenant undertaking evacuation, the families were relocated using the workers and transport vehicles of the municipality, relocation aids were paid in cash, and it was ensured that tenants and occupants were able to benefit from the Housing Development Administration’s Social Housings with very low advance payments. 150 families have been delivered their new houses. Similarly, the tenants and owners of workplaces in the project area were also provided with financial support in terms of their income and trade losses.

61. In addition to all these, in view of the socio-economic status of the area, a division of the Directorate of Social Aid Affairs was opened in a ward close to the area, in order to be closer to the local community, to bring the services directly to them, and to share their problems. As a result of the assessment made by this division, those in need were distributed food from the public soup kitchen located in the area. Families who were unable to provide for their personal hygiene and care and who lacked adequate hygienic conditions were provided with in-kind and in-cash assistance, including their laundry and cleaning needs. Children have been taken to a one-week camp to ensure their adaptation to the social life. Summer schools were opened for children, along with training courses on various sports branches.

62. All evacuation procedures have been carried out in compliance with due process of law by the Municipality, with no aggravation to any of the families.

**Reply to the list of issues raised in part I, paragraph 10, of the list of issues**

63. In Turkey, all children benefit from health insurance until the age of 18. All citizens who are in need with no health insurance are provided health insurance services within the scope of the universal health insurance scheme.

64. Furthermore, since 2003, the Ministry of Health has established 29 health service areas in the country so as to minimize regional differences, hence ensuring treatment diversity throughout the country. In this framework, it is aimed to ensure that patients can get all kinds of healthcare services under optimum conditions within their own health service areas. Moreover, under the “Regulation on Home-Based Care Services” issued by the Ministry of Health, delivery of services to those who are unable to access these services. For example, the “Guest Mom Project/Misafir Anne Projesi” is continuing, under which pregnant women who have difficulty in accessing health services are brought to the centres where the health institutions are located, 15 days before the expected delivery date, and are returned to their homes after delivery. (see reply to the list of issues raised in paragraph 4 of the list of issues) for current investments and targeted numbers in Health service areas, and statistics on existing and final hospital numbers).

65. The latest Turkey Demographic and Health Survey (TNSA), which is a national sampling survey and which is carried out every five years by the Hacettepe University, Population Studies Institute, was carried out in 2008 in collaboration with the Ministry of Health (Directorate General of Mother and Child Health and Family Planning), and the Undersecretariat of the State Planning Organization. According to the results of this survey; 91.3 per cent of all births taking place in the country in the last five years were assisted by trained health personnel. This shows a 12 per cent increase compared to TNSA-2003. According to survey results, more than six out of ten births were assisted by a doctor and more than one fourth by a nurse/midwife, while 8 per cent of the births were assisted by traditional midwives or relatives/friends. The findings indicate a disparity between rural and urban areas with regard to the percentage of births assisted by health professionals. While 95.7 per cent of all births were assisted by health professionals in urban areas, this goes down to 80.2 per cent in rural areas.

66. The “Promoting Breastfeeding and Baby-Friendly Health Institutions Programme” has been carried out by the Ministry of Health since 1991 in cooperation with UNICEF in order to promote, encourage and support breastfeeding. Under the programme, which is recommended and implemented by the World Health Organization, the key message is that “breastfeeding should be initiated within the first hour of life, with exclusive breastfeeding for the first six months, and continued until two years of age along with appropriate foods after the sixth month”.

67. Since the beginning of the programme, a total of 26,280 health personnel have received training on breast-milk and breastfeeding counselling. In a study carried out in 2010, it was determined that trained health personnel have provided training on breastfeeding to 866,314 people, and on supplementary foods for babies to 695,159 people throughout Turkey.

68. Hospitals that are trained by the national baby-friendly hospitals central training team and have the correct breastfeeding practices established in their premises are visited by the “national baby-friendly hospitals assessment team” and are evaluated within the framework of an international standard form. Hospitals determined to have successful practices as a result of these evaluations are awarded the title “baby-friendly hospital” with the decision of the “breastfeeding committee”. To date, 847 out of 1600 hospitals have been awarded the title “baby-friendly hospital”.

69. In the health centres where mothers can apply with regard to their breastfeeding problems after being released from the hospital, training groups have been set up in 33 provinces, as “mother support groups” and “mother-to-mother support groups”. Since the

beginning of the programme, a serious increase has been achieved in the number of breast-fed infants. The percentage of infants exclusively breast-fed in their first six months has increased from 21 per cent in 2003 to 42 per cent in 2008.

70. Works are continuing for national adaptation of the International Code of Marketing of Breast-Milk Substitutes prepared by the WHO and UNICEF for the purpose of promoting and supporting breastfeeding.

**Reply to the list of issues raised in part I, paragraph 11(a), of the list of issues**

71. Convicted and on-remand juvenile prisoners can easily be affected from the negative consequences that may be caused by adult criminals, due to development period they are going through. Therefore, it is important that children are kept in a separate section of the prison, away from the adults, or in a separate juvenile institution, in order to protect them from such negative consequences and against risks such as being abused or dragged into crime etc by adults, prevent them from heading towards unfavourable directions, and ensure that they benefit more effectively from the appropriate intervention methods they need. In accordance with the relevant national and international legislation, (Law on the Enforcement of Penal and Security Measures No. 5275, Convention on the Rights of the Child, the Havana Rules and the Beijing Rules), children should be kept separate from adult prisoners who are convicted or on remand. This classification takes into account the child's age, sex and criminal status.

72. As per Law No. 4681 on Penal Institutions and Prisons Monitoring Boards, penal institutions and prisons monitoring boards have been set up to see and investigate on-site the management, operation and practices of penal institutions and prisons, get information and report the findings in writing to official and relevant authorities, within the principles set forth in the applicable legislation and international conventions signed. There is one representative from each provincial bar association in the Prisons Monitoring Board; the representatives make regular visits to prisons, observe the prison conditions, interview the convicts and gather information on their living conditions and whether they are subjected to any maltreatment. This structure enables bar associations to supervise, independent from the Ministry, the services rendered by the Ministry of Justice.

73. In addition, juvenile penal institutions and children's training homes are regularly inspected by the Board of Auditors and the Justice Inspectors. Moreover, the Turkish Grand National Assembly Human Rights Review Commission and the Provincial and District Human Rights Boards also carry out inspections.

74. In 2011, five investigations were initiated into allegations of maltreatment of a child by the personnel of a penal institution. At the end of the investigation, the charges were dismissed for two personnel, and administrative penalties were ruled against two personnel and the judicial investigation into the matter still ongoing. The investigation into one of the personnel is also ongoing.

75. Various projects and programmes are being carried out to protect the rights of children in prisons and detention houses, raise the awareness of the prison personnel and strengthen the services carried out in penal institutions.

76. The "Towards Better Governance, Protection and Justice for Children in Turkey" project was carried out between 2005 and 2008 so as to improve the services carried out in penal institutions, with a view to ensure that children dragged into crime are able to exercise their rights, to minimize the negative effects of incarceration and to ensure their reintegration with the society, with the financial support of the European Union and the technical assistance of UNICEF.

77. As a result of the project, an intervention and support programme was developed, consisting of seven modules and two in-service training programmes for personnel working with and for children in penal institutions. With these programmes, it is aimed to achieve a

common unity of language, attitude and practice in and among institutions for children in penal institutions. Completed in 2008, the project's training outcomes were developed into a program, and started to be taught in in-service trainings at Training Centers for the Personnel of Prisons and Detention Centres. Works carried out under the project can be summarized as follows:

- Trainings on subjects such as communication, teamwork, national and international legislation on juveniles, studies to prevent negligence and abuse, crisis management and conflict management, are being delivered to the personnel of all levels (directors, social workers, psychologists, teachers, prison guards, secretaries and other personnel members) working with and for children in penal institutions.
- Within the scope of Psycho-Social Support and Intervention in-Service Training Programme, practitioner trainings are carried out on use of appropriate techniques and methods and on identifying risks and needs of children dragged into crime for the personnel working for and with children in penal institutions.
- With regard to prison guards, the General Information and Principles, Approach to Sexual Abuse, and Psycho-Social Support Information modules aim to fill the knowledge gaps of the personnel and prevent any possible deprivation of rights. In addition, Personal Development, Safe Behaviour, and Anger Management modules aim to support the personalities and personal developments of children, increase their awareness levels, equip the children with new life skills and prevent criminal behaviour, while the Parent Education programme aims to ensure the parental support that the child will need during his/her time in the institution and after release.

78. The Project on Training and Working in the Penal Enforcement System was carried out in 2009-2011 for the purpose of setting up various workshops in four penal institutions for women and children, which are accepted as vulnerable groups, and training our personnel on human rights, women's rights and children's rights, and ideal prison management. Many workshops were put into operation as a result of internships, the group Leadership phase has been achieved at the Ankara Penal Institution for Juveniles and Youth. Group leaders, selected among prison guards who have gone through pedagogic training, fill in the gap of adult role models who can set parental and disciplinary examples for children and young people who are separated from their families due to their incarceration. The group leader spends all his assignment hours with the children under his/her responsibility. The group leader also fulfils educational duties such as duties of equipping his/her charges with everyday life skills, ensuring their participation in educational, sports, social and cultural activities and in individual and group-based psycho-social support programmes, as well as the duty of preventing abusive behaviours that may take place among children, such as peer bullying.

79. Within the context of Judicial Reform Strategy, the Project "Justice for Children" has been organized. The aims of the Project are: effective implementation of the Child Protection Law, providing high quality services for the subjected children, constituting and extending the individualized treatment systems. As mentioned above, the Project includes EU provided financial support and UNICEF provided technical support. The partners of the Project are the Ministry of Justice, the Ministry of Family and Social Policies, the Supreme Council of Judges and Public Prosecutors and the Turkish Justice Academy.

**Reply to the list of issues raised in part I, paragraph 11(b), of the list of issues**

80. Within the scope of the project Strengthening the Budget Planning and Preparation Process, finance by the Government of the Netherlands, necessary physical arrangements have been made in line with group leadership practices, and chambers where every child can spend time alone and sleep when not engaged in education, learning and social

activities with others. These chambers are controlled with modern security systems, except for privacy areas. In consideration of these projects, plans have been made for Children's Education Home with a capacity of 140 children in Istanbul, İzmir, Erzurum and Diyarbakır, and a Child and Youth Closed Penal Institution in Diyarbakır, Tarsus and Kayseri, while the construction works are underway for the Ankara Children's Training Home. The İzmir/Aliağa campus Juvenile Closed Penal Institution, for which the construction works have been completed, will be opened shortly.

**Reply to the list of issues raised in part I, paragraph 12, of the list of issues**

81. With the amendments made in some articles of the Anti-Terror Law No. 3713 with Law No. 6008 dated 22 July 2010, it is ensured that the penalty increase applied for adults is not applicable to juveniles, as per the paragraph reading "The provisions of this article shall not apply to juveniles", added to article 5 of the Anti-Terror Law, in line with the two primary goals of the juvenile justice system: the principle of "proportionality" and the principle of "always upholding the best interests of the child".

82. With the amendment made in article 9 of the Anti-terror Law, the sentence reading "Cases filed against juveniles older than 15 years of age on the basis of these crimes shall also be administered in these courts" was omitted from the Law, enabling juveniles who have committed a crime of terrorism to be tried in juvenile courts regardless of their ages.

83. By removing the phrase "who have not completed fifteen years of age" in the second sentence of paragraph one of article 13 in the Anti-Terrorism Law, the prohibitions regarding the deferral, commutation or suspension of sentences have been removed for juveniles committing crimes of terrorism regardless of their ages.

84. Depending on the decision on article 34/a added to the Law on Assemblies and Demonstration Marches, the provision that "Persons who are not members of a terrorist organization, but commit a crime in the name of the organization, are also deemed to be terrorist offenders and shall be subject to the same punishment as members of such organizations", set forth in paragraph 2 of article 2 of the Anti-Terror Law, will not be applied for juveniles committing the crime of resisting or propaganda by participating in an illegal assembly or protest march.

85. When the 15-month period preceding the coming into effect of the legal arrangements are compared to the 15-month period following the effective date of the new arrangements, significant improvements are seen in the statistics. An evaluation of one of the provinces where violent social incidents are common shows a 122 per cent increase in social events of a terror nature; and increase of 109 per cent in the number of apprehended suspects under 18, yet a 64 per cent decrease in the number of arrested individuals under 18.

86. On the other hand, with regard to measures taken by Security Directorates (Police Departments) to reduce the effect of terrorism on children, various projects are being carried out, such as Information Activities, Social Projects, Activities with Families etc, with the purpose of building and developing communication channels, preventing terrorist organizations from winning over new members, neutralizing the effects of the propagandas of terrorist organizations, ensuring the surrender of members of terrorist organizations, and ensuring public support in the combat against terrorism.

87. These activities are mainly carried out for the purpose of preventing our citizens, especially the young ones, from joining terrorist organizations, along with an aim to prevent young people from being taken in by harmful structures and their minds from being polluted by such formations. Informative and Preventive Activities are carried out especially in our eastern and south-eastern provinces, so as to rehabilitate the psychological damages inflicted on our citizens due to terrorist activities. Data of the Ministry of Justice

on juveniles charged with the crime of terrorism between 2009 and 2010 in Turkey are given below:

*Number of crimes and juvenile offenders at brought actions at criminal courts thereunder law no 3713, articles 5 and 7 and Turkish Penal Code (law no 5237), article 220 in the years 2009 and 2010*

Years	Law No	Related article	No of crimes	No of individual offenders (Turkish citizen)			
				12-15 of Age		16-18 of Age	
				M	F	M	F
2009	5237	220-7	1			1	
	5237	220/1	87	15		69	3
	5237	220/2	341	76	13	228	24
	5237	220/5	0				
	5237	220/6	0				
	5237	220/7	46	11		29	6
	5237	220/8.1	73	26	5	37	5
	5237	220/8.2	0				
	3713	7/1	1			1	
	3713	7/2	1.404	528	54	747	75
	3713	7/3	3	3			
	5237	220-7	26	16		10	
	5237	220/1	115	20	2	84	9
	5237	220/2	549	138	28	356	27
	5237	220/4	13	4		9	
	5237	220/5	0				
	5237	220/7	79	23	8	43	5
5237	220/8.1	376	108	4	244	20	
5237	220/8.2	0					
2010	3713	7/1	9	2	1	6	
	3713	7/2	4.455	1470	110	2687	188
	3713	7/3	9	7		2	

*Types of judgements and number of juvenile offenders at concluded cases at criminal courts thereunder law no 3713, articles 5 and 7 and Turkish Penal Code (law no 5237), article 220 in 2009 and 2010*

<i>Type of crime</i>			<i>Conviction</i>				<i>Acquittal</i>				<i>Other judgements</i>				
<i>Years</i>	<i>Law No</i>	<i>Related Article</i>	<i>No of Crimes</i>	<i>No of individual offenders Turkish citizen)</i>				<i>No of individual offenders (Turkish citizen)</i>				<i>No of individual offenders (Turkish citizen)</i>			
				<i>12-15 of age</i>		<i>16-18 of age</i>		<i>12-15 of age</i>		<i>16-18 of age</i>		<i>12-15 of age</i>		<i>16-18 of age</i>	
			<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	
2009	5237	220-5	0	0	0	0					0	0	0	0	
	5237	220-7	0	0	0	0					0	0	0	0	
	5237	220/1	89	1	0	10	0	7		28	4	0	38	1	
	5237	220/2	307	8	1	29	2	14	3	39	6	43	13	128	21
	5237	220/3	0	0	0	0	0					0	0	0	0
	5237	220/4	0	0	0	0	0					0	0	0	0
	5237	220/5	0	0	0	0	0					0	0	0	0
	5237	220/6	0	0	0	0	0					0	0	0	0
	5237	220/7	59	1	0	2	0	5		18	1	9	0	19	4
	5237	220/8.1	109	2	0	10	1	10		15	1	28	8	28	6
	5237	220/8.2	0	0	0	0	0					0	0	0	0
	3713	7/1	19	0	0	8	0	5	0	0	0	2	0	4	0
	3713	7/2	1622	187	23	380	34	115	3	145	20	313	33	327	42
	3713	7/3	3	2	0	0	0	0	0	1	0	0	0	0	0
2010	5237	220-5	0	0	0	0	0					0	0	0	0
	5237	220-7	38	0	0	0	0					25	0	13	0
	5237	220/1	112	2	1	3	0	6		30	2	15	0	44	9
	5237	220/2	572	3	1	43	1	15	1	85	8	115	18	259	23
	5237	220/3	0	0	0	0	0					0	0	0	0
	5237	220/4	18	0	0	0	0	3		1		5	0	9	0
	5237	220/5	0	0	0	0	0					0	0	0	0
	5237	220/6	1	0	0	0	0	1				0	0	0	0
	5237	220/7	58	2	0	3	0	2		7		16	6	18	4
	5237	220/8.1	342	1	0	4	0	11	2	4		100	1	204	15
	5237	220/8.2	0	0	0	0	0					0	0	0	0
	3713	5/1	7	0	0	0	0	1	0	2	2	1	1	0	0
	3713	7/1	2	0	0	0	0	0	0	0	0	1	0	1	0
	3713	7/2	3958	137	13	274	32	72	6	93	9	1114	88	1974	146
	3713	7/3	4	0	0	0	0	0	0	0	0	4	0	0	0



*Types of judgements and number of juvenile offenders at concluded cases, at high criminal courts authorized according to law no 5190, thereunder law no 3713, articles 5 and 7 and Turkish Penal Code (law no 5237), article 220 in the years 2009 and 2010*

Type of crime		Conviction				Acquittal				Other judgements					
Years	Law No	Related Article	No of Crimes	No of individual offenders (Turkish citizen)		No of individual offenders (Turkish citizen)		No of individual offenders (Turkish citizen)		No of individual offenders (Turkish citizen)		No of individual offenders (Turkish citizen)			
				12-15 of age	12-15 of age	16-18 of age	12-15 of age	12-15 of age	16-18 of age	12-15 of age	16-18 of age				
				M	F	M	F	M	F	M	F	M	F		
2009	5237	220-7	1	0	0	0	1			0	0	0	0		
	5237	220/1	356	0	0	2	318	2	18	2	0	13	1		
	5237	220/2	1351	5	15	14	1197	10	32	4	15	4	46	9	
	5237	220/3	1	0	0	0	1			0	0	0	0		
	5237	220/4	0	0	0	0	0			0	0	0	0		
	5237	220/5	3	0	0	0	3			0	0	0	0		
	5237	220/6	0	0	0	0	0			0	0	0	0		
	5237	220/7	143	3	2	1	91	5	16	6	0	17	2		
	5237	220/8.1	147	2	10	3	75	4	10	15	5	22	1		
	5237	220/8.2	0	0	0	0	0			0	0	0	0		
	3713	7/1	10	0	0	8	0			1	0	1	0		
	3713	7/2	1467	181	17	380	33	87	2	144	20	219	24	320	40
	3713	7/3	4	1	0	0	1			1	0	0	1	0	
2010	5237	220-5	0	0	0	0	0	0	0	0	0	0	0		
	5237	220-7	13	0	0	0	0	0	0	0	8	0	5	0	
	5237	220/1	46	0	0	1	0	0	0	14	0	5	0	22	4
	5237	220/2	373	6	0	38	0	12	1	53	4	73	14	159	13
	5237	220/3	0	0	0	0	0	0	0	0	0	0	0	0	
	5237	220/4	10	0	0	0	0	3	0	1	0	3	0	3	0
	5237	220/5	0	0	0	0	0	0	0	0	0	0	0	0	
	5237	220/6	0	0	0	0	0	0	0	0	0	0	0	0	
	5237	220/7	35	1	0	5	0	1	0	3	0	11	3	8	3
	5237	220/8.1	197	2	0	5	0	2	2	1	0	61	1	116	7
	5237	220/8.2	0	0	0	0	0	0	0	0	0	0	0	0	
	3713	5/1	7	0	0	0	0	1	0	2	2	1	1	0	0
	3713	7/1	2	0	0	0	0	0	0	0	0	1	0	1	0
3713	7/2	2813	123	10	273	32	55	5	84	9	748	57	1313	104	
3713	7/3	2	0	0	0	0	0	0	0	0	2	0	0	0	

*Number of judgements and juvenile offenders at brought actions, at high criminal courts authorized according to law no 5190, thereunder law no 3713, articles 7 and Turkish Penal Code (Law No 5237), article 220 in the years 2009 and 2010*

Years	Law No	Related Article	No of Crimes	No of Individual Offenders (Turkish Citizen)			
				12-15 of age		16-18 of age	
				M	F	M	F
2009	5237	220-7	1			1	
	5237	220/1	24	2		21	1
	5237	220/2	143	26	8	98	11
	5237	220/5	0				
	5237	220/6	0				
	5237	220/7	39	9		26	4
	5237	220/8.1	53	18	3	31	1
	3713	7/1	1			1	
	3713	7/2	1263	403	44	741	75
	3713	7/3	2	2			
	5237	220-7	1			1	
	5237	220/1	41	6		33	2
	5237	220/2	238	70	12	148	8
	5237	220/4	3			3	
	5237	220/5	0				
	5237	220/7	29	10	3	13	3
	5237	220/8.1	132	42	3	81	6
	5237	220/8.2	0				
2010	3713	7/1	5	1	1	3	
	3713	7/2	1980	615	46	1.225	94
	3713	7/3	1	1			

**Reply to the list of issues raised in part I, paragraph 13, of the list of issues**

88. With the Law No. 5510 enacted in 2008, stateless persons and asylum-seekers have been included within the scope of the Social Insurance and Universal Health Insurance Scheme. In addition, children with asylum-seeker/refugee status who are at compulsory education age or who have only just passed the schooling age but who have not yet enrolled in a school are identified, and it is ensured that these children of primary education age are enrolled in schools after their families are personally interviewed by the alien monitoring and control team in contact with provincial national education directorates.

89. Unaccompanied minors entering Turkey via illegal immigration are taken under care in units suitable for their ages and genders in organizations attached to the Ministry of Family and Social Policies, where their education, health, social and cultural needs are met. Social Assistance and Solidarity Foundations, Provincial Directorates of Family and Social Policies, Municipalities, the Red Crescent organization and private agencies and organizations and NGOs provide in-kind aids such as food, fuel to refugees and asylum-seekers in need, who can also benefit from all other available aids and benefits on the same conditions with Turkish nationals. Apart from that, with the Law No. 5510 passed in 2008, stateless persons and asylum-seekers have been included under the coverage of the Universal Health Insurance scheme.

90. Interviews with refugee/asylum-seeking children are held in the presence of a psychologist and a social service specialist, and interpreters are provided by contacting the relevant consulates.

91. According to the statistics of the Turkish National Police Organization, there are 983 children applied for or granted asylum-seeker/refugee status who are continuing their education in the 2011/2012 school year. The health spending by the Directorate General of the Social Assistance and Solidarity Foundation for applicants for refugee/asylum-seeker status are as follows: TL 160.406 for 2,208 people in 2009; TL 155.271 for 2,129 people in 2010; and TL 132.036 for 1,864 people in 2011. In addition, the Directorate General of the Social Assistance and Solidarity Foundation has spent the following amounts for refugee/asylum applicants and refugees/asylum-seekers: TL 2,183,833 for 17,378 people in 2009; TL 1,244,336 for 16,358 people in 2010; and TL 1,250,662 for 17,947 people in 2011.

**Reply to the list of issues raised in part I, paragraph 14, of the list of issues.**

92. The project for Strengthening Institutional Capacity in the Combat Against Human Trafficking was carried out by the Ministry of Interior in 2005-2007 with the purpose of achieving minimum standards for tackling human trafficking in Turkey, strengthening the institutions working in this area, ensuring harmonization with the EU acquis, adopting an anti-trafficking strategy and implementing sectoral action plans. At the end of the project, a national action plan identifying Turkey's targets in this area was prepared with the participation of relevant public agencies and NGOs.

93. Turkey set up its National Task Force in 2002 on the basis of ensuring a coordinated and effective combat against human-trafficking, and prepared its second National Action Plan in 2009 after the successful completion of its first action plan. "157 Hotline" was set up to prevent trafficking in human beings and to rescue victims of human trafficking.

94. Information campaigns and awareness-raising activities have been carried out at the national and international level since 2005 in cooperation with the International Organization for Migration (IOM). Activities are being carried out by all agencies so as to improve institutional capacity.

95. Turkey has shown its determination at the highest level in this matter by signing the Council of Europe Convention on Action against Trafficking in Human Beings. More effective victim protection systems and ensuring gender equality constitute the basis of this Convention. The works of our law enforcement and judicial personnel in the investigation and prosecution of the crime constitute an important part of this combat. In this sense, trainings aimed at strengthening the capacities of the personnel have been carried out in cooperation with the International Organization for Migration.

96. Efforts to introduce binding sanctions against the crime of human trafficking are continuing since 2002. Within the scope of the National Action Plan, studies have been initiated to review the human trafficking-related provisions of the Turkish Penal Code and Code of Criminal Procedure, and to increase the support services provided to victims.

97. As of 2011, workshops have been organized for Ministry of Interior (MoI) inspectors and labour inspectors within the scope of capacity building activities.

98. A new project for strengthening the National Steering Mechanism, financed by the EU, will be launched in 2012. With this project, it is planned to increase the involvement of NGOs in identification of victims of human trafficking and in provision of help.

99. In line with the current practice, "identification of human trafficking victims" and the subsequent procedures are carried out by the Directorate General of Security. In cases requiring extensive operations and technical support, support is received from NGOs and IOM.

100. The victims of human trafficking have been identified, with the following breakdown: 148 in 2007, 120 in 2008, 102 in 2009, 58 in 2010, 82 in 2011, and 6 in 2012.

101. The breakdown by years of the number of individuals who have been apprehended with judicial action initiated against them for involvement in the crime of trafficking in human beings or associated crimes in Turkey is as follows: 308 in 2007, 253 in 2008, 301 in 2009, 108 in 2010, 107 in 2011, and 16 in 2012.

102. “The National Task Force on Combating Trafficking in Human Beings” holds periodical meetings under the coordination of the Ministry of Foreign Affairs, which is the National Coordinator, so as to discuss Turkey’s status with regard to the combat against human trafficking, and the problems and solutions; so far, 18 meetings have been held within the scope of the activities of the Task Force.

103. Following the signing of the Council of Europe Convention on Action Against Trafficking in Human Beings on 19 March 2009 by the Ministry of Foreign Affairs, works are underway to prepare a framework law in the area of combating human trafficking so as to ensure harmony between our national legislation and the Convention, again within the scope of the activities of the Task Force and under the leadership of the Ministry of Foreign Affairs.

104. As regards the foreign child victims of human trafficking, all child-related duties conferred by law on the law enforcement bodies are carried out together and in contact with the Child Police Directorates. For children identified as victims of human trafficking, lawyers are provided automatically –without seeking a request from the child; in interviews and other procedures, victims whose age-based minor statuses are still under inquiry are accepted as minors until such inquiry is completed. During the investigations and inquiries related to the child, the principle of protecting the “best interests of the child” is adhered to, and a psychologist is assigned in the investigation. The techniques used in the interviews are adjusted according to the perception and maturity levels of the child. Care is taken to make sure that the interpreters assigned in the investigation and interview phases have the cultural and emotional competencies required to earn the child’s trust. Within the framework of the legislation, procedures for appointment of lawyers and guardians for child victims are carried out in coordination with the relevant units.

**Reply to the list of issues raised in part I, paragraph 15, of the list of issues**

105. Within the scope of the observations published by the Committee on the Rights of the Child with regard to the “Optional Protocol to the Convention on the sale of children, child prostitution and child pornography”, it is recommended that coordination and supervision activities be strengthened at the local and central level and that strategies and policies be developed to this end. The restructuralization process taking place in the recent years in Turkey has brought forth some changes at legislative and institutional levels for more effective service provision. In this scope, the Ministry of Family and Social Policies has been established, bringing together under its roof the services offered to all segments of the society, including disadvantaged groups such as children, women, families, the disabled, the old, war veterans and martyrs. This new formation is an important development in terms of strengthening coordination in all social services nationwide. Furthermore, the “Bill on Ombudsman Agency” concerning the establishment of an ombudsman agency as a constitutional institution so as to create an effective supervision and independent complaints mechanism, has been communicated to the Prime Ministry for submittal to the TGNA in 2012. “Alo 183” helpline has been restructured under the Ministry of Family and Social Policies, to serve families, women, children, and the disabled. Spot films have been aired on national channels for nationwide promotion of the helpline, and necessary measures have been taken to ensure that it provides effective services.

106. Article 90 of the Constitution of the Republic of Turkey includes the provision that “International agreements duly put into effect bear the force of law. No appeal to the Constitutional Court shall be made with regard to these agreements, on the grounds that they are unconstitutional (Additional sentence: 7.5.2004-5170/7). In the case of a conflict between international agreements in the area of fundamental rights and freedoms duly put into effect and the domestic laws due to differences in provisions on the same matter, the provisions of international agreements shall prevail”. Hence, the provisions included in the protocols are binding in the domestic law. The provisions addressed within the scope of the Optional Protocol on the Involvement of Children in Armed Conflict are basically about the recruitment of those younger than 18 years of age; as stated previously in our national report, recruitment of those under 18 is not possible under the current legislation. There is no possibility that the practices, which are identified as crime in the Convention, can be performed by a state institution. Those attempting such an act may do so in violation of the constitutional order and illegally, for political-military purposes. And such crimes, –terrorist organizations, armed gangs, insurrections etc.- have specific definitions and sanctions in the criminal codes. The current legal framework is suitable to the purpose and adequate.

107. The Ministry of National Defence has prepared a Bill on Amendment of the Military Service Law and Some Miscellaneous Laws, and opened it for signatures at the Council of Ministers. The Bill foresees amendment of the phrase “younger than 15 and older and 65 years of age” in article 2, which explains that of the Law No. 3634 on the National Defence Obligations cannot be subjected to personal obligation, with regard to mobilization of children older than 15 years of age in emergencies, to read as “younger than 18 and older than 65 years of age ...”.

108. No studies have yet been conducted for ratification by Turkey of the international protocols mentioned in paragraph 17 of the Committee’s concluding observations on the initial report under the Optional Protocol on the involvement of children in armed conflict.

#### **Reply to the list of issues raised in part I, paragraph 16, of the list of issues**

109. With regard to preventing involvement of children in armed conflicts and reducing the impact of armed conflicts on children; Information Activities, Social Projects, and Activities with Families are being carried out under the coordination of the Directorate General of Security with the purpose of building and developing communication channels, taking into consideration the characteristics of target groups, preventing terrorist organizations from winning over new members, neutralizing the effects of the propagandas of terrorist organizations, ensuring the surrender of members of terrorist organizations, and ensuring public support in the combat against terrorism.

110. These activities are mainly carried out for the purpose of preventing our citizens, especially the young ones, from joining terrorist organizations, along with an aim to prevent young people from being taken in by harmful structures and their minds from being polluted by such formations. Various activities are carried out especially in our eastern and south-eastern provinces, so as to rehabilitate the psychological damages inflicted on our citizens due to terrorist activities. These activities can be summarized as follows:

- Information Activities: These are activities targeting all segments of the society, and particularly the educational institutions, so as to ensure informed decision-making by young people who are exposed to or at risk of exposure to propagandas of terrorist organizations, aiming at raising awareness against the propaganda activities of terrorist organizations, and informing the people about democratic means of participation instead of terrorism, which is political violence. Within the scope of information activities, conferences and seminars are organized, student stands are opened during university enrolment days, and peace meetings are held with the participation of community leaders.

- Social Projects: Cultural and social activities and tours and excursions are organized to prevent economic, social and cultural needs from being exploited by terrorist organizations; these activities aim to ensure normalization of children living in regions with intense terrorist activities, and rehabilitation of the trauma caused by terrorism.
- Activities with Families: In order to make use of the impact and importance of the family on children, as an important building block creating the society, interviews are made with the families of young people targeted by terrorist organizations; families are informed and supported about how they can protect their children. Also, interviews are made with the families of members of terrorist organizations, so as to persuade them to return home and benefit from the effective repentance law.

## **Part II**

### **Reply to the list of issues raised in part II of the list of issues**

#### **New bills or laws, and their respective regulations**

111. Below are the relevant laws which have recently entered into force in Turkey:

- Law No. 5982 Amending Certain Provisions of the Constitution of the Republic of Turkey (7 May 2010):
  - The statement: “Measures taken for children, the elderly, the disabled, widows and children of those killed in war or in the line of duty as well as for invalid and veterans shall not be considered as contrary to the principle of equality.” was added to article 10 of the Constitution.
  - The title of article 41 of the Constitution of the Republic of Turkey was amended as “Protection of the Family and Children” and the following paragraphs were added to the article. “Every child has the right to be protected and cared for, establish and maintain personal and direct contact with his/her parents unless this is explicitly contrary to his/her best interests. The State shall take all measures to protect children from all forms of abuse and violence.”
- Law No. 6008 Amending the Anti-Terror Law (22 July 2010):
  - The following article was added to follow article 34: “The provisions of this article shall not apply to children”.
  - The provisions of paragraph 2 of article 2 of the Anti-Terror Law No. 3713 shall not apply to children who attended meetings and demonstrations in violation of this law and committed propaganda crimes during the meetings and demonstrations they attended.
  - The following paragraph was added to article 250 of the Criminal Procedure Code (Law No. 5271.): “(4) Children shall not be prosecuted at courts established under the provisions of this law and the investigation and prosecution provisions specific to these courts shall not apply to children.” (Thus, regardless of their age, all children charged with terror crimes will be prosecuted in Juvenile Courts.)
  - The following sentence was added to paragraph 4 of article 107 of the Law No. 5275 on the Execution of Penalties and Security Measures: “The provisions of this paragraph shall not apply to children.”

- Law No. 6223 on the Organisation, Duties and Authorities of Public Institutions and Organisations and Public Officials for Regular, Effective and Efficient Execution of Public Services’ (6 April 2011): The purpose of this law is to grant the authority to the Council of Ministers to issue decrees to restructure the distribution of services among the ministries; to merge or abolish existing ministries, establish new ministries; to carry out arrangements pertaining to the hierarchical relations of the said ministries with the affiliated, relevant, associated organisations as well as those related to the duties, authorities, organisation, staff of the existing and recently established ministries, the rural and overseas organisation of these ministries, to the procedures and principles governing the appointment, transfer, designation, election, promotion, suspension and retirement civil servants and workers employed in public services, in order to ensure regular, rapid, effective, efficient and economic delivery of public services.

#### **New institutions (and their mandates) or institutional reforms**

112. In line with Law No. 6223 dated 4 April 2011, the Council of Ministers was granted the right to issue decrees in order to regulate public services and ensure rapid delivery of services. In this vein, regarding the restructuring of the distribution of roles among the ministries, amendments were brought to the Civil Servants Law No. 657, Law No. 2828 on Social Services and the Protection of Children, Law No. 5251 on the Organisation and Responsibilities of the General Directorate on the Status of Women, Law No. 5256 on the Organisation and Responsibilities of the General Directorate of Family and Social Research, Law No. 5263 on the Organisation and Responsibilities of the General Directorate of Social Assistance and Solidarity, Decree No. 190 on General Staffing and Pertinent Procedures and to the Decree No. 571 on the Organisation and Responsibilities of the Presidency of the Administration on Disabled People.

113. In this framework, the Ministry of Family and Social Policies was established with the Decree No. 633. This Decree envisages the unification of policy-making units and implementing provincial units, thereby increasing the efficiency of services provided. In line with this Decree, the General Directorate of Social Services and Child Protection, General Directorate of Social Assistance and Solidarity, General Directorate of Family and Social Research, General Directorate on the Status of Women, Presidency of the Administration on Disabled People were abolished and restructured as service units of the Ministry of Family and Social Policies under a single umbrella institution. Thus, a better coordinated, flexible organization of services to ensure rapid delivery of solutions was achieved. On the other hand, although article 61 of the Constitution specifically identifies the relatives of martyrs and veterans among groups requiring special protective measures and the State is given clear responsibility to protect these groups and ensure that they enjoy life standards that they deserve in the society; until recently, no public structure pertaining to this responsibility was established. This significant shortcoming was eliminated through the establishment of the Department of the Relatives of Martyrs Killed in War and War Veterans under the Ministry by the relevant Decree in order to implement activities related to social services for relatives of martyrs and veterans. Another arrangement brought into place by the Decree allows for monitoring social benefits from a common database thereby removing barriers to the provision of these benefits to the rightful beneficiaries who truly need these services as well as ensuring justice and transparency in the system.

#### **Recently introduced policies, programmes and action plans and their scope and financing, in particular the current Child Rights Policy and the National Child Rights Strategy for 2012–2016**

114. Given recent policies and programs implemented in Turkey, significant progress has been achieved. These developments can be summarised as follows:

- The heading of article 41 of the Constitution was amended as “Protection of the Family and Children”, by the amendment passed through a referendum on 12 September 2010 and making the issue of children’s rights a separate heading in the Constitution for the first time.
- Another step was taken in order to institutionalise activities conducted in the Turkish Grand National Assembly (TGNA) with the establishment of the Child Rights Monitoring Committee, composed of eight MPs as a civil initiative. The Committee will monitor the implementation of the Convention on the Rights of the Child in Turkey and the practical outcomes of legal arrangements, report the process and issue opinions. The website set up by the Committee forms a direct communication line for children and individuals involved in children-related activities to contact the Parliament about existing problems and comments. One of the goals of the Committee for 2012 is to gain an official identity.
- With amendments to article 74, ombudsmanship was envisaged as a constitutional institution. In this framework, activities to establish an ombudsman and an institution related to equality are underway. Among the priority areas which have special significance for the Turkish Grand National Assembly’s Child Rights Monitoring Committee is the establishment of an audit mechanism specifically in the area of children’s rights under the ombudsman institution.
- Another priority of the Ministry of Family and Social Policies for 2012 is to ensure the participation of children, youth and the disadvantaged groups in decision-making mechanisms. In this framework, children’s opinions on issues related to children are shared with Members of the Parliament and officials at the TGNA in annually held forums. Within the framework of the 12th Children’s Forum held in 2011, the “Conference on Information and Communication Technologies and Children and Youth in Turkey” was organized. Following the Forum, a parliamentary investigation commission relevant to the matter was established. Furthermore, in order to collect children’s views and ensure their participation in the drafting of the new constitution, a workshop entitled “Collecting Children’s Views on the Constitution of the Republic of Turkey” was held in Ankara between 31 January - 2 February 2012 and the final declaration comprising suggestions made by children coming from all provinces was submitted to the Speaker of the Turkish Grand National Assembly.
- In Turkey, every individual under 18 years of age is now covered by the social security services under the General Health Insurance scheme. Furthermore, health status of each family will be monitored through the Family Doctor mechanism put in place by the Ministry of Health.
- 8-year primary education is compulsory and free of charge, textbooks are provided for free by the State. Various programmes and projects have been carried out in order to ensure girls’ schooling such as “Haydi Kızlar Okula” (The Girls Education Campaign), “Baba Beni Okula Gönder” (Dad, Send Me to School). In addition to the education assistance provided by the Social Aid and Solidarity Foundation, children coming from the poorest families receive “Conditional Education Aid” on condition that they continue their education.
- There have been many developments and advancements in economic, political and cultural areas in Turkey since 1990. Since 2004, public and private radio and television corporations are able to publish and broadcast in different languages and dialects traditionally used by the citizens of the Republic of Turkey in their daily lives. 23 local, regional and satellite-based radio and television companies are broadcasting in languages and dialects other than Turkey, with relevant licences obtained from the Radio and Television Supreme Council (RTÜK). Moreover, as public corporations, the TRT 6 Television Channel and the TRT



Radio are broadcasting in different languages and dialects. Hence, a total of 25 broadcasters broadcast in languages and dialects other than Turkish.

- The main service policy of the Ministry of Family and Social Policies is to ensure that children benefit from family-based care. Children under the protection of the General Directorate of Child Services are primarily placed with their biological family or relatives, in the city and region they live in. In cases where this is not possible, there is adoption services in place to ensure that they have a healthy and continuous family environment; for the cases where this is not possible children receive foster family services. When it is unfavourable for the child to receive family care or when it is not possible for certain reasons, the child is accommodated in children's home and affection homes where he/she receives home-type institution care service. In this respect, "Aileye Dönüş ve Aile Yanında Destek" (Family Reunification Programme) which started in 2005 is still in effect and the aim of the programme is to ensure family and relative care for economically disadvantaged children without taking them under protection and to provide families whose children are under protection and accommodated in institutions with economic assistance and social service so that these children can be taken back from institution care and reunited with their own families or relatives as soon as possible.
- The Ministry of Family and Social Policies carries out programmes and projects in cooperation with various institutions on the national and international levels such as "Children First", "Towards Good Governance, Protection and Justice for Children in Turkey Project", "Improving Inter-Agency Cooperation and Coordination within Child Protection System Project", "Conscious and Healthy Youth Project" and various nation-wide family education programmes.
- Child Rights Strategy and Action Plan (2012-2016): "Turkey's Child Rights Strategy Document" has been prepared under the coordination of the General Directorate of Child Services affiliated to Ministry of Family and Social Policies in order to introduce main targets and vision for the activities to be carried out in 2012- 2016 with the aim of protecting and disseminating child rights. Academicians, public institutions and organizations, Civil Society Organizations and children have participated in preparation of the document under the coordination of the General Directorate of Child Services. The document was negotiated and finalized in the First Children's Rights Congress in Turkey with active participation of children as well. All sectors providing services for children have been covered in the document in which targets and actions so as to promote "culture of respect to child", "civil rights and freedoms", "children's rights teaching and science, art and sports education", "health and social security of the child", "special protection services for the family and the child", "juvenile justice system", "child-friendly media" and "efficient supervision, monitoring and evaluation system" are identified and various recommendations have been made in this respect.

115. Works is still in progress in order to ensure that the 1<sup>st</sup> National Child Rights Strategy Document has an inter-agency binding nature. The aim is to ensure approval of the document in question by inter-agency platform and to prepare national action plans in compliance with the strategy in 2012. According to the strategy document, responsible institutions and organizations are assigned certain tasks and the funding will be provided through the allowances within the budget of the relevant institutions.

#### **Recent ratifications of human rights instruments**

- Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence

- Framework Agreement No. 6219 between the United Nations and the Republic of Turkey on Arrangements Regarding Privileges and Immunities and Certain Other Matters Concerning United Nations Conferences and Meetings Held in Turkey
- Council of Europe Convention on the Prevention of Terrorism
- Agreement No. 6164 on Combating Illicit Traffic by Sea, Implementing article 17 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances
- Optional Protocol to the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
- Agreement No. 6059 between the World Health Organization Regional Office for Europe and the Government of the Republic of Turkey on the Establishment of a WHO Country Office in Turkey
- European Convention Establishing Personal Contact with Children
- Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse

### Part III

#### Replies to the issues raised in part III of the list of issues

116. In accordance with the principle of equality before the law stipulated by article 10 of the Constitution of the Turkish Republic, all individuals are equal before the law, irrespective of language, race, colour, sex, philosophical belief, political opinion, ethnic origin, religion, sect etc.; therefore we don't keep official statistics based on ethnic origin in the country.

#### Children reported as victims of abuse and/or negligence by parents or other relatives or caregivers, including data on general prevalence, investigation, prosecutions and convictions

117. The statistical data on abuse committed by the family, relatives or other caregivers pursuant to the statistics of the Ministry of Justice are shown in the table below.

*Records of crimes regarding children who are victims of abuse by parents, relatives or other caregivers (Turkish Penal Code, law no 5237, article 103/3)*

Year	No of records	No of people
2006	57	51
2007	146	95
2008	168	132
2009	73	59
2010	97	79
<b>Total</b>	541	416

*Number of records: Number of definitive judgements.*

Number of people: Number of convicted people.

Year: Indicates the date of the judgement.

### The number of children in alternative care settings and the reasons for such placement

118. The number of children who are under protection and institutional care at the Ministry of Family and Social Policies, General Directorate of Child Services' institutions, by reason of the protection order, is given below.

*Data on the reason of taking children under protection by years*

Reason to take the child under protection	2006		2007		2008		2009		2010		2011	
	F	M	F	M	F	M	F	M	F	M	F	M
Sexual abuse	56	9	104	19	213	25	157	33	151	27	85	19
Physical and emotional abuse	125	114	142	147	224	173	253	181	246	158	175	98
Divorce	70	122	108	162	122	151	79	125	63	90	32	54
Security of life	8	7	17	3	39	27	28	32	30	19	9	6
Natural Disaster	0	1	2	2	2	2	0	1	1	4	0	0
Loss of a parent	69	126	53	141	63	102	37	60	41	81	17	28
Substance use	0	0	0	0	0	2	3	2	3	1	1	4
Social and economical poverty	144	188	213	243	215	274	237	268	168	240	125	188
Juvenile delinquency	27	23	18	17	24	64	18	44	10	31	11	24
Missing child	70	80	101	144	88	140	80	114	84	91	54	48
Custom	2	5	8	1	12	3	7	0	2	0	1	1
Unaccompanied child	0	0	0	0	0	0	0	0	0	7	1	7
Multiple reasons	86	128	175	199	250	264	349	385	355	324	259	248
<b>Total</b>	<b>657</b>	<b>803</b>	<b>941</b>	<b>1078</b>	<b>1252</b>	<b>1227</b>	<b>1248</b>	<b>1245</b>	<b>1154</b>	<b>1073</b>	<b>770</b>	<b>725</b>

### Incidence and prevalence of sexually transmitted diseases and early pregnancies

119. The statistics of the sexually transmitted diseases per years based on the statistics of the Ministry of Health are given below.

*Reported AIDS cases and HIV carriers in Turkey by year*

Years	AIDS	HIV (+)	Total
1985	1	1	2
1986	2	3	5
1987	7	27	34
1988	9	26	35
1989	11	20	31
1990	14	19	33
1991	17	21	38
1992	28	36	64

*Reported AIDS cases and HIV carriers in Turkey by year*

1993	29	45	74
1994	34	52	86
1995	34	57	91
1996	37	82	119
1997	38	105	143
1998	29	80	109
1999	28	91	119
2000	46	112	158
2001	40	144	184
2002	48	142	190
2003	52	145	197
2004	47	163	210
2005	37	295	332
2006	35	255	290
2007	24	352	376
2008	49	401	450
2009	75	453	528
2010	70	557	627
2011	35	266	301
<b>Total</b>	<b>876</b>	<b>3950</b>	<b>4826</b>

*Gonorrhoea**Number of cases and number of deaths, morbidity and mortality rates, Turkey, 2005-2011*

Years	Midyear population	No of cases	Morbidity rate (100.000)
2005	72.065.000	536	0,74
2006	72.974.000	452	0,62
2007	70.586.256	750	1,06
2008	71.517.100	493	0,69
2009	72.561.312	317	0,44
2010	73.722.988	370	0,50
2011	73.722.988	246	0,33

*Syphilis**Number of cases and number of deaths, morbidity and mortality rates, Turkey, 2000-2011*

Years	Midyear population	No of cases	Morbidity rate (100.000)
2000	66834000	395	0,59
2001	68.365.000	384	0,56
2002	69.302.000	660	0,95
2003	70.231.000	445	0,63
2004	71.152.000	380	0,53

*Syphilis**Number of cases and number of deaths, morbidity and mortality rates, Turkey, 2000-2011*

2005	72.065.000	406	0,56
2006	72.974.000	508	0,70
2007	70.586.256	671	0,95
2008	71.517.100	661	0,92
2009	72.561.312	682	0,94
2010	73.722.988	458	0,62
2011	73.722.988	334	0,45

*Hepatitis – B**Number of cases and number of deaths, morbidity and mortality rates, Turkey, 2000-2011*

Years	Midyear population	No of cases	Morbidity rate (100.000)	No of deaths	Mortality rate (1.000.000)
2000	67.844.903	4.115	6,07	17	0,25
2001	68.365.000	5.578	8,16	9	0,13
2002	69.302.000	5.813	8,39	3	0,04
2003	70.231.000	5.206	7,41	6	0,09
2004	71.152.000	6.857	9,64	7	0,10
2005	72.065.000	8.663	12,02	3	0,04
2006	72.974.000	6.612	9,06	4	0,05
2007	70.586.256	6.451	9,14	1	0,01
2008	71.517.100	5.849	8,18	6	0,08
2009	72.561.312	5005	6,90	2	0,03
2010	73.722.988	3099	4,20	0	0,00
2011	73.722.989	2569	3,48	6	0,08

*Hepatitis – C**Number of cases and number of deaths, morbidity and mortality rates, Turkey, 2000-2011*

Years	Midyear population	No of cases	Morbidity rate (100.000)	No of deaths	Mortality rate (1.000.000)
2005	72.065.000	1.290	1,79	9	0,12
2006	72.974.000	1.065	1,46	6	0,08
2007	70.586.256	926	1,31	3	0,04
2008	71.517.100	941	1,32	2	0,03
2009	72.561.312	985	1,36	2	0,03
2010	73.722.988	604	0,82	2	0,03
2011	73.722.988	587	0,80	4	0,05

<i>0-15 of age</i>	<i>Gonorrhoea</i>	<i>Hepatitis B</i>	<i>Hepatitis C</i>	<i>Syphilis</i>
2005	5	947	80	5
2006	2	628	28	6

<i>0-15 of age</i>	<i>Gonorrhoea</i>	<i>Hepatitis B</i>	<i>Hepatitis C</i>	<i>Syphilis</i>
2007	3	568	37	10
2008	1	427	25	6
2009	0	333	44	3
2010	1	167	9	35

*Table: Fertility and maternity among adolescent women*

*The Percentage of adolescent women aged between 15-19 who are already mothers or expecting their first babies, according to basic features. Turkey, 2008*

Basic features	Percentages		Number of adolescent women
	Mothers	First Pregnancy	
<i>Current age</i>			
15	0,4	0	404
16	1,7	0,5	392
17	1,3	3,1	304
18	6,6	3,1	410
19	9,4	3,5	360
<i>Residence</i>			
Urban	3,1	1,9	1.386
Rural	6,5	2,1	476
<i>Region</i>			
West	3,8	1,8	711
South	3,2	1,3	265
Central	4,2	3,3	326
North	3,1	1,5	121
East	4,4	1,8	472
<i>Region (NUTS 1)</i>			
İstanbul	3,3	1,7	353
West Marmara	4,7	1,2	56
Aegean	4,8	4,5	140
East Marmara	2,5	1,3	224
West Anatolia	2,6	5,0	80
Mediterranean	3,2	1,3	265
Central Anatolia	6,4	1,6	136
West Black Sea	5,0	3,3	86
East Black Sea	2,7	0,4	84
Northeast Anatolia	3,9	1,3	93
Central East Anatolia	7,3	3,1	91
Southeast Anatolia	3,6	1,5	287

Table: Fertility and maternity among adolescent women

The Percentage of adolescent women aged between 15-19 who are already mothers or expecting their first babies, according to basic features. Turkey, 2008

Education			
No education/Primary incomplete	5,5	1,6	424
First level primary	3,4	4,2	297
Second level primary	0,7	0,3	4.440
High school and higher	2,6	1,3	356
Wealth quintile			
Lowest	6,1	1,9	416
Low	6,8	4,3	338
Moderate	3,3	1,4	448
High	2,0	2,3	291
Highest	1,4	0,4	300
<b>Total</b>	<b>3,9</b>	<b>2,0</b>	<b>1,871</b>

#### The number of internally displaced children with access to education, health and social services

120. The Republic of Turkey takes the place of residence of its citizens as a basis when setting up policies in relation to education, health and social services and providing these services. There are investments in the fields of education, health and social services in place even in the smallest centres of settlement. There aren't any difficulties concerning access to these services by the citizens and in turn there is no need for replacement of citizens in this respect.

#### The number of children in detention or prison and the crimes that such children have been charged with or accused of, as well as average time spent by children in detention and prison

121. The number of children in prison declared by the Ministry of Justice on 31 December 2011 is given in the table below.

<i>Detained</i>	<i>On remand pending appeal</i>	<i>Convicted</i>	<i>Total</i>
1924	195	215	2334

122. The statistics on child convicts and detainees in prisons and detention houses of the Ministry of Justice are given in the table below.

<i>Distribution according to crime groups</i>	<i>Grand Total</i>		
	<i>Female</i>	<i>Male</i>	<i>Total</i>
Murder	18	311	329
Drug	6	179	185
Plundering	17	415	432
Robbery	19	540	559
Physical injury	1	130	131
Sexual offences	3	435	438

<i>Distribution according to crime groups</i>	<i>Grand Total</i>		
	Female	Male	Total
Forgery	0	6	6
Fraud	0	4	4
Attempted Murder	2	35	37
Forcing into/pandering/ procuring prostitution	3	1	4
Other crimes	0	154	154
<b>Grand total</b>	69	2210	2279

123. The statistics on age and sex of the children in prisons and detention houses as of December 2011 are stated below.

<i>Distribution according to age groups</i>	<i>On remand</i>								<i>Total</i>
	<i>Detained</i>		<i>pending appeal</i>		<i>Convicted</i>			<i>Top.</i>	
	F	M	F	M	F	M	F		
12-15 of Age	6	123	0	5	0	2	6	130	136
16- 18 of Age	51	1715	5	189	6	177	62	2081	2143
<b>Total</b>	57	1838	5	194	6	179	68	2211	2279

#### **The number of child courts, heavy penalty courts for children and child prosecution offices and their coverage of provinces**

124. Juvenile criminal courts in Turkey are listed in the below table according to Ministry of Justice data.

<i>Seq. No.</i>	<i>Juvenile criminal court</i>	<i>No</i>	<i>There are 63 courts</i>
1	Juvenile court	1013977	Adana 1st Juvenile Court
2	Juvenile court	1013978	Adana 2nd Juvenile Court
3	Juvenile court	1013979	Ankara 1st Juvenile Court
4	Juvenile court	1013980	Ankara 2nd Juvenile Court
5	Juvenile court	1013981	Ankara 3rd Juvenile Court
6	Juvenile court	1014045	Antalya 1st Juvenile Court
7	Juvenile court	1034152	Antalya 2nd Juvenile Court
8	Juvenile court	1014046	Aydın Juvenile Court
9	Juvenile court	1011485	Bakırköy 1st Juvenile Court
10	Juvenile court	1012926	Bakırköy 2nd Juvenile Court
11	Juvenile court	1014068	Bakırköy 3rd Juvenile Court
12	Juvenile court	1016118	Bakırköy 4th Juvenile Court
13	Juvenile court	1033599	Bakırköy 5th Juvenile Court
14	Juvenile court	1034549	Bakırköy 6th Juvenile Court
15	Juvenile court	1016010	Balıkesir Juvenile Court



<i>Seq. No.</i>	<i>Juvenile criminal court</i>	<i>No</i>	<i>There are 63 courts</i>
16	Juvenile court	1016009	Batman Juvenile Court
17	Juvenile court	1025610	Bergama (Closed) Juvenile Court
18	Juvenile court	1014047	Bursa 1st Juvenile Court
19	Juvenile court	1016015	Bursa 2nd Juvenile Court
20	Juvenile court	1013985	Denizli Juvenile Court
21	Juvenile court	1003217	Diyarbakır 1st Juvenile Court
22	Juvenile court	1016027	Diyarbakır 2nd Juvenile Court
23	Juvenile court	1016123	Edirne Juvenile Court
24	Juvenile court	1025611	Elazığ Juvenile Court
25	Juvenile court	1027111	Erzurum Juvenile Court
26	Juvenile court	1029862	Eskişehir Juvenile Court
27	Juvenile court	1029871	Gaziantep 1st Juvenile Court
28	Juvenile court	1032171	Gaziantep 2nd Juvenile Court
29	Juvenile court	1016135	Gaziosmanpaşa Juvenile Court
30	Juvenile court	1014051	İskenderun (Closed) Juvenile Court
31	Juvenile court	1013988	İstanbul 1st Juvenile Court
32	Juvenile court	1013989	İstanbul 2nd Juvenile Court
33	Juvenile court	1013990	İstanbul 3rd Juvenile Court
34	Juvenile court	1012080	İstanbul 4th Juvenile Court
35	Juvenile court	1013987	İstanbul 5th Juvenile Court
36	Juvenile court	1013992	İzmir 1st Juvenile Court
37	Juvenile court	1013993	İzmir 2nd Juvenile Court
38	Juvenile court	1013994	İzmir 3rd Juvenile Court
39	Juvenile court	1014039	İzmir 4th Juvenile Court
40	Juvenile court	1014040	İzmir 5th Juvenile Court
41	Juvenile court	1013995	Kadıköy 1st Juvenile Court
42	Juvenile court	1011486	Kartal 1st Juvenile Court
43	Juvenile court	1014043	Kartal 2nd Juvenile Court
44	Juvenile court	1029885	Kayseri Juvenile Court
45	Juvenile court	1011069	Kocaeli Juvenile Court
46	Juvenile court	1016125	Konya 1st Juvenile Court
47	Juvenile court	1032189	Konya 2nd Juvenile Court
48	Juvenile court	1025613	Malatya Juvenile Court

<i>Seq. No.</i>	<i>Juvenile criminal court</i>	<i>No</i>	<i>There are 63 courts</i>
49	Juvenile court	1014048	Mersin 1st Juvenile Court
50	Juvenile court	1025614	Mersin 2nd Juvenile Court
51	Juvenile court	1025615	Ordu(Closed) Juvenile Court
52	Juvenile court	1016068	Osmaniye(Closed) Juvenile Court
53	Juvenile court	1021154	Sakarya Juvenile Court
54	Juvenile court	1016129	Samsun Juvenile Court
55	Juvenile court	1016071	Sincan Juvenile Court
56	Juvenile court	1016072	Sivas Juvenile Court
57	Juvenile court	1016074	Söke Juvenile Court
58	Juvenile court	1014049	Şanlıurfa 1st Juvenile Court
59	Juvenile court	1014050	Şanlıurfa 2nd Juvenile Court
60	Juvenile court	1025616	Tekirdağ Juvenile Court
61	Juvenile court	1008139	Trabzon Juvenile Court
62	Juvenile court	1011487	Üsküdar 1st Juvenile Court
63	Juvenile court	1014044	Üsküdar 2nd Juvenile Court

125. The juvenile high criminal courts in Turkey in accordance with the statistics of Ministry of Justice are listed in the table below.

<i>Seq. No</i>	<i>Juvenile high criminal court</i>	<i>No</i>	<i>There are 11 courts</i>
1	Juvenile high criminal court	1000931	Ankara 1st Juvenile High Criminal Court
2	Juvenile high criminal court	1000932	Ankara (Closed) 2nd Juvenile High Criminal Court
3	Juvenile high criminal court	1004781	İstanbul 1st Juvenile High Criminal Court
4	Juvenile high criminal court	1004782	İstanbul 2nd Juvenile High Criminal Court
5	Juvenile high criminal court	1004950	İzmir 1st Juvenile High Criminal Court
6	Juvenile high criminal court	1011213	İzmir 2nd Juvenile High Criminal Court
7	Juvenile high criminal court	1013982	Bakırköy 1st Juvenile High Criminal Court
8	Juvenile high criminal court	1013983	Bakırköy 2nd Juvenile High Criminal Court
9	Juvenile high criminal court	1013984	Beyoğlu (Closed) Juvenile High Criminal Court

<i>Seq. No</i>	<i>Juvenile high criminal court</i>	<i>No</i>	<i>There are 11 courts</i>
10	Juvenile high criminal court	1013986	Diyarbakır Juvenile High Criminal Court
11	Juvenile high criminal court	1014000	Üsküdar Juvenile High Criminal Court

126. The juvenile prosecutor's offices in Turkey in accordance with the statistics of Ministry of Justice are listed in the table below.

*Prosecutor's offices*

Bursa Juvenile Delinquency Bureau

Düzce Juvenile Delinquency Investigation Bureau

İstanbul Juvenile Delinquency Bureau

**Updated data on child victims of trafficking (those in transit and those trafficked domestically), prostitution, sexual exploitation, sale of children and child pornography, including data on prosecution and convictions for such crimes**

127. The number of child victims of human trafficking under the age of 18 in 2006-2010 according to the statistics of Turkish National Police is listed in the table below.

*Number of child victims of human trafficking under the age of 18*

2006-2010

Year	No of Victims	Nationality
2006	3	Russian
	4	Ukrainian
	3	Azerbaijani
	2	Moldovan
	1	Uzbek
	1	Kazakh
Total	14	
2007	2	Russian
	2	Azerbaijani
	2	Moldovan
	1	Romanian
Total	7	
2008	3	Moldovan
	5	Uzbek
	2	Romanian
	1	Bulgarian

*Number of child victims of human trafficking under the age of 18*

	2	Azerbaijani
Total	12	
2009	1	Uzbek
Total	1	
2010	1	Nigerian
Total	1	
<b>Grand total</b>	<b>35</b>	

128. The number of children forced into prostitution in accordance with the statistics of Ministry of Justice is given in the table below.

*Forced prostitution of child by parents, other relatives or caregivers*

(Turkish Penal Code, Law no 5237, article 227/5) crime records

Year	No of records	No of people
2006	6	4
2007	10	7
2008	27	15
2009	19	12
2010	10	6
<b>Total</b>	<b>72</b>	<b>44</b>

**The number of children working, including data on areas of work and prevalence of the worst forms of child labour**

129. Child Labour Force Statistics are obtained from Child Labour Surveys of the Turkish Statistical Institute. The aim of the Child Labour Survey is to collect national data on child labour in Turkey and to identify the sectors, working conditions, social, economic and demographic characteristics applying to those children. The data is collected throughout Turkey and on the basis of rural-urban parts of the country. The research was conducted in 2006 and will be repeated in 2012.

130. The “Child Labour Survey” was carried out in October, November and December of 2006 with “Household Labour Force Survey”. Children between the ages of 6-17 were covered in the research and in total 28.978 children were interviewed. According to the results of the survey weighted by the mid-term population projections;

131. The number of children between the ages of 6-17 was 16 million 264 thousand in the fourth quarter of 2006. While 60.9 per cent of the children in the same age group lived in urban areas, 39.1 per cent lived in rural areas. Within this age group, 84.7 per cent of the children were attending school while 15.3 per cent were not. 58.8 per cent of the children out of school were made up of girls.

132. 5.9 per cent of 16 million 264 thousand children between the ages of 6-17 were engaged in an economic activity, in other words, employed (958 thousand persons). In Turkey in general, 47.7 per cent of the employed children between the ages of 6-17 lived in urban areas whereas 52.4 per cent of them lived in rural areas. 66 per cent of the employed children were male while the remaining 34 per cent were girls. The schooling rate of the employed children was 31.5 per cent, while 68.5 per cent of them were not attending

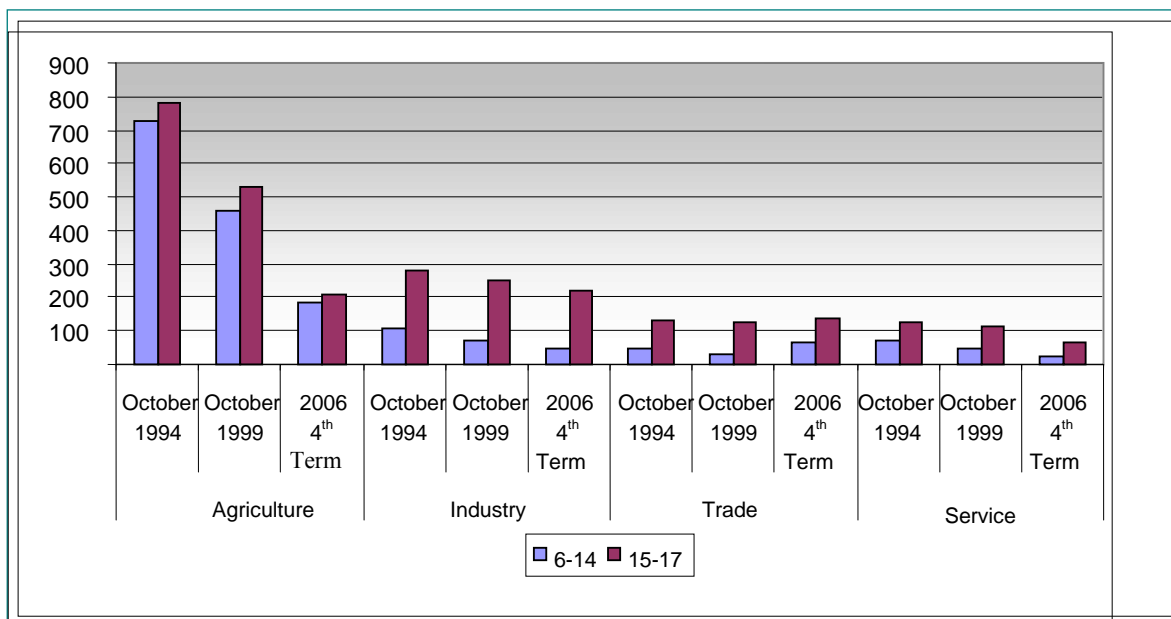
school. Among those who were attending school between the ages of 6-17, 2.2 per cent were engaged in an economic activity, while 26.3 per cent of the children who were not attending school were engaged in an economic activity.

**Basic indicators of child labour force, (thousand persons)**

	October 1994	October 1999	2006 (October – November December)
Non-institutional civil population	59 736	65 422	72 957
Population aged 0 to 5	8 469	7 930	8 479
Population aged 6 to 17	14 968	15 821	16 264
Employment (aged 6 and above)	20 984	22 124	22 963
Employment (aged 6 to 17)	2 269	1 630	958
Employment rate (aged 6 to17)	15,2	10,3	5,9
Urban	611	478	457
Rural	1 659	1 151	502
Men	1 372	955	632
Women	898	675	326
Agriculture	1 510	990	392
Non-agricultural	759	640	566
Regular employee or casual employee	648	617	513
Freelance or employer	52	28	26
Unpaid family worker	1 570	985	420

133. 40.9 per cent (392 thousand) of the employed children were engaged in agriculture sector, 59.1 per cent (566 thousand) were engaged in non-agricultural sectors, while 53 per cent worked as regular or casual employee, 2.7 per cent as self employed or employer and 43.8 per cent as unpaid family worker.

**Employed children per sectors**



134. It is evident that there has been a significant decrease in the number of children employed in Turkey over years as indicated by the surveys conducted on child labour.

135. The Turkish Statistical Institute conducted Child Labour Surveys in 1994, 1999 and 2006. The results of these surveys show significant decrease in the percentage of children engaged in economic activities in years. While in 1994, 15.2 per cent of the children between the ages of 6-17 were engaged in economic activities, this rate gradually decreased to 10.3 per cent in 1999 and to 5.9 per cent in 2006.

136. In addition, the "Protocol on Cooperation in Employment" was signed by the Ministry of Family and Social Policies and the Ministry of Labour and Social Security in February 2012 to ensure cooperation in areas of employment, child labour and social aid. The protocol addresses core issues such as monitoring children forced into working on the streets, elimination of child labour, and resolution of education related problems of children whose parents are employed in agriculture, creating a more effective connection between social aids and employment, strengthening socio-economic status of women and the disabled and increasing employment.