NGO Report
on Turkey’s Implementation of the Optional Protocol
to the Convention on the Rights of the Child
on Sale of Children, Child Prostitution and Child
Pornography

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Ankara Child Rights Initiative
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**Ankara Child Rights Initiative**

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Ankara Bar Association, Child Rights Board

Association for Solidarity with Youth Deprived of Freedom (ÖZGe-Der)

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Introduction

This report aims to contribute to the efforts for monitoring the implementation of the Optional Protocol to the Convention on the Rights of the Child (CRC) on the sale of children, child prostitution and child pornography (OPSC) in Turkey.

The report has four main sections:

• Introduction and Background: this section will include information about the reporting process of this report and a short situation analysis regarding implementation of OPSC in Turkey. This brief situation analysis will include newspaper stories, findings of academic research papers, and excerpts from reports produced by non-governmental organisations (NGOs) based on their work on the ground.

• Normative Framework: this section basically informs us about Turkey’s international commitments as they relate to OPSC and recent changes in domestic legislation and their effects on OPSC related issues. Annexed to this section, non-exhaustive list of international legal instruments Turkey is party to.

• Policy Framework: this section will deal with policies and practices in light with OPSC.

• Points of Concerns and Recommendations: this section will highlight points of concerns and suggests recommendations for better implementation of OPSC issues within the framework of CRC and other international child rights standards.

The methods used to prepare this report include but not limited to the following:

• Interviews and e-mail discussions with NGO representatives
• Analysis of documents produced by researchers and NGOs
• Press scanning of OPSC related news stories for the last 18 months (websites of 11 newspapers, news agencies, and electronic list-servers)¹
• Analysis of reports on Turkey written by international organisations.

Reporting process

Turkish child rights NGOs have not been very active in systematic monitoring and reporting of the implementation of the CRC albeit the fact that it is the only international human rights instrument that openly gives NGOs a role for monitoring. Thus far no NGO report has been presented to the Committee on the Rights of the Child from Turkey.

Having noticed this gap, a number of conferences, symposiums and meetings led by the International Children’s Centre (ICC) in collaboration with several NGOs in Ankara has been organised since year 2005 to facilitate an NGO report on OPSC to be presented to the Committee in an effort to lend a hand to the government efforts to improve the implementation of OPSC and CRC alike.

This report is an outcome of this arduous effort.²

² Unfortunately, child participation was not made possible during drafting of this report.
Background and Situation

Turkey ratified OPSC on 19 August 2002. Therefore, along with other willingly accepted international standards, Turkey is under international obligation to respect, to protect, and to fulfil the rights enshrined in CRC, its optional protocols and communications from the Committee on the Rights of the Child (hereafter the Committee).

Initial government report on OPSC was due in September 2004. The report was presented in 2005. The Committee requested additional information in February 2006. The Government provided the additional information timely in April 2006. The report is scheduled to be considered on 17 May 2006 at the 42nd session of the Committee.3

Turkey has been undergoing a period of rapid and important changes for the last fifteen years. Rapid internal migration, terrorism, rapid urbanisation, regional disparities, economic crises, poverty,4 high percentage of youth population, unemployment, globalisation, information technology, domestic violence5, traditions in child rearing, gender disparities, lack of coherent child and youth policy and legal framework have all bearing on the situation of children in Turkey, especially on vulnerable groups of children in terms of OPSA related issues.

There have been improvements affecting OPSC related issues in a number of areas both through legal and administrative changes in line with the requirements for the EU accession since the EU Tampere Summit where an associate membership was granted to Turkey in 1999. The Turkish Parliament passed extensive legal reforms, bearing on human rights protection system and situation of the country, intended to meet the part of requirements known as Copenhagen political criteria for the EU accession since then. The European Commission considered that Turkey sufficiently fulfilled the Copenhagen political criteria and the European Union opened accession negotiations subject to certain conditions on 3 October 2005. Child rights became one of those several conditions along with women’s rights that deal with several OPSC related issues such as street children, early marriages, child labour, and the like.6 However, many of the reforms are yet to be implemented, and some reforms adopted since 1999 remained in law.7

Social Services and Child Protection Agency (SHCEK) is tasked with coordinating overall efforts of monitoring the implementation of the CRC and its protocols along with its gigantic task of providing and coordinating all social and child protection services with highly limited budget and short of staff. Other OPSC related preventive and protective services are highly scattered as are the legal provisions (please see Normative Framework section).

Numerous human rights related education and training programmes or projects mainly directed towards relevant public officials have been jointly conducted by the Government agencies and

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3 See the Committee’s website at http://www.ohchr.org/english/bodies/crc/crcs42.htm
4 Turkey is one of the only two countries that has sizable loan debts to International Monetary Fund (see The Economist, April 22nd 2006, p.69)
5 For example, 48% of parents give physical punishment to their children according to a recent study appeared in Radikal Daily Newspaper on 11 January 2005.
organisations like the Council of Europe, European Commission (EC), the British Council, United Nations Children’s Fund (UNICEF), and United Nations Refugee Organisation (UNHCR) for the last three years. None but one seems to have an OPSC specific focus.\(^9\)

Constituting Turkey’s more than one third of the population\(^10\), every legal and policy development have a bearing on children and on particularly children in need of special protection.

According to General Directorate of Security figures, last year 25,000 children were victims of some form of violence including sexual. The figures also suggest that 12,000 children under 10 years of age and 98,000 children between the ages of 11 – 18 were brought to the attention of child police in 2004.\(^11\)

For the purposes of this report on OPSC implementation in Turkey, these vulnerable groups of children are briefly mentioned with direct references from news stories, statements made by relevant ministers, NGO reports and research papers as ample legal and policy related information is provided for by the government report.

**Children at Risk**

Information and statistics regarding issues especially sale of children as defined under OPSC that are rather limited, scattered and incoherent. However, few reports and news stories may be mentioned to shed a dim light to the issue.

**Children Living and/or Working on the Streets**

Children living and/or working on the streets constitute a highly vulnerable group of children with respect to OPSC related crimes. Recent temporary Committee on street children at the Turkish Grand National Assembly (TGNA) revealed that 41,982 children living and/or working in the streets have been provided protection measures by SHCEK.\(^12\) Reports of the temporary Committee also revealed that there is no healthy system of statistics that would help measure the situation of children in Turkey for better policy decisions to be taken.\(^13\)

Massive internal migration to big cities and unhealthy urbanisation due to numerous social problems such as terror-induced migration, poverty, and unemployment exacerbate the issue of children living and/or working in the streets. Former State Minister responsible for women and children affairs Güldal Akşit indicated that around 37 % of children living on the streets are from relatively underdeveloped Eastern and South Eastern Anatolian regions.\(^14\) Overcrowded families with highly limited income and employment opportunities living in one room apartments in these

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\(^9\) Recent government and International Centre for Missing and Exploited Children joint training in Istanbul in March 2006 (www.icmec.org/).


\(^11\) NTV news channel, 25 February 2005


\(^13\) See the Head of the Committee, Mr Oner Ergenc’s remarks on that at http://www.tbmm.gov.tr/komisyon/sokak_cocuklari_kom/basin/birgun20.12.2004.htm

\(^14\) ANKA, 03.05.2005; news compiled by the Turkish Grand National Assembly Temporary Commission on Street Children at http://www.tbmm.gov.tr/komisyon/sokak_cocuklari_kom/basin.htm
big cities affect children and become another reason for the children to work on the streets to bring additional income or run away from physical, sexual, mental abuse of parents due to stress and/or overcrowding.  

Although there is a new service provision model introduced to help protect the children living and/or working on the streets, there is much more to be done to address the root causes of the problem.

It is expected that around 635,000 children are in risk of finding themselves in the streets, thus vulnerable to all sorts of abuse including forced labour, sale, pornography, and prostitution.

**Children in Institutions**

As it was indicated at the paragraph number 123 of the Concluding Observation of the Committee, number of children in institutions with limited resources is high.

Over the years several child abuse and neglect stories have shown that the system of institutionalization of children needs to be reviewed overall and from an OPSC point of view too as overcrowded institutions including orphanages, care centres, boarding schools, reformatories, mental health institutions, and the like.

Every year around 8000 children are taken to institutional protection for different reasons by SHCEK. Between years 2000 – 2002, 107 sexual abuses outside family, 66 incest, and 938 physical and emotional domestic abuse cases were granted protection. These numbers are just those reported and taken to protection. However, as indicated in the Committee’s Concluding Observations to Turkey in 2001, “societal attitudes towards women and children often mean that these cases are not reported” or when reported they are not properly intervened.

A recent survey made by the Association for the Protection of Children without Parental Care in 10 provinces revealed that one third of the respondents to the survey have negative preconception towards children in institutions as potential trouble makers.

Although there are not many reports or researches on the situation of boarding schools, several news stories appear in the newspapers about sexual abuse cases in boarding schools.

Juvenile reformatories or prisons where children (most of them are male) may co-habit with adult prisoners are other institutions that require special attention. For example, a recent doctoral thesis revealed that rape and sexual abuse cases occur in every ward within reformatories and prisons. According to research done for this thesis, convicted children have to fend for themselves not to get raped in the compounds and other children are scared to intervene as they

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15 Ibid. Also see President of Street Children Rehabilitation Association Prof Dr Oguz Polat’s remarks in Anatolian News Agency, 3 May 2005.
16 Ibid.
17 For example, sexual abuse cases in institutions under the auspices of SHCEK and of Ministry of Education have made several headlines in newspapers in last few years (NTV news site, 26 Ocak 2005)
18 Former State Minister Gurdal Akşit’s statement to Anatolian News Agency appeared on 5 February 2005
20 NTV news channel, 16 February 2005
21 For example in Milliyet Daily Newspaper, 05 Mart 2005, a case involving a teacher’s sexual abuse of a girl student in a boarding school in Kirikkale hit the headlines.
may be targeted afterwards. Another finding from the thesis also suggests that in every ward, there is a boy child who is used as a sex worker.\textsuperscript{23} Two NGO reports support the findings of this research thesis.\textsuperscript{24}

Lack of an independent public guardianship system instead of institutional custodianship system seems to further undermine the protection afforded to the institutionalised children.

**Child Trafficking**

Although the magnitude of the problem of child trafficking is not fully known, considerable efforts have been observed addressing the problem of human trafficking in Turkey. The low numbers of children thus far reached through these efforts\textsuperscript{25} seems to suggest that more needs to be done. For example, Dutch Foundation for Missing Children reported that for the last four years, 36 children were abducted to Turkey only from the Netherlands.\textsuperscript{26}

When asked to International Organisation for Migration and NGOs providing shelter to victims of human trafficking, it is reported that cases brought to the attention to the authorities do not reflect the situation on the ground as many cases are not reported.

As a part of the National Programme of Action to Combat Human Trafficking in 2003, a hotline began providing service to victims of human trafficking. The programme of action has been implemented since 2003 and started yielding positive results. Nevertheless, the plan should have separate sections for child victims.

**Girl Child**

Although it happens less and less due to recent public information campaigns on school enrolment of girls\textsuperscript{27} and honour crimes\textsuperscript{28} accompanied by legal reforms, in parts of Turkey, girl child is being regarded as a commodity and early (forced) marriages are an issue to consider within OPSC.\textsuperscript{29}

For example, Prof. Dr. Türkan Saylan, President one of the leading girls education NGO with more than 90 branches all over Turkey, in one of her recent remarks stated that there are still girl children in some areas who are being sold in marriage for 200 YTL (around € 125) in rural Turkey.\textsuperscript{30}

There are other incidents that reveal public perception of women in some parts of Turkey. For example, in one recent news story, it is reported that in Diyarbakir (South Eastern Turkey), 12

\textsuperscript{23} Ibid.
\textsuperscript{25} Only seven in 2005.
\textsuperscript{26} Zaman Daily Newspaper, 25 May 2005.
\textsuperscript{27} After Ministry of Education and UNICEF’s Campaign on school enrolment of girl child, parents who resist sending their girls to school may be fined with a sizable amount of money by local authorities; see for example NTV news channel on 23 March 2005.
\textsuperscript{28} Recently Turkish Government, local NGOs and British Council launched a campaign on honour crimes (see also Esil Sirin, NTV, 21 Nisan 2005 and see Dynamics of Honour Crimes in Turkey a survey report prepared by the Association for Population Studies and commissioned by UNFPA and UNDP, 2005 http://www.un.org.tr/UN/includes/files/16.pdf)
\textsuperscript{29} UNICEF Turkey (2003). A Gender Review in Education.
\textsuperscript{30} Şakir Aydın, Milliyet Daily Newspaper, 8 March 2006
year-old girl had been kidnapped and been raped by the kidnapper, later she was forced to marry her kidnapper to clean her honour as she was left pregnant. Two years later, her nose was cut off by her father-in-law when she resisted his rape attempt.  

Although such incidents are punishable by law, due to the fact that such crimes are mostly unnoticed as they are not being properly reported.

Child Labour

Child labour in all circumstances until 15 years of age is prohibited in Turkey. However, a recent report estimated that there are around 3,850,000 working children in Turkey. 511,000 of them amongst children between 6-14 years of age and 469,000 of them registered working children between 12-14 years of age. Not much disaggregated information is at hand with respect to the problem of forms of forced labour, such as domestic child labour, child labour used in institutions, and forced child labour on the streets used by petit crime mobs, and the like.

Although problem of children in agricultural sector are being addressed more and more, there are still report of abuse of economically disadvantaged segments of the society by brokers who hire children between 12-16 years of age from their families in Eastern and South Eastern Turkey to work in Western Northern parts of Turkey mostly during summer months. These children not only are exposed to forced hard labour in fields but also to all forms of abuse including sexual.

Due to economic hardships, child labour is being used as cheap labour in parts of Turkey. For example recently Food Processing Trade Union branch in Erzurum (Eastern Turkey) reported that number of children working is increasing as a source of cheap labour.

Child labour in institutions like schools is prohibited. However, at times there are reports indicating that students in remote rural areas might be asked to do small but dangerous work like chopping wood or ice during winter months. Such cases are investigated when/if reported. However, it should be noted that schools in such remote places must be better equipped and supported by the government with support staff along with teachers.

Recently there is an increase in the news regarding small scale petit crime mobs using children living or working on the streets. One such news story has shown a likely story of a 14-year-old child forced to work when he was taken to protection by the child police from the streets of Istanbul, tortured by the mob as he refused to work for them. Another news story revealed that children are abducted or recruited upon deception from their homes in Diyarbakir (South Eastern Turkey) to work in such theft mobs in western parts of Turkey.

Child Pornography

Like other OPSC related issues, there is no sound data regarding child pornography in Turkey. One reason of this failing is that there is no specific legal provision on child pornography. Under

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31 Mürsel ACAY, Sabah Daily Newspaper, 04 May 2005
32 Supra at 28.
33 Kamuran ZEREN, Hürriyet Daily News, 09.08.2005
34 Ismail Avcı, Zaman Daily Newspaper 15 June 2005
35 Cihat İncesu, NTV-MSNBC news portal, 30 March 2005
36 See for example a recent news story in Erzurum on NTV-MSNBC news portal, 30 March 2005
37 Abbas ÇAKAR, Sabah Daily Newspaper, 16 May 2005
38 CNN Turk news channel, 2 March 2005.
the new Turkish Penal Code, there is a section called Obscenity Article 226(3) dealing with limited issues of child pornography.\textsuperscript{39}

It is estimated that child pornography mostly happens on internet in Turkey.\textsuperscript{40} There are several problems in combating child pornography, especially on the Internet and mobile phones. Some of them are as follows\textsuperscript{41}:

- There is no content control of websites,
- There is no legal provision regulating the Internet publishing. Internet publishing law is needed with provisions on internet service providers and Internet cafés,
- Although there are information technology crime teams at the Ministry of Interior, technical support and other resources provided are not enough to provide a public database,
- Training centres are needed to help train representatives from all relevant sectors of governmental and non-governmental organisations,
- High number of children living/working on the street makes it easy to find unaccompanied children in the streets to use for pornography,
- Gaming places and Internet cafés are not using parental filtering.\textsuperscript{42}

Basically a national plan of action is needed to combat child pornography involving all sectors in the society.

**Child Prostitution**

There is no statistics on children forced to prostitution by their relatives or other third persons, yet number is expected to be rather low.\textsuperscript{43} Turkish society views prostitution regardless of age as something degrading, and once a girl is not a virgin anymore; it is acceptable to see her in prostitution.\textsuperscript{44} Family environment seems to exacerbate the situation as % 42.86 of girls forced to prostitution had been subjected to sexual, physical and emotional abuse before in their families.\textsuperscript{45}

One example of a girl child sex worker reveals society’s perception in this matter: “I went to complain to the police about an incident where I was hitchhiking for prostitution and my client slit my throat. The police told me that I am an indecent woman and the man I was complaining about is a reputable businessman. I never go to the police again!”\textsuperscript{46}

There are several child prostitution news stories appearing in newspapers and television screens. For example, in a news story it is being reported that both girl and boy children are deceived and taken to touristic places and being forced to prostitution.\textsuperscript{47} Another recent news story revealed that boy children are also a subject of forced prostitution in the hands of mobs.\textsuperscript{48}


\textsuperscript{40} Ibid. p.107

\textsuperscript{41} Ibid. pp. 107-116

\textsuperscript{42} Supra at 31.

\textsuperscript{43} Küntay, E and Erginsoy, G (2005). İstanbul’da On Sekiz Yaşından Küçük Ticari “Seks İşçisi” Kız Çocuklar (Girl Child “sex workers” in Istanbul) p.17

\textsuperscript{44} Ibid. pp.66-68

\textsuperscript{45} Ibid. pp.113-126.

\textsuperscript{46} Ibid. p.57

\textsuperscript{47} Sabah Daily Newspaper \url{http://www.sabah.com.tr/2004/12/27/gnd109.html}

\textsuperscript{48} Tülay Sağlam, NTV-MSNBC news portal, 05 April 2006, see also remarks of Prof. Dr. Oguz Polat in Zaman Daily Newspaper about boy child prostitution in Diyarbakir, 10.04.2006.
Normative Framework

Since the government report gives in depth information concerning normative framework, this section will only briefly outlines recent legal changes in relation to OPSC.

Ratification to International Instruments

Turkey is party to main international human rights instruments\(^{49}\) which take precedence over national law should disputed legal issues come up according to the Article 90 of the Constitution of the Republic of Turkey.\(^{50}\)

Specific to OPSC related issues, Turkey is party to

- The ILO’s Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999) since 02 August 2001

Turkey has not yet signed up to the European Convention on Cybercrime.

Recent Changes in National Legislation

As indicated in the Background section, Turkey has been harmonising its laws to the European Union standards. There are several recent legal changes that have a bearing on protection afforded to children with respect to OPSC. Most relevant of these laws are as follows:

- Penal Code (2004, amendments as of 2005)
- Radio and Television Establishment and Broadcast Law (amended as of 2002 and regulations/by-laws as of 2003)
- Child Protection Law (2005)
- Code of Obligations (2005)
- Law on Detention, Arrest, and Conferring with Legal Counsel (2005)
- Rules of Procedures on Controlled Liberty and Centres of Assistance (2005)

With these laws, especially the Penal Code, brought several positive changes with respect to OPSC:

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\(^{49}\) Annex for Turkey’s ratification status with respect to a non-exhaustive list of international human rights instruments.

\(^{50}\) The Constitution of the Republic of Turkey as amended on May 22, 2004 with the law number 5170/7 at the Turkish Grand National Assembly.
• Discrimination between virgin, non-virgin, married and unmarried women has been scrapped,
• Sexual offences against children under 15 years of age have been defined in a separate article. If the offence is perpetrated by parents, relatives, stepfathers, legal guardians, caretakers, teachers, and healthcare providers, it is considered an aggravated offence. Damage to the psychological health of the child is also acknowledged as an aggravating circumstance,
• References to the child’s consent in sexual abuse have been scrapped for children under 15 years of age,
• There are new measures to prevent sentence reductions granted to perpetrators of honour killings are regulated as aggravated homicide,
• Patriarchal concepts such as chastity, honour, public morality, public customs, shame or decency are scrapped from the Penal Code,
• Sexual offences are categorized as crimes against person and crimes against inviolability of sexual integrity as opposed to crimes against the public,
• Provisions legitimizing rape and abduction in case the perpetrator marries the victim have been scrapped,
• Sexual assault is defined as “any sexual behaviour violating a person’s bodily integrity.” The definition of rape has been expanded. Psychological coercion is recognized as a means of coercion by the perpetrator and damage to the victim’s psychological health is acknowledged as an aggravating circumstance. Sexual assaults under custody or by security forces, public officials or employers, by relatives or in laws are also regulated as aggravated offences,
• Sale of organ becomes a crime,
• Expanded investigative tools in trafficking cases,
• Increased punishments for traffickers.

There are two main draft laws that might further affect OPSC related issues.

1. Draft Law on Assistance to Child Victims of Violence.\
2. Draft Law on Social Services and Child Protection Agency

As can be observed with the number of laws dealing with issues and problems faced by children, Turkey must have a framework law on child rights to avoid confusion of authority and to avoid using laws prepared for adults.

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51 Brief information can be accessed through Ministry of Justice website at www.kgm.adalet.gov.tr/uzerindecalisilan.htm
52 Information can be accessed through SHCEK website at www.shcek.gov.tr
Policy Framework

There are a number of policy and programme documents with respect to OPSC and child rights. However, a more holistic umbrella child rights policy is required.

There are three main national policy documents that have a direct affect on the implementation of OPSC.
- National Programme of Action on Children, 2003
- National Programme of Action to Combat Human Trafficking, 2003

In the National Programme of Action on Children, it is being suggested that by the end of 2005, a child abuse and neglect database should have been created along with a number of guidelines for health professionals and NGOs. Unfortunately neither of objectives is yet to be realised.

Many OPSC related section of these documents have been realised, however there are still areas that needs to be address, such as victim assistance and most importantly developing a system of statistics consistent with CRC to better inform policy decision with disaggregated data on children.

A new comprehensive project implemented by the Government of Turkey with financial support from the European Union and technical support from UNICEF was launched on 20 January 2006 entitled “Children First: Towards Good Governance, Protection and Justice for Children in Turkey”.

Out of 59 activities in this project, following seven are directly related to the OPSC
- A research concerning child abuse and domestic violence in 2006
- Turkish Statistical Institute
  - Section to compile child related statistics (systematic research, monitoring and data collection)
  - Annual child related statistics report
- Preparation of a handbook for professionals working on psycho-social assistance and protection of victims of child abuse and neglect, exploitation, and discrimination.
- Development of a child protection curriculum for professionals working on administration of juvenile justice
- Development of minimum care and protection standards for children living in out-of-family environments

The Children First programme assumes joint activities with NGOs; however no NGO within the Ankara Child Rights Initiative thus far is contacted or informed about the projects. The project planning and activities seem to have no clear child participation in place.

Recently there several positive developments at the Turkish Grand National Assembly (TGNA) with respect to child rights and OPSC related issues that might affect policy issues. For example total of 84 written questions asked of the Government revealed several issues relating OPSC and children’s rights in general. In addition to these written questions, two temporary inquiry commissions have been set up at TGNA that are directly related to children and in particular OPSC.
• Parliamentary Inquiry Commission on Reasons and Preventive Measures for Honour Killings and Violence against Women and Children
• Parliamentary Inquiry Commission on Reasons and Preventive Measures for Children Living and/or Working on the Streets

Such commissions have proven useful to provide effective policy changes for the benefit of children. However, these inquiry commissions were more of a reactive measure than preventive, pro-active ones. Therefore, a permanent parliamentary commission is more desirable to address issues relating OPSC and children’s rights in general.

Points of Concern and Recommendations

Areas of Concerns

• Vital statistical data necessary to understand and measure the level of realisation of OPSC and in general child rights norms and development related achievements that should be afforded by the Government in relation to its international and national obligations are not properly installed,
• Lack of coherent child rights framework law including clear task and authority distribution creates problems concerted government efforts regarding OPSA related issues,
• Lack of clearly defined OPSA or CRC related budget,
• Lack of participation of child rights NGOs in preparation of legal and policy documents although it has been mentioned in the government report that everything is consulted with NGOs, it is not clear which ones have been consulted.
• Lack of participation of children in national legal and policy documents, programmes and projects albeit the fact that every legal and policy development directly affects the lives of children.
• Article 103(1)(a) of Turkish Criminal Code defines sexual abuse as sexual acts against children under 15 years of age although the Code clearly defines a child as a person below 18 years of age. It is believed that such age limits negatively affect the implementation of OPSC.
• Article 104(1) of Turkish Criminal Code requires a complaint for consensual sexual intercourse without defining consent and the nature of complaints.
• The new Code of Criminal Procedure Article 5 dealing with foreign victims should be improved by scrapping from its discriminatory elements,
• Lack of legislation on internet crimes against children
• There is no content control of websites,
• There is no legal provision regulating the Internet publishing. Internet publishing law is needed with provisions on internet service providers and Internet cafés for enforced parental filtering,
• Although there are information technology crime teams at the Ministry of Interior, technical support and other resources provided are not enough to provide a public database,
• Training centres are needed to help train representatives from all relevant sectors of governmental and non-governmental organisations,
• Pirated DVDs and other such materials harmful for children or containing child pornography are easily available through street vendors.
**Recommendations**

- Permanent Parliamentary Commission on Children should be set up and every law has to go through this commission with a child impact report,
- In harmony with the budgeting system in Turkey, OPSC and CRC compliant budgeting should be developed,
- Regular in-service trainings should be established on OPSC to all relevant sectors of public administration including security, social services, education, and health,
- Usage of parental filters should be enforced by law for gaming places and Internet cafés.
- Honour killings have to be explicitly defined as aggravated homicide to include all murders in the name of honour, not just those in the name of customary law,
- The article penalizing consensual sexual relations of youth aged 15 – 18 upon complaint should be scrapped,
- The practice of virginity testing has to be explicitly banned and criminalized under all circumstances expect for the times when it is a medical necessity,
- The obscenity article should be amended to clearly defining acts of obscenity to prevent abuse of the ambiguous interpretations of the article,
- The European Convention on Cybercrime should be ratified,
- The Revised European Social Charter which has provisions on child rights (Article 7 - the right of children and young persons to protection and Article 17 -the right of mothers and children to social and economic protection) should be ratified,
- The Virtual Global Taskforce which is an Alliance of law enforcement agencies from around the world working together to fight online child abuse. http://www.virtualglobaltaskforce.com/
References


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Concluding Observations of the Child Rights Committee to Turkey’s First Periodic Report (2001)

Council Decision of 23 January 2006 on the principles, priorities and conditions contained in the Accession Partnership with Turkey.


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Küntay, E. and Erginsoy, G. “Sirkeci’deki Kartpostallardan Internet’te Cinsel Sumunlara: Çocuk Yaşta Kız Çocukların Cinselliklerinin Sömürülemesi Olgusunun Toplumsal Boyutlardaki Dönüşümüleri” in Proceedings of Bilişim Toplumuna Giderken Psikoloji, Sosyoloji, ve Hukuk’ta


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The Economist, April 22nd 2006.


Turkey’s Answers to the Questionnaire for Governments with respect to the United Nations Study on Violence against Children. 27 October 2005.


Annex: Selected International Human Rights Treaties Turkey is Party to


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<td>Refugee Convention</td>
<td>30 Mar 1962</td>
<td>Article 1</td>
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<td>Refugee Protocol</td>
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<td>paragraph 3 of Article 26</td>
<td>not be bound to assume any costs and expenses of the proceedings or, where applicable, those arising from the participation of legal counsel or advisers and those of returning the child</td>
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<td>ESC CoE</td>
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<td>Only Article 1, 12, 13, 16, 19, 9, 10, 11, 14, 17, 18, 4(3) and (5), and 7 (3) (4) (5) (6) (8) and (9) accepted</td>
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<td>Exercise of Children’s Rights CoE</td>
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