



# Convention on the Rights of the Child

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## Committee on the Rights of the Child Sixtieth session

### Summary record of the 1704th meeting

Held at the Palais Wilson, Geneva, on Friday, 1 June 2012, at 10 a.m.

*Chairperson:* Mr. Zermatten

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*The meeting was called to order at 10 a.m.*

**Consideration of reports by States parties (continued)**

*Combined second and third periodic reports of Turkey (CRC/C/TUR/2-3; CRC/C/TUR/Q/2-3 and Add.1)*

1. *At the invitation of the Chairperson, the delegation of Turkey took places at the Committee table.*
2. **Ms. Şahin** (Turkey), introducing the report (CRC/C/TUR/2-3), said that 29 million of the State party's population of 79 million were children, and that ensuring their rights was a top priority for the Government. The Ministry of Family and Social Policies had recently been restructured, and as a result the Directorate-General for Social Services and Child Protection Agency had been provided with additional financial and structural support. In cooperation with civil society, the private sector and local governments, the Ministry of Family and Social Policies had prepared a national children's strategy document for the period 2012–2016, which highlighted various areas for improvement regarding the rights of the child, such as education, the juvenile justice system and the media.
3. Recent constitutional amendments relevant to the rights of the child included the amendments to article 10 on equality and affirmative action, article 41 on protection of the family and article 90 on the ratification of international treaties, the latter of which stated that international treaties ratified by Turkey took precedence over national law. The Law on Violence against Women, adopted on 8 March 2012, clearly indicated the measures needed to protect children against violence. The Ministry of Family and Social Policies, in collaboration with the Ministry of Justice, had established a joint committee to identify weaknesses in the judicial system and make recommendations to remedy them.
4. The Government placed great importance on education for girls. Thanks to the positive measures taken to benefit girls and the financial support provided to mothers over the past decade, the enrolment rate for girls in primary school was now the same as for boys, standing at 98 per cent. The Government planned to make further efforts with a view to achieving the same results in secondary education. Free textbooks had been distributed to 14 million children, and a school bus system was in place for students who lived far from schools.
5. Universal health insurance coverage was now available to everyone in the country regardless of their financial situation or geographic location. Women and children had benefited the most from the recent health reforms, which had resulted in a 70 per cent decrease in the infant mortality rate. Protein, iron and mineral supplements were provided free of charge with a view to further decreasing that rate. In an effort to promote hospital births, pregnant women living in remote rural areas were transported to the nearest city 15 days before their due date and were then returned home with their babies once they had been released from the hospital.
6. The Directorate-General for Social Services and Child Protection Agency had 14,000 children in its care, and its first priority was to provide them with a loving family environment, if possible with their own parents. In many cases the Directorate-General provided financial support to the parents so that they could raise their own children, and as a result 8,000 children had returned to their parents' homes. Of those who remained in residential institutions, 3,600 had been transferred from children's homes to "affection homes" or "child houses", and efforts were being made to do away with the children's home system completely. Discussion was currently under way on a new legal framework for child adoption. There were currently 1,300 children in foster care.

7. The Ministry of Family and Social Policies was in the process of restructuring the rehabilitation system for child victims of sexual abuse and for child offenders. A draft proposal had been distributed to civil society organizations, 120 of whom had contributed their views. Discussions were still ongoing on the best way to provide psychological support for those children and reintegrate them in society.

8. Children working on the streets were a major concern for the Government. In 2007, five ministries had worked together to find a solution to the problem at the behest of the Prime Minister. As a result, so far 38 children and youth centres had been established throughout the country and provided children who had been forced to work on the streets with education, vocational training and rehabilitation services. While it was normally preferable for the children to remain with their families whenever possible, child abuse and neglect by family members was not tolerated.

9. While much progress on the rights of the child had been achieved in the last decade, the Government was aware that deficiencies remained and was eager to hear the Committee's advice on establishing more child-centred policies.

10. **Mr. Kotrane** (Country Rapporteur) welcomed the submission of the State party's report but regretted that it was significantly overdue, given that the Committee had considered the initial report of Turkey in 2001. He said that when considering the report the Committee would also consider the measures taken in follow-up to its concluding observations on the initial reports of Turkey on 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 to the Convention on the Rights of the Child on the involvement of children in armed conflict.

11. He noted with satisfaction the legislative reforms carried out in the country to promote human rights and the rights of the child, such as the amended Counter-terrorism Law, the Child Protection Law, the Persons with Disabilities Law and the new Penal Code. He welcomed the ratification by Turkey of the nine main international human rights instruments, and asked if the Government also intended to ratify the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

12. He wished to know if Turkey planned to withdraw its reservation to the Convention on the Rights of the Child, noting that the reservation could be detrimental to children from ethnic groups not recognized as minorities. While noting with satisfaction the constitutional provision stating that international instruments ratified by Turkey took precedence over national laws, the Committee nevertheless regretted that it had not seen any specific examples of the application of the Convention by the courts. He therefore wished to know what programmes were in place to train judges and lawyers on the justiciability of the rights enshrined in the Convention.

13. The reporting State should explain what follow-up it had given to the concerns expressed by the Committee on Economic, Social and Cultural Rights regarding the effects of the construction of the Ilisu dam and the forced expulsion of families in Istanbul on the rights of those concerned. He further noted that the current laws regulating urbanization projects were not in line with international human rights standards.

14. The delegation should indicate whether the Government planned to further amend the Civil Code to raise the minimum age of marriage for girls and boys to 18 years. He wished to know what measures the State had taken or planned to take to adopt a general law on non-discrimination, including non-discrimination against children.

15. The Committee was concerned by the absence of a broad legislative framework for the recognition of all minorities represented in the State party and the protection of their rights. It would therefore welcome information on any measures the State planned to take or any action plans it had adopted to that end, so that children from all the minorities present in the country would be able to fully exercise their rights.

16. The Committee noted with concern the large disparity among regions and between urban and rural areas in the exercise of economic, social and cultural rights. It further noted that severe poverty affected the east of the country in particular. While it welcomed the substantial improvements made to the juvenile justice system, the Committee was concerned to hear that children were still being held in establishments for adults and interrogated by counter-terrorism security forces rather than police officers specialized in dealing with children, and that they did not enjoy legal assistance or the presence of an adult guardian during those interrogations. He asked what measures the State party had taken or planned to take to remedy that situation.

17. **Ms. Al-Shehail** (Country Rapporteur) said that she wished to know the current status and the contents of the bill on establishing the post of ombudsman. She also wondered how duties and responsibilities would be shared between the ombudsman and the parliamentary Child Rights Monitoring Committee. She asked for information on the legal capacity of the Child Rights Monitoring and Evaluation Board, how it incorporated the principles of the Convention, and whether it had been allocated a budget.

18. Noting that public expenditure for children remained low by international standards, she wished to know whether there was a system in place to monitor those expenditures, and to what extent budgetary allocations for children benefited the most vulnerable groups. She wondered how children were protected under the National Action Plan to Combat Human Trafficking and whether a budget had been allocated for that plan.

19. Pointing out the gaps in the national data collection system, she asked if Government agencies, civil society and other stakeholders cooperated to consolidate the available data. It would be useful to know if data were collected, using internationally accepted indicators, on specific groups of children, children in poor areas and child workers. The reporting State should explain what measures to raise awareness of children's rights were included in the National Child Rights Strategy for 2012–2016 and the related action plan. She wished to know the current official status of that strategy, what institutional arrangements were being made to implement it, and what financial and human resources were available for that purpose.

20. She wondered what role the Ministry of Family and Social Policies would play in the implementation of the Convention, and what level of coordination existed among the private and voluntary sectors, local authorities and the different regions of the country. It would be interesting to learn how the views of the child would be included in decision-making processes under the Child-Friendly City Project mentioned in the report. Lastly, she asked the delegation to confirm and comment on the case of a 14-year-old student who had been sentenced to 3 years' imprisonment for making a joke about Mustafa Kemal Atatürk.

21. **Ms. Sandberg** asked what mechanisms were in place to involve non-governmental organizations and children in Turkey in the process of reporting to the Committee and implementing children's rights.

22. **Mr. Pollar**, noting that the percentage of children under 5 years of age who had not been registered had fallen sharply, asked what measures the Department for Population and Nationality Affairs had taken to identify and address the obstacles to the timely and accurate registration of births, especially in rural and eastern areas. He wished to know what steps were taken to guarantee children's privacy in all settings, protect households from unlawful interference, ensure children's correspondence remained private and

preserve the confidentiality of personal information. He also wondered if children enjoyed the right to confidential counselling.

23. **Mr. Guráň** requested further information on “pupil’s councils”, the Child-Friendly City Project and children’s access to a complaints mechanism.

24. **Mr. Koompraphant** asked whether there were any legal provisions to ensure that children grew up in a loving family environment. He also asked if the Child Protection Law provided for children in custody disputes to be heard and if paediatricians, psychologists or social workers were available to assess a child’s psychological state. Referring to paragraph 89 of the report, he wished to know how it was possible to monitor whether or not people reported abuse, neglect and other offences.

25. **Mr. Madi** said that it was important for the Government, NGOs and the media to be involved in combating honour killings and forced suicide. There were alarming reports that women and girls under threat of murder were not effectively protected and might be returned to their families as there was a lack of shelters. He requested data on the number of honour killings since 2008, the number of cases brought before the courts, the number and geographical distribution of shelters and their use by children and the relevant training given to law enforcement personnel and shelter staff. Regarding the police hotline for child victims and the Bar Association of Ankara 24-hour helpline, he wished to know how many calls children had made to them and what protocol the operators had to follow when a victim was in imminent danger.

26. **Mr. Cardona Llorens**, noting that, as a result of Turkey’s signature of the European Convention on the Exercise of Children’s Rights, the Supreme Court could overturn lower court decisions that were not in the best interests of the child, asked how that principle was applied and what the criteria were for determining a child’s best interests.

27. **Ms. Aidoo** asked if the State party considered the culture of children’s rights to be strong in Turkish society at large, and not only among professionals working with children. She wondered if staff trained in children’s rights effectively applied the principles of the Convention in their work and if there were provisions for raising citizens’ awareness of children’s rights. She wished to know if children’s rights education had been integrated into curricula at all education levels and whether the Ministry of National Education would consider making children’s rights education compulsory in teacher training.

28. **Ms. Nores de García** asked whether the Action Plan for Combating Domestic Violence against Women for 2007–2010 had been evaluated and, if so, what the results and effects had been. She enquired whether Law No. 4320 on the Protection of the Family considered all forms of violence against children, explicitly prohibited physical violence and prescribed penalties. She wished to know what mechanisms were available to children for reporting abuse, how children were informed of their options in that regard and how many shelters there were for child victims.

29. **Ms. Al-Asmar** asked if the rights of minority groups were addressed under Turkish law and what the potential effects were of allowing couples to marry before the age of 17. She expressed concern that the policy of transferring pregnant women from rural areas to the city in order to give birth safely was discriminatory and detrimental to their families, and suggested training midwives to work in rural areas. She enquired about the nature of reintegration and rehabilitation of children living in the “compassion houses” mentioned in paragraph 80 of the report, and whether those institutions had been established on the basis of studies or international best practices.

30. **Ms. Wijemanne** asked if the Government intended to centralize data collection on children and if the data covered children who were vulnerable to abuse and exploitation,

such as children belonging to minority groups, children in conflict with the law, child asylum seekers, adopted children, children in institutions and child workers.

31. **Ms. Maurás Pérez** expressed concern that corporal punishment had not been explicitly prohibited within the home and that the provisions prohibiting corporal punishment in schools did not appear to be successfully or universally applied. She asked what steps the State party was taking to prevent violence, rather than simply criminalize it, and to change the cultural attitudes that perpetuated violence. She wondered if there was a comprehensive, long-term social policy to lessen regional and ethnic disparities, and asked for the delegation's comments on the fact that social expenditures were significantly below the European Union average. She wished to know whether the State party was considering laws to prevent and sanction human rights violations committed by private enterprises.

32. **Mr. Gastaud**, noting that the Convention had been incorporated into Turkey's legal order, asked if it had been used as the basis for any administrative or judicial decisions, including higher court rulings which overturned lower court judgements, and if laws were reviewed to assess their compliance with international instruments.

33. **Ms. Lee** asked why the report only covered the period up to 2006 when it had been submitted in 2009. She wondered about the typical contents of the libraries mentioned in paragraph 53 of the report, in light of the State party's reservation on article 17 of the Convention, which encouraged the production and dissemination of children's books. She welcomed the adoption of the Law on Association but asked for clarification as to the actual age children could join an association and the administrative procedure for establishing an association. She wished to know if the Civil Code provision that children were not entitled to exercise civil rights had been removed when the Code was amended.

*The meeting was suspended at 11.20 a.m. and resumed at 11.40 a.m.*

34. **Ms. Şahin** (Turkey) said that Turkey aimed to become a party to all United Nations conventions and incorporate them into its domestic legislation, which was why it had withdrawn its reservation to the Convention on the Elimination of All Forms of Discrimination against Women. The Government had taken a participatory approach to its work on the Constitution: the population, including children, had been consulted in all 81 provinces and their input had been submitted to the drafting committee.

35. **Mr. Mermerci** (Turkey) said that the Government did provide training on children's rights and, from 2005 onwards, had stepped up its efforts in that area by devising a range of training programmes and collaborating with the United Nations Children's Fund (UNICEF) on a juvenile justice project. Moreover, the national police and a number of prosecutors' offices were now equipped with specialized units for juvenile delinquents. In addition, specialized training in juvenile justice was provided to judges and prosecutors. There were currently 103 specialized juvenile courts in Turkey. Those courts were fully operational and employed a range of specialized staff. Social workers, psychologists and teachers contributed to the work of the courts by drafting reports and by liaising with children and their families.

36. **The Chairperson** said that the Committee was pleased to learn of the specialized training provided to judges and prosecutors but was more interested in whether universities provided more general training in children's rights, given that the principles set out in the Convention did not apply exclusively to the juvenile justice sphere. He also wished to know whether the school curriculum included a human rights element and referred to the Convention.

37. **Mr. Mermerci** (Turkey) said that many law students chose to specialize in juvenile justice and that a large number of academics were working in that field. Moreover, a number of universities also organized seminars on violence against women and children.

Judges and prosecutors received training in children's rights through a justice academy, whereas social workers, psychologists and teachers undertook a specialized programme of study at university. Furthermore, the school curriculum did include a human rights element, details of which would be provided by the representative of the Ministry of Education.

38. The fact that the minimum age for marriage was 17 had been the subject of much discussion in view of the fact that, in Turkey, the age of majority was 18. A bill on that subject had been submitted to Parliament, which was expected to take a decision following a debate. Furthermore, the fact that a warmer climate could cause physical development to take place at an earlier age should also be taken into account.

39. In Turkey, there were currently around 2,100 children in detention. While children who had been detained without charge accounted for the majority of those detainees, they also included convicted children and children who had been sentenced but who were appealing the decision. Those children who had been convicted were being transferred to centres that were the equivalent of a prison, whereas those who had been detained without charge were still held in prison. In some smaller provinces, children who had been detained without charge were held in the juvenile block of the general prison but under no circumstances could a child who had reached the age of majority be held with minors. Of the total number of children in detention, around one third were housed in individual rooms with en suite facilities and with doors that could not be opened without the child's consent. The Government planned to expand those facilities with a view to housing all child detainees in such rooms within two and a half years.

40. **The Chairperson** said that he had not understood from the delegation's reply whether minors were detained alongside adults in Turkey.

41. **Mr. Kotrane** (Country Rapporteur) said the argument that warmer climates caused physical development to take place at an earlier age, was misplaced, as such arguments could be used to justify lowering the age of criminal responsibility or allowing underage girls to marry. The debate on the minimum age for marriage in Turkey should take into account the right of a child to their childhood and the possible need to raise the minimum age for marriage in order to allow children, particularly girls, to complete their education.

42. **Ms. Şahin** (Turkey) said that the Turkish education system had been reformed to encourage girls to remain in school until the end of their compulsory education in an attempt to prevent early marriage. She agreed that the argument that warmer climates caused physical development to take place at an earlier age was not pertinent.

43. **Mr. Mermerci** (Turkey) said that the Government intended to raise the minimum age for marriage from 17 to 18 and that Parliament was working to achieve that goal. Under no circumstances were minors detained alongside adults in Turkey. In some smaller provinces, minors were detained in the juvenile block of a general prison. However, that block was completely separate from the adult block and at no time did minors come into contact with adults. In addition to its plans to increase the number of individual rooms for minors, the Government also planned to house all minors according to their age.

44. Security officers could take no part in the questioning of minors. A specialized juvenile prosecutor was responsible for recording the testimony of minors. In the case of sexual abuse, the testimony of a minor was recorded only once so as to avoid adding to the child's distress. To that end, interview rooms were equipped with video recording facilities. The Law on Criminal Procedure provided that a minor should be accompanied by a lawyer and a psychologist during questioning and when their testimony was being recorded. Furthermore, the parents of the child could also be present during both the questioning and the recording of the child's testimony. The Turkish Penal Code prescribed up to 1 year of imprisonment for the ill-treatment of a child by their parents, guardians, teachers or anyone

else with a duty of care to that child and prohibited the use of physical violence or corporal punishment.

45. **The Chairperson** asked whether corporal punishment was expressly prohibited at home, in schools and within other relevant institutions.

46. **Ms. Şahin** (Turkey) said that the recently enacted law on family protection and combating violence served to complement the relevant provisions of the Turkish Penal Code and contained an updated definition of violence that covered all its forms, including violence against children.

47. **The Chairperson** requested clarification on the current status and date of enactment of the law on family protection and combating violence.

48. **Ms. Şahin** (Turkey) said that the aforementioned law had been enacted and was currently in force, and that monitoring centres were being set up throughout the national territory. The Government had also taken steps to ensure the effective implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence and was in the process of determining the responsibilities of various Government ministries in that area.

49. **Mr. Mermerci** (Turkey) said that the courts of first instance invoked and effectively applied the provisions of the Convention. Moreover, the Turkish Constitution enshrined the primacy of international instruments over all domestic legislation. Therefore, the provisions of the Convention prevailed in the courts of first instance, as well as in higher courts.

50. **Mr. Balo** (Turkey), replying to the question about the ombudsman, said that a bill had been submitted to Parliament and was currently under consideration. The bill, which was expected to enter into force prior to the parliamentary recess that summer, would allow Turkish citizens, foreigners, children and legal entities to lodge complaints concerning the functioning of the administration. All complaints should be resolved within a period of six months and the administration would be held responsible for any failure to remedy the shortcomings outlined in a given complaint.

51. **The Chairperson** said that the forthcoming appointment of an ombudsman was a positive development. He wished to know whether the office of the ombudsman would include a specialized unit for children and how children could access it. He requested clarification on whether the office would operate exclusively at the national level or whether it would also be represented at the local and regional levels. He also enquired as to the relationship between the new institution and the existing parliamentary committee responsible for monitoring the implementation of laws and as to their respective mandates.

52. **Mr. Balo** (Turkey) said that in order for the ombudsman to work independently, the incumbent would only be accountable to Parliament. The ombudsman would also be required to keep abreast of all developments in laws affecting children and to ensure that children enjoyed easy access to the mechanism through awareness-raising initiatives that involved teachers and schools in general.

53. New legislation adopted in 2005 classed child victims of crime as children in need of protection and declared them the responsibility of the State. Families and teachers in particular had a part to play in minimizing the impact of the crime on the child. In the event of a child falling victim to a crime, legal proceedings should be initiated without delay. The child would be required to testify only once, as their testimony could be recorded using audiovisual equipment and reproduced without them having to take any further part in the criminal proceedings or related investigation.

54. **Mr. Koca** (Turkey) said that the previous law concerning freedom of assembly had not covered children wishing to establish an association. However, the new law provided

that children aged 15 who obtained the permission of their legal guardian could establish an association, become a member of an association and serve on its executive committee. Children aged 12–14 could become a member of an association but could not serve on its executive committee. The procedure for establishing an association in Turkey was relatively straightforward. At least seven persons were required to establish an association and legal personality could be obtained by presenting its by-laws to the relevant provincial authority.

55. The Law on Municipalities guaranteed the participation of children in decision-making processes by allowing them to sit on a separate children's council. In that way they could contribute to decisions taken at the municipal level.

56. **Ms. Lee** asked whether the law concerning freedom of assembly came into conflict with the law concerning meetings and demonstrations, given that the latter set the minimum age for establishing an association that held outdoor meetings at 19 years.

57. **Mr. Koca** (Turkey) said that the law concerning freedom of assembly did not come into conflict with the law concerning meetings and demonstrations, as the former specifically referred to the establishment of children's associations whereas the latter referred to the establishment of associations in a different context.

58. The Government was committed to reducing the number of unregistered births and, to that end, had established a time frame of one month for new parents to register their child or face a fine equivalent to around US\$ 30. In fact, the digitized birth and death records meant that the Turkish Government could view the population figures on a real-time basis. From 2012, social security would also be administered on the basis of birth registration, which would create problems if a child was not registered. Children who were in the care of child protective services or institutions were registered by those institutions.

59. **The Chairperson** welcomed the steps taken by the State party to further reduce the number of unregistered children. He asked whether there was a lack of awareness in some areas about the need to register children or whether there were other barriers to registration, such as the cost of doing so or living in remote areas.

60. **Mr. Koca** (Turkey) said that the very small number of unregistered children typically lived among nomadic groups in the mountains who might not have been able to register their children due to migration. However, when children needed access to health services, they would have to be registered; registration would also make them eligible for social security benefits.

61. **Mr. Taştekin** (Turkey) said that, in order to work in the best interests of children, specialist police units had been established by the law enforcement agencies in all provinces to deal with juvenile crime and 1,500 police officers had received 58 hours of training on how to deal with juveniles. Torture committed by a public servant was an offence under the Penal Code. If the victim of torture was a child, that was considered an aggravating factor, leading to a prison sentence of between 8 and 15 years.

62. The Child Protection Law clearly stated that proceedings against juvenile offenders must be held in juvenile courts and that persons under 18 years could only be interrogated by specialized prosecutors. Furthermore, juvenile offenders were detained in special juvenile units, which had been established in every province, and were kept separate from adult offenders. Handcuffs, chains or other restraining devices were not used on detained children. Legislation provided that parents or legal guardians were immediately informed when a child was apprehended, detained or held in custody. Children were provided with legal counsel whether they requested it or not and underwent a medical examination that was performed without the presence of law enforcement officers, who had no access to the report of the medical examination.

63. The Directorate for Human Rights included representatives from the bar associations and from NGOs. A bill on establishing an oversight mechanism for the law enforcement agencies, covering the police, military police and coastguard, was before Parliament. Any crimes allegedly perpetrated by law enforcement officers were investigated centrally and transparently.

64. There were programmes to combat child protection and sexual abuse; specialized training on investigating child abuse was provided. Over 5,000 members of the security forces, and a similar number of police officers, had received the training.

65. Twinning projects with member States of the European Union were aimed at preventing torture and ill-treatment. Interrogation techniques and rooms were being improved and there were now 30 interrogation rooms that met the required standards. A programme on observance of human rights had also been introduced.

66. **Mr. Kotrane** asked for more information on the situation of children born outside marriage. The Committee was aware that the number of children in institutional care remained high and would appreciate some information on alternative, family-based care for abandoned children, such as adoption or the Islamic system of *kafala*.

67. The Labour Code prohibited children from working in certain jobs in the agricultural and domestic sectors, and yet 41 per cent of working children were employed in the agricultural sector. He asked what measures had been taken to ensure that children were protected from the economic exploitation that persisted in the agricultural and construction industries.

68. While the Committee noted that Law No. 5510 provided for health insurance and social security for asylum seekers, refugees and stateless persons, the fact that the Convention relating to the Status of Refugees was applied only to those coming from European countries was a cause of concern. Information would be appreciated regarding the main difficulties reported by child refugees and asylum seekers, including difficulties obtaining residence permits, which they needed to access health and education services.

69. **Ms. Al-Shehail** asked what measures had been taken and what resources had been made available to reduce disparities between urban and rural, and regional and local, nutrition and health outcomes. Information on measures to strengthen family medicine and offer more comprehensive public health services would also be welcome. It would be interesting to know whether youth, health and education policies specifically included the aims of promoting healthy behaviour and psychological resilience among young people, and how psychological support services for young people were made available and monitored.

70. She requested further information on the steps taken to ensure that all children, including children with disabilities, could be raised in a family environment, and asked what measures had been introduced to eliminate the institutionalization of children by providing social benefits and assistance. She also wished to know what steps the Government had taken to provide inclusive education and whether a definition of inclusive education had been incorporated into law.

71. She asked how information was made available to children with disabilities on seeking help and making complaints related to harmful practices and exploitation, and what action was taken against persons in authority who failed to protect children from harm. More information on the punishment of perpetrators of crimes against children would be welcome, since information before the Committee indicated that, in some cases, police officers were allowed to remain on duty while standing trial.

72. Regarding the educational reform referred to by the delegation, she wondered whether the dropout rate for children from minorities had been taken into account when

creating the reform and whether there were plans to bring teacher-training programmes into line with the latest goals and methods of the education system.

73. **Ms. Herczog** asked what measures were in place to support working parents with children under the age of 3 years. Was provision made for childcare and extra help for those living in isolated communities? Since the provision of early childcare and education was one of the best methods of preventing children from falling behind at school in later years, she asked whether the State party had considered implementing a conditional cash transfer scheme to increase preschool attendance. Although kindergarten was a free service, she was aware that parents nonetheless often had to contribute financially, and wondered what support was available for parents who could not afford it.

74. She would like to know why the Ministry of Health had closed the Department for Maternal and Infant Health and Family Planning, what had replaced the service and what was done to ensure that women were in a position to take informed decisions about their reproductive health and to avoid unwanted pregnancies.

75. Lastly, she asked for further information on the measures in place to prevent child abuse within the family and abuse perpetrated by people in a position of authority, particularly those whose job was to protect children.

76. **Ms. Sandberg** said that children employed in the agricultural sector often migrated annually, with or without their families, in search of work, and asked how that phenomenon could be prevented, particularly since it led to gaps in children's education. She would like to have more information on programmes to prevent children ending up on the streets.

77. **Mr. Cardona Llorens** asked for more details on screening for disabilities in children, particularly for children between 1 and 3 years of age. The Committee was aware of alarming reports of the conditions in institutions for children with mental and physical disabilities and psychological problems, and he asked whether there was any system to monitor the treatment of children in such institutions. He wished to have more information on the numbers of children taught in specialized institutions and children receiving inclusive education. He asked whether specialized teaching was provided in ordinary classrooms for children with disabilities.

78. Lastly, he wished to know what specific measures had been adopted for children who had fled the Syrian Arab Republic and sought refuge in Turkey, and how their rights as refugees to education and health care were guaranteed.

79. **Mr. Koompraphant** asked for more information on how the sale and trafficking of children were detected, whether parents who were complicit in the sale or trafficking of their children were legally liable, and how child victims of trafficking were dealt with when the family included a complicit parent.

80. **Mr. Pollar** asked whether there were any plans to increase support services for families in less developed regions. He noted that there were still many gaps in the provision of recreational facilities for children. It appeared that the concept of free time for children was not well established in Turkey and that there was strong pressure to study excessively in order to achieve good academic results. Furthermore, more action was required to ensure that girls enjoyed the rights set out in article 31 of the Convention on the same footing as boys.

81. **Ms. Wijemanne**, noting the high number of children with disabilities, asked whether anything had been done to tackle the factors that contributed to disability. She noted that high rates of maternal mortality in rural areas might be linked to early marriages and low levels of education among girls. According to reports made available to the Committee, the breastfeeding rate was 39 per cent; had the State party taken action to implement the International Code of Marketing of Breast-milk Substitutes? And were

breast-milk substitutes advertised or distributed as samples? She would also like to know if there were programmes in place to prevent mother-to-child transmission of HIV.

82. The Committee had received reports that children had been treated with electroconvulsive therapy, a serious treatment that was rarely used even for adults. She asked for the delegation's comments on the truth of those allegations. Lastly, she asked what disciplinary measures were in place in institutions to monitor unethical practices relating to children.

83. **Mr. Gastaud** said that he would appreciate clarification regarding the placement of young offenders in prisons. Noting that the delegation had referred to specialist juvenile prosecutors, he asked whether there were also specialist juvenile judges able to preside over courts at every level. He asked whether there were plans to raise the age of criminal liability, since the current age of 12 years seemed to be rather low. Information would also be welcome on alternative sentences and whether education and reintegration services were provided in prisons.

*The meeting rose at 1 p.m.*