



Convention on the Rights of the Child

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COMMITTEE ON THE RIGHTS OF THE CHILD

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OPTIONAL PROTOCOL ON THE INVOLVEMENT OF CHILDREN IN ARMED CONFLICT

List of issues to be taken up in connection with the consideration
of the initial report of Turkey (CRC/C/OPAC/TUR/1)

The State party is requested to submit in written form additional and updated information, if possible, before 3 August 2009.

With reference to the Committee's previous recommendation that the State party consider withdrawing its reservations to the Convention (CRC/C/15/Add.152, para. 12), please inform the Committee of any progress made in this regard.

Please inform the Committee of measures put in place to verify the age and guarantee that no person under the age of 18 is conscripted, in view of the rate of issuance of birth certificates previously noted by the Committee (CRC/C/15/Add.152, paras. 35-36).

Please provide information on the exact penal provision relating to the crime of recruitment or use in hostilities of a person who is under the age of 18.

Please indicate whether Law No. 1111 on Military Service foresees sanctions in case of recruitment of persons who are under the age of 18.

Furthermore, please provide information as to whether Turkey assumes extraterritorial jurisdiction over the war crime of conscripting or enlisting children under the age of 15 into the armed forces or using them to participate actively in hostilities. Also, in relation to extraterritorial jurisdiction, please indicate whether Turkish courts have jurisdiction in case

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of forced recruitment or involvement in hostilities of a child if committed outside Turkey, by or against a Turkish citizen. Please provide copies of jurisprudence, if applicable.

Please inform the Committee of the number of children who have been prosecuted on the basis of anti-terrorist legislation and indicate at what age such legislation can and has been applied. Please provide information on the charges against children, the definition of terrorist acts which can be brought against children and whether such trials have been carried out in the ordinary justice system or in military or otherwise ad hoc courts and indicate the sanctions applied. Please explain to the Committee how due regard has been shown for the child as a minor in the proceedings and what procedural guarantees have been put in place to guarantee the right of children to a fair trial. In this regard, please inform the Committee of measures taken to take into account general comment No. 10 (2007) of the Committee on children's rights in juvenile justice.

Please indicate how many children have been recruited or used in hostilities by non-State armed groups and what mechanisms are used to identify such children. Please indicate what measures the State party has taken to prevent such recruitment and what reintegration and recovery measures have been provided to children who have been victims of recruitment or used in hostilities.

Please inform the Committee of the measures that have been taken to ensure that persons under the age of 18 do not form part of paramilitary village guards.

Please provide disaggregated data (including by sex, age group and country of origin) covering the years 2006, 2007 and 2008 on the number of asylum-seeking and refugee children coming to Turkey from areas where children may have been recruited or used in hostilities. Please provide information on existing identification mechanisms and the procedure for considering refugee and asylum claims from children who have been recruited or used in situations of armed conflict.

Please inform the Committee of the training and dissemination of the Optional Protocol among relevant professional groups working

at the national level with children who may have been recruited or used in hostilities, including migration authorities, lawyers, judges, medical professionals, social workers and journalists.

Please provide information on education and training on human rights, in particular on children's rights, provided to the Turkish police and military. Please indicate whether military codes of conduct and rules of engagement take into account the Optional Protocol.

Please inform the Committee of the training provided on the provisions of the Optional Protocol for teachers at military schools. Please inform the Committee whether children in military schools have access to complaints mechanisms and whether an independent entity oversees the curricula and administration of such schools.

Please provide information with respect to dissemination to the general public of information related to the issues covered by the Optional Protocol.

Please inform the Committee whether national legislation prohibits the sale of arms when the final destination is a country where children are known to be, or may potentially be, recruited or used in hostilities.
