



Convention on the Rights of the Child

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Agenda item 4

Consideration of reports of States parties

Replies of Türkiye to the list of issues in relation to its combined fourth and fifth reports*, **

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* The present document is being issued without formal editing.

** The annex to the present report may be accessed from the web page of the Committee.



Part one

Reply to paragraph 2 (a) of the list of issues (CRC/C/TUR/Q/4-5)

1. With regard to this question, please refer to explanations already provided to the Committee in Türkiye's periodic reports and other responses.

Reply to paragraph 2 (b) of the list of issues

2. See 15 (c).

Reply to paragraph 2 (c) of the list of issues

3. In Türkiye, national legislation, international regulations adopted by Türkiye, national strategy documents and action plans, and administrative acts are the basic building blocks of a comprehensive policy on children's rights.

4. Apart from the international instruments to which our country is a party, relevant provisions in our national legislation,¹ taking into account the principle of the best interests of the child, on this issue are regulated by the Constitution, various other laws [such as Turkish Civil Code (TCC), the Child Protection Law (CPL), the Turkish Penal Code (TPC), the Code of Criminal Procedure (CCP)] and regulations. Also, the Ministry of Justice's (henceforth MoJ) Judicial Reform Strategy (2019-2023) and Human Rights Action Plan (2021-2023) include comprehensive targets on the issue. Similarly, other institutions include goals on the subject in their strategy documents. The detailed information on administrative acts can be found in relevant following paragraphs.

5. On the other hand, in subparagraph (c) of Article 2 of the Decree Law No. 633, "To ensure the healthy development of children by protecting them from all kinds of neglect and abuse; to coordinate the determination of national policies and strategies, to carry out social services and assistance activities for children, to ensure cooperation and coordination between relevant public institutions and organisations and volunteer organisations in this field" is listed among the duties of the Ministry of Family and Social Services (henceforth MoFSS). The basic service policy of the General Directorate of Child Services is to ensure that children are cared for by their families by taking necessary protective and supportive measures, and in cases where this is not possible, to ensure that they benefit from service models closest to the family environment.

Reply to paragraph 2 (d) of the list of issues

6. Although the MoFSS has been assigned as the coordinating institution responsible for children's rights in Türkiye and for the implementation and monitoring of the Convention on the Rights of the Child, essentially all institutions and organisations are responsible for services for children in their respective fields.

7. Established in 2011, MoFSS has completed its organisation in all provinces and districts and continues to provide services at national level.

8. Following events were held by General Directorate of Security (Ministry of Interior) with the participation of the representatives from other public institutions and universities:

- Workshop on Informative and Prevention Activities for Migrant Children (12-13-14 July 2017);
- Informative and Prevention Activities Practitioner Course for Migrant Children (February 2018);
- Activities for Secondary and High Schools within the Scope of Informing and Prevention;

¹ Detailed information about the legislation under this and following headings can be found in the Annex, Table 1.

- School visits, conferences and cultural activities were organised, reaching 98,528 participants in 2021, 322,379 in 2022 and 420,907 in 2023.

9. In this context, MoFSS implemented a series of joint-events with NGOs and universities and carried out studies in 2021 with the aim of stronger cooperation and consultation mechanism with civil society and other relevant stakeholders. In addition, Civil Society Cooperation and Project Department has been established under the roof of the Strategy Development Department under MoFSS in order to move these efforts to institutional level.

Reply to paragraph 2 (e) of the list of issues

10. Data on children benefiting from the services of MoFSS are categorised by disability, nationality, age, etc., but the system does not include ethnic origin and religious affiliation subclasses. In order to collect data on the population of PwDs, "National Disability Data System" based on the Health Board Reports for Persons with Disabilities has been established under MoFSS. On the system, there is information of individuals who have applied to authorized hospitals to obtain Health Board Report for Persons with Disabilities and to receive service.

11. The number of PwDs registered on the National Disability Data System is 2,511,950, of which 1,414,643 are male and 1,097,307 are female.

12. The latest research that estimates the provincial distribution of PwDs in Türkiye is "2011 Population and Housing Census". The research was conducted with approximately 2.2 million households and all persons in institutions using the full census method to provide information at provincial level. With the Population and Housing Census carried out by TURKSTAT in 2011, information was collected from approximately 13% of households across Türkiye. Face-to-face interviews were conducted with approximately 9 million individuals.

Distribution of the population of PwDs in the 3-19 age group by gender within the general population, 2011

<i>PwDs</i>	<i>Population Ratio (%)</i>	<i>Men (%)</i>	<i>Women (%)</i>
All age groups	6,9	5,9	7,9
3-9	2,3	2,5	2,1
10-14	2,1	2,4	1,8
15-19	2,3	2,6	2,0

Reply to paragraph 2 (f) of the list of issues

13. With the amendment made in 2010 in Article 74 of the Constitution of the Republic of Türkiye, the right to apply to Turkish Ombudsman Institution (henceforth TOI) was regulated. TOI has been established with the Law No. 6328 on the Ombudsman Institution as an independent and effective mechanism in line with the Paris Principles. It has been receiving applications since 2013.

14. Article 1 of the Law No. 6328 states that the Institution is an independent and effective complaint mechanism. The independence of the Institution is guaranteed by the provisions in Article 12, titled "Independence and impartiality". The independence of the Ombudsman Institution is further strengthened by Articles 4, 10, 11, 30, 31 of the same Law.

15. Additionally, as per Article 7 of the aforementioned Law, a unit which is responsible for rights of women and children under the Ombudsman Institution has been established which shows that special importance is given to the field of the rights of women and children.

16. Along with TOI, HREIT, affiliated to the MoJ, with public legal entity status and administrative and financial autonomy, has been established by law No. 6701 in line with the international instruments to which Türkiye is a party in the field of human rights, as well as the relevant international standards and principles. HREIT acts as the national prevention mechanism for the protection and promotion of human rights, prevention of discrimination

in the enjoyment of legally recognised rights and freedoms, and effective fight against ill-treatment.

17. It has been decided by the official letter dated 10 October 2022 drawn up by the Secretariat of the Accreditation Sub-Committee within the scope of the Global Alliance of National Human Rights Institutions (GANHRI) that the HREIT be accredited with B status.

Reply to paragraph 2 (g) of the list of issues

18. Pursuant to Articles 91 and 92 of the Labour Law No. 4857, labour inspectors working under the Ministry of Labour and Social Security supervise and inspect all public and private workplaces employing workers. Article 92 includes the following provisions: "... when they come across acts deemed criminal by this Law, they are authorised to prevent such cases in the manner described in the regulation issued by the President of the Republic. During inspections, audits and investigations, employers, workers and other persons who are deemed to be related to this work are obliged to come when called by the labour inspectors in charge of monitoring, auditing and inspection, to give statements and information, to bring, show and give the necessary documents and evidence; to show them all kinds of convenience for the labour inspectors to perform their duties written in the first paragraph and to fulfil their requests in this regard without delay."

Reply to paragraph 3 (a) of the list of issues

19. The legal provisions on this issue are regulated by Article 10 of the Constitution; Articles 1, 3, 4, 5, 7, 9 and 25 of the Law on HREIT; Articles 3, 5, 76, 77, 113, 115, 122, 125, 135, 153 and 216 of the TPC; Article 2 of the Law on the Execution of Criminal and Security Measures.

20. In November 2022, "Migration and Humanitarian Aid: NGO Workshop" was held by Strategy Development Department under MoFSS to come together with Non-Governmental Organizations providing services for children in the field of migration and humanitarian aid.

21. Social assistance programs (Conditional Cash Transfer for Education Program and Conditional Cash Transfer for Education Program for Foreigners, Kindergarten Support Program) carried out by MoFSS Directorate General of Social Assistance, are delivered to households in need with a right-based approach and without discrimination. The main purpose of these aids is to improve the welfare of the child and the family, to increase the schooling rate and the school success of children.

22. In order to combat discrimination against children with disabilities in Türkiye, the Ministry of National Education (henceforth MoNE) provided a series of in-service trainings on inclusive education to teachers and school administrators by guidance and counselling services. In addition, courses for adults over 18 years of age were organised to raise awareness in the society. Similarly, in order to facilitate the adaptation of foreigners hosted in our country and to include them in the formal education system, the Ministry opens general courses, especially Turkish literacy courses, vocational and technical courses in public education centres and carries out joint projects with UNICEF and UNHCR. In 2020, the Centre for Research and Development in Child Rights was established within the Board of Education in the Ministry of National Education in Türkiye to conduct research and develop projects to contribute to the protection and dissemination of children's rights in accordance with the principles of equality, and equal opportunity and to work with state units that develop policies and strategies in accordance with human rights principles.

23. In order to develop policies and services for PwDs, Directorate General of Services for Persons with Disabilities and the Elderly (henceforth DGSPDE) under MoFSS, which is the focal institution pursuant to Article 33 of the Convention on the Rights of Persons with Disabilities (CRPD) and national action plans regarding PwDs, carries out studies, including towards legislation amendments, in cooperation with responsible and relevant institutions and organizations. Measures to be taken to ensure and encourage the full and equal enjoyment of human rights and freedoms by PwDs in Türkiye have been adopted at the policy level. Considering the issue of disability in all policy areas, constructing a rights-based approach and ensuring the participation of PwDs in decision-making mechanisms constitute the basis

of disability policy in Türkiye. DGSPDE also works in cooperation with responsible and relevant parties to encourage, ensure and monitor the implementation of CRPD.

24. Peer Bullying, Xenophobia and Emotional Security Training was given to teachers by the Directorate of Migration Management in cooperation with UNICEF, and the Muyu Truck project was carried out. Muyu Truck was sent to schools in 4 different provinces and 7908 students were reached within the scope of the project. In addition to the aforementioned studies, the Directorate of Migration Management carries out activities within the scope of identification of disadvantaged children fleeing war, exposed to traumatic experiences and strengthening their adaptation process.

25. See also subparagraph 2 (c) and paragraphs 40-43 of the Periodic Report.

Reply to paragraph 3 (b) of the list of issues

26. The best interests of the child is taken as a primary consideration in legal, administrative and judicial processes. In this scope, the concept of “the best interests of the child” is clearly stated in the legislation in addition to the CPL, for instance Judicial Support and Victim Services Regulation (Article 6) and the Probation Services Regulation (Article 6) which newly entered into force -respectively on 30 April 2021 and 10 November 2021-. Moreover, the relevant principle is de facto taken into consideration by referring to the best interests of the child in the judicial practice, especially in the decisions of the high courts (both the Court of Cassation and the Constitutional Court).

27. Within the scope of subparagraph (a) of the first paragraph of the Article 46 of Law No 6458 on Foreigners and International Protection, residence permit can be issued to foreigners in order to protect the best interest of the children.

28. In the units of the Gendarmerie General Command (henceforth GGC), necessary studies are carried out in line with the provisions of the CPL and regular in-service trainings are provided to the personnel on the following subjects:

- Child law;
- Child development and psychology;
- Children; sexual neglect and abuse;
- Approaches to children brought to security units and actions to be taken;
- Principles of cooperation and coordination with other institutions and organizations dealing with children;
- Activities carried out by the Child Monitoring Center (CIM);
- Prevention of delinquency and abuse of child victims of crime and the importance of cooperation with families.

29. See also 2 (c) and paragraphs 44-46 of the Periodic Report.

Reply to paragraph 3 (c) of the list of issues

30. Security operations and counter-terrorism measures aimed at dismantling terrorist organizations, including PKK and DEAŞ, which are recognized as such widely by the international community, with the ultimate goal of protecting civilians, are in line with the obligations emanating from both domestic and international law. Any alleged infringement would be duly investigated by competent judicial authorities.

31. GGC intervenes in explosive substances/suspicious objects and improvised explosive devices through expert teams equipped with appropriate protective and intervention equipment. The scene is cordoned off, taking into account the distances involved, with the explosive substance or suspicious object as the centre, provided that the first safety distance radius is not less than 100 metres. In order to protect the explosive substance or suspicious objects as they are during the period until they are intervened by the competent units, necessary perimeter security measures and measures to prevent unauthorised persons from entering the scene are taken in coordination with the relevant civil, judicial and military authorities. Fire brigade and health team shall be informed.

32. Since 2015, interventions during the security operations in order to disperse the demonstrators who did not disperse despite the warnings made by the law enforcement officers during all kinds of illegal actions and activities, to prevent the dispersed from regrouping, to catch the suspects who resisted the security forces, to prevent possible attacks against the people participating in the meeting and demonstration march and the citizens in the vicinity, and in order to restore public order are done in line with the powers granted by the legislation and within the framework of the principle of proportional use of force.

33. In addition, the "Draft Amendment" prepared by the Security Department of DG Security regarding the "Directive on the Procedures and Principles of Action of the Personnel Assigned in Social Events" dated 25.08.2011 in order to harmonise the procedures and principles of action of the Riot Police and other units assigned to ensure public order and security and general public order with the provisions of the Law No. 2559 on the Duties and Powers of the Police, and to reorganise it according to the principle of proportionate use of force in line with the jurisprudence of the Constitutional Court and the ECtHR, was approved and entered into force on 02.04.2020.

Reply to paragraph 4 (a) of the list of issues

34. Notification of births, marriages and deaths of foreigners occurring in Türkiye is made to the authorities of the country of the person concerned by means of a multilingual birth registration sample (Formula A), multilingual marriage registration sample (Formula B), multilingual death registration sample (Formula C), which are annexes to Convention No. 16 of the International Commission on Civil Status, of which we are a member.

35. In accordance with the international conventions to which Türkiye is a party, the procedures and principles re-determined for the issuance and transmission of multilingual documents to the relevant country authorities are stated below:

- Births and marriages of foreigners are notified to the relevant countries by the population directorates in accordance with the framework established under the International Commission on Civil Status, of which we are a member, Convention No. 3 on the International Exchange of Information on Personal Status and Convention No. 26 on the Mutual Exchange of Information on Personal Status and bilateral consular agreements;
- The deaths of foreign persons should be notified to the contracting countries in accordance with the above-mentioned conventions and the Vienna Convention on Consular Relations dated 24 April 1963;
- For the citizens of the countries that are not party to the above-mentioned conventions, no notification of birth, marriage and death events is made to the representative offices of the relevant countries, and upon the request of the citizens of the relevant country, a multilingual document (Formula ABC) regarding the birth, marriage and death events notified to the population directorates is issued and given to the relevant person.

36. According to the Turkish Citizenship Law No. 5901, an archive search is carried out on foreigners who apply for Turkish citizenship in accordance with the Turkish Citizenship Law No. 5901 on whether they meet the condition of "not having any condition that would constitute an obstacle in terms of national security and public order" stated in the law, and there is no archive search application for their minor children who will be processed together with them.

37. The issue of denaturalisation is based on the concepts of "public interest" and "harm to the interest of the state". There are many countries that consider deprivation of citizenship due to terrorist activities as a justifiable reason. Article 66 of the Constitution defines the basic limits of citizenship. Article 29 of the Turkish Citizenship Law regulates behaviours contrary to public order, national security and the interests of the state, as well as actions incompatible with allegiance to the motherland.

Reply to paragraph 4 (b) of the list of issues

38. Freedom of expression is one of the essential foundations of democratic society. However, it is not absolute and may be subject to certain limitations determined within the

framework of the principle of the rule of law. Therefore, freedom of expression is subject to the grounds for restriction set out in Article 10 of the European Convention on Human Rights (ECHR), Article 19 of the United Nations Covenant on Civil and Political Rights (ICCPR) and Article 26 of the Constitution.

39. On the other hand, with the amendment dated 11 April 2013 made to paragraph 8 of Article 220 of the TPC, the elements of the offence of disseminating propaganda for an illegal organisation have been more clearly defined by adding the phrase *"in a way that legitimises or praises methods involving force, violence or threats, or encourages resorting to such methods"* to this paragraph.

Reply to paragraph 4 (c) of the list of issues

40. Meetings to be held in accordance with this law are organized by an organizing committee consisting of at least seven persons who have the capacity to act and have completed the age of eighteen. This board elects a chairman from among themselves. Persons with diplomatic immunity cannot be chairman or members of the organizing committee.

41. Meetings and demonstrations of legal entities are subject to the decision of their authorized bodies. In the legislation regarding the use of the right to organize meetings and demonstration marches, the use of rights includes responsibility in terms of criminal liability.

Reply to paragraph 5 (a) of the list of issues

42. The legal provisions on this issue are regulated by Article 17 of the Constitution; Articles 77, 86, 87, 94, 95, 96 and 256 of the TPC; Article 2 of the Law on the Trial of Civil Servants and Other Public Officials; Articles 158 and 160 of the CCP; Article 2 and 6 of the Execution of Criminal and Security Measures with the marginal title "Principles to be observed in the execution of prison sentences"; Articles 1 and 9 of the Law on HREIT.

43. Türkiye has adopted the policy of "zero tolerance for torture and ill-treatment" within the scope of this legislation and conducted administrative practices through an approach that protects the physical and mental integrity of individuals in the penitentiary institutions. Moreover, the judicial and administrative authorities carry out effective investigations for applications and complaints in this regard. All places where those deprived of their liberty are held, including penitentiary institutions and detention facilities, may be supervised by the European Committee for the Prevention of Torture (CPT), the United Nations Sub-Committee on Prevention of Torture (SPT) and the United Nations Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Special Rapporteur) as well as national supervision mechanisms.

44. See also 2 (c) and articles 96 -103 of the Periodic Report.

Reply to paragraph 5 (b) of the list of issues

45. Physical integrity of all individuals are guaranteed by the Constitution, and the acts committed against the physical integrity are regulated in the TPC as an offence. The disciplinary purpose does not, in any way, constitute an exception to prohibition of corporal punishment and mitigate criminal liability. On the contrary, the commission of the offence of intentional injury *"against a person who cannot defend himself physically or mentally"* or *"on account of a public officer misusing his influence"* are considered as aggravating circumstances of the offence. Moreover, the requirement of criminal complaint is not sought in respect of such offences, and public prosecutors act *ex officio*.

46. Law No. 1702 prohibits ill-treatment and beating (Articles 20-22) and Law No. 4357 on the Promotion, Recruitment and Punishment of Primary School Teachers (Articles 20-22-27) and Law No. 657 on Civil Servants contain punitive measures against teachers who use physical and psychological violence against children.

47. The Law on the Protection of the Family and Prevention of Violence against Women was adopted on 8/3/2012 with the aim of protecting women, children, family members and victims of unilateral stalking who have been subjected to violence or are at risk of being subjected to violence and preventing violence against them.

Reply to paragraph 5 (c) of the list of issues

48. In cooperation with the General Directorate of Child Services and UNICEF, the "Strengthening Decision Support Mechanisms in Child Protection Services Project" is being implemented within the scope of the MoFSS-UNICEF 2020 Work Plan.

49. Within the scope of the project, "Comparative Analysis of Child Protection Systems and Decision Support Mechanisms of Countries", "Analysis of Child Protection, First Intervention and Evaluation Processes" and "Evaluation Framework Guide for Professionals Working in the Field of Child Protection" were prepared for professionals working in the field of child protection. Dissemination trainings for the use of the guide are being carried out with the participation of the personnel working in the field of child protection.

50. Child Protection Trainings were organised with the participation of 4 groups of leaders, experts, professional personnel from the Group Presidency for the Protection of Victims of Trafficking in Human Beings and Integration Group Presidencies under Provincial Directorates of Migration Management. Through these trainings increasing the level of knowledge and awareness of the personnel on child protection, legal regulations in child protection, things to be considered when interviewing children, child labour, forced marriage at an early age, unaccompanied minors, and the best interest of the child was targeted.

51. Furthermore, failure by a public officer to report an offence and failure by a member of the medical profession to report an offence is regulated in Article 279 and 280 of the TPC.

Reply to paragraph 5 (d) of the list of issues

52. The following efforts are included among the essential child friendly practices formulated on the basis of the best interests of the child with a view to provide effective protection for children during judicial proceedings; producing effective policies in respect of children and restructuring of the Department of Judicial Support and Victim Services² (and the Department of Child Services under the department in question) as a separate department of the Ministry of Justice in order to provide qualitative services, establishing and expanding "Directorates of Judicial Support and Victim Services"³ and "Judicial Interview Rooms"⁴ at a nation-wide scale, carrying out efforts to construct and expend "Justice Centres for Juveniles"⁵ ("*Çocuk Adalet Merkezleri*"), creating "waiting areas and playgrounds for juveniles in courthouses", changes in the National Judiciary Informatics System (UYAP) for prioritizing appellate legal remedy examinations in criminal cases where juveniles are a party, establishing "a website to inform victims"⁶ in Turkish, English and Arabic for all victims, including children, and the preparation of "the Guide on Approach to Witnesses", which provides detailed information concerning the approach to child witnesses, and "the

² The Directorate of Judicial Support and Victim Services was reconstituted as a main service unit within the Ministry of Justice to strengthen access to justice for victims, particularly women and children, on 10 June 2020.

³ With the Directorate of Judicial Support and Victim Services, the enforcement of decisions or measures regarding the handing over of a child or the establishment of a personal relationship with the child was transferred from enforcement offices to these directorates (serving in 167 courthouses with 1309 personnel).

⁴ Judicial interview rooms (AGO) ensure that the statements and testimonies of victims, witnesses, children pushed into crime, victims of sexual offences and domestic violence for whom it would be inappropriate to confront the perpetrator are taken in the presence of experts in order to prevent victims from experiencing a second victimisation throughout the judicial process. (168 AGOs serving in 161 courthouses in 81 provinces).

⁵ Justice Centres for Juveniles, which were found in Erzurum in 2021 were established in one building as juvenile courts, Juvenile Bureau of the Chief Public Prosecutor's Office and the Directorates of Judicial Support and Victim Services. The purpose of these centres are to provide holistic service procurement on child protection by including the bar association, forensic medicine expert, social service officers, the law enforcement bureau of investigation of juvenile offences, universities and other relevant units in the said centres. The works on the establishment of a Juvenile Justice Centre in Gaziantep province are ongoing.

⁶ <https://magdurbilgi.adalet.gov.tr/>.

Guide on Approach to Victims”, which has been prepared as a guiding tool for the practitioners, especially law enforcement officers, healthcare and judicial personnel who provide service to victims of crime.

53. The MoJ worked with UNICEF on the issue, organised workshops and in-service trainings with the participation of relevant institutions and has strengthened its institutional capacity.

54. See also 2 (c) and 5 (c).

55. GGC acts in line with the instructions of the Public Prosecutor in relation to child victims, and in order to professionalise in this field, Branch Directorate for Combating Domestic Violence and Children was established on 16 April 2012 within the Public Security Department in order to carry out, coordinate and direct subordinate units to carry out the procedures for women and children from a single source within the framework of the regulations made in the legislation regarding children and women victims of domestic violence, and to establish institutional memory on these issues. GGC has 242 units for Combating Domestic Violence and Child Offences at provincial/district level.

56. In 2001, "Children's Branch Directorates" were established in 81 Provincial Security Directorates in order to improve the services of the Security Organisation for children within the framework of the legislation in force, particularly the UN CRC. In 134 districts, "Children's Bureau Directorates" are established and in other districts where there are no such units according to population, civilian units carry out the work and operations. There are 4060 child police officers and 98 social workers working in the child units under the General Directorate of Security.

57. See also 5 (c) and 2 (c).

Reply to paragraph 5 (e) of the list of issues

58. Article 41 § 3 of the Constitution of the Republic of Türkiye provides “The State shall take measures for the protection of the children against all kinds of abuse and violence.”

59. Sexual offences against children are regulated in detail in the Turkish Penal Code as mentioned in 2(c) and effective investigations are carried out by judicial authorities according to the procedures set out in the CCP. In this sense, the sexual abuse of a child is criminalised under the “offences against sexual integrity” in the TCP and the authorities conduct effective investigations in accordance with the procedures set out in the CCP. By virtue of Article 236 § 5 of the CCP, titled “Hearing of the victim and the complainant”, the children who are victims of abuse give their statements at Child Monitoring Centres, which allow for the conduct of all judicial, forensic and medical procedures altogether in a single visit and in the same place, with a view to minimising the risk of re-traumatisation of children.

60. Moreover, necessary judicial support is provided to child victims in judicial processes. Under the Department of Judicial Support and Victim Services, Directorates of Judicial Support and Victim Services have been established in 167 courthouses across the country as a result of the efforts aimed at providing services such as psycho-social support, guidance and information towards victims of crime and establishing an effective, sustainable and accessible victim support system, within the framework of the principles of restorative justice and social state governed by the rule of law, for all victims in the judicial process, especially those from vulnerable groups. There are 1,309 judicial support officers in total serving in those directorates, including psychologists, pedagogues and social workers. Also, a total of 168 Judicial Interview Rooms have been set up in 161 courthouses across all 81 provinces of Türkiye so that children can express themselves in an environment where they feel safe, without confronting the suspect or the accused, and in the company of a specialist. Across the country, over 83,000 judicial interviews have been conducted since the judicial interview rooms became operational on 3 April 2017.

61. Furthermore, in the gendarmerie responsibility area, middle and high schools and high schools in the 1st and 2nd priority grades are controlled by patrols, and a "safe education coordination officer" is assigned for schools in all priority grades to ensure continuous contact with the school management regarding security measures.

62. In order to prevent children from being dragged into crime and becoming victims of crime, to protect them from harmful habits and dangerous substances that will affect their physical and mental development, and to ensure that they continue their development and education in a safe environment, GGC and General Directorate of Security are simultaneously conducting the School Surroundings and Service Vehicles Inspection Implementation for the Protection of Children and Young People, Türkiye Peace and Trust and Children Implementation, Peaceful Streets and Children Implementation, Prevention of Open Cigarette Sales in School Surroundings, and Joint Peace and Trust Implementation throughout the country.

63. In order to prevent the abuse of children, training activities are carried out by the GGC and necessary controls are carried out by patrols assigned by District Gendarmerie and Gendarmerie Station Commands in areas such as playgrounds, picnic areas, parks and around schools.

64. In order to protect children from all crimes, especially abuse, General Directorate of Security meticulously carries out legislative controls and amendments, risk analyses and information transmissions; judicial and administrative sanctions are imposed when necessary.

65. Observing the best interests of the child, protecting children's rights, preventing neglect and abuse of children and preventing them from becoming victims of crime, and all judicial and administrative procedures related to children are carried out by civilian police officers trained in the fields of juvenile law, prevention of juvenile delinquency, child development and psychology and social services. Within the scope of in-service trainings, 1,661 personnel were trained on the investigation of child sexual abuse in 2021 and 2022.

66. Article 8 of the Law No. 5651 states that in the event that the content of "sexual abuse of children" as defined in Article 103 of the TPC is published on the internet, decisions shall be taken to remove the content and/or block access to that content.

67. In addition, hotline of Information and Communication Technologies Authority of Türkiye (BTK) has been a member of INHOPE since 2011 and cooperates with other hotlines to fight against child sexual abuse materials. Since its membership, Türkiye has been strengthening its ties with the members of INHOPE to combat with sexual abuse of children over the internet.

68. See also 5 (c), 5 (d), 5 (f) and 2 (c).

Reply to paragraph 5 (f) of the list of issues

69. Necessary social service interventions are carried out by MoFSS for children who are abused or at risk of being abused and who need support. Ministry lawyers are involved in lawsuits, and professional studies are carried out to ensure that children who are abused or at risk of being abused reach the type of service they need as soon as possible. In all these studies, it is aimed to prevent all kinds of abuse against the child by considering the best interest of the child in accordance with the UN CRC.

Reply to paragraph 6 (a) of the list of issues

70. Marriage age for girls and boys is 18, and on this subject, there is no distinction between girls and boys. Child who attains the age of 17 may get married with the permission of his/her legal representative. Apart from this, by attaining the age of 16, in case of an emergency or a very important reason, the child may be declared adult and allowed to get married by court decision. A public service announcement was prepared specifically to address early and forced marriages with the aim of raising public awareness.

71. See also article 39 of the Periodic Report.

Reply to paragraph 6 (b) of the list of issues

72. Since 2017, General Directorate of the Status of Women under MoFSS has been carrying out local-specific studies on combating early and forced marriages.

73. In 2017, 2018 and 2019, field visits were carried out to 19 provinces with a high rate of early marriages, and "Provincial Action Plans for Combating Early and Forced Marriages" were prepared with the participation of public institutions and organizations, universities and NGOs.

74. In 2022, studies were carried out within the scope of supporting and disseminating the Provincial Action Plans for Combating Early and Forced Marriages.

75. In May and June, "Provincial Action Plan Preparation Trainings on Combating Early and Forced Marriages" were held. Managers and professionals from the provinces that already have an action plan and from the provinces where the provincial action plans are planned to be expanded participated in the trainings. After the trainings, the provinces, whose implementation period of the provincial action plan expired, updated their provincial action plans. In addition, 4 more provinces prepared "Provincial Action Plan for Combating Early and Forced Marriages".

Reply to paragraph 6 (c) of the list of issues

76. In addition to the explanations in 2(c), 5(c) and 5(d) the Law No. 6284 aims to regulate the procedures and principles as pertains to the measures to be implemented to protect children who have experienced violence or are at risk of violence and victims of stalking and to prevent acts of violence against such persons.

77. In order to effectively implement the Law no. 6284, investigation bureaus for domestic violence have been established in 225 courthouses (81 provinces and 144 districts) within the Chief Public Prosecutors' Offices.

78. With the Law on the Amendment of the TPC and Certain Laws published in the Official Gazette dated 22 May 2022, some amendments were also made to the TPC, which expanded the scope of crimes against women and the legal assistance provided for victims, and aggravated penalties.

79. Also, GGC and DG of Security are also carrying out necessary work within the framework of their jurisdiction.

Reply to paragraph 6 (d) of the list of issues

80. Article 82 § 1 (k) of the Turkish Criminal Code considers "committing a crime with moral traditional motives" among qualified version of the offence, and it is prescribed that those who have committed this offence shall be sentenced to aggravated life imprisonment, which is the most severe sanction in the Turkish criminal justice system. The term "moral traditional motives" used in the said Article constitutes a broad definition that includes offences known as "honour killings".

81. Moreover, justifications such as culture, custom, tradition, or honour are not considered as mitigating factors in any type of offence in the TPC.

82. In addition, the TPC was amended on 12 May 2022, and it is stipulated that it shall constitute an aggravating factor if the offences of intentional killing, intentional bodily harm, torture, maltreatment, and threat is committed "against women".

83. Under the TPC, life imprisonment is prescribed for the offence of intentional killing. However, as a result of the amendment in question, if the said offence is committed "against women", it is now considered as an aggravating factor, and the perpetrator shall be sentenced to "aggravated life imprisonment".

84. In the course of the judicial process, if it is determined by experts as a result of individual evaluations that victims of severe violence offences, such as those based on honour, belong to a vulnerable group, a legal support plan is issued and case management is applied.

85. As soon as it is learned that an offence has been committed, the public prosecutor immediately initiates investigation procedures by conducting necessary inquiries. In case of a suspicious death, the first step is to identify the identity of the deceased. All inquiries are performed in this regard, and information is obtained by showing the body to those who knew

the deceased. The public prosecutor conducting the investigation collects evidence by issuing instructions and requesting information if deems necessary. After the identification of the deceased, a forensic medical examination is performed, and all medical findings and indications on the body are investigated to determine the time and cause of the death.

86. "Encouraging suicide" is also set out in the Article 84 of the TPC.

87. Necessary measures are taken and implemented by GGC in coordination with the relevant ministries, non-governmental organizations and universities to prevent violence and to increase deterrence in violence and violent incidents.

88. Information meetings were held by the Provincial Directorates of Migration Management, and a total of 43,063 people, 12371 of whom were foreigners, attended these meetings.

89. See also 6 (c).

Reply to paragraph 7 (a) of the list of issues

90. The services of MoFSS for children are carried out within the framework of the priority of family-oriented approach in line with the rights of the child by prioritizing the best interest of the child. Ensuring that children, regardless of their nationality, grow up in a family unit forms the basis of our protection services. It is essential that all children, including those in institutional care, primarily benefit from family-oriented services such as foster family, adoption, "Social and Economic Support". In cases where this is not possible, children aged 0-12 are taken under care in Children's Homes and Children's Homes Sites, which are home-type care institutions, and children aged 13-18 are taken under care in specialized Children's Homes Sites.

91. Policies for the care of persons with disabilities in Türkiye show a transformation from institutional care to community-based service understanding. The main purpose of Türkiye's care policy is to protect and support individuals, their families and those responsible for their care from economic and social risks by meeting the needs of persons with disabilities who have difficulty in fulfilling their daily life activities. Within this framework, the services carried out by the General Directorate of Services for Persons with Disabilities and Elderly under MoFSS are as follows:

- Houses of Hope: As of October 2022, 654 persons with disabilities live in 149 Hope Houses;
- Daytime Barrier-Free Life Centres: As of October 2022, 1,533 persons with disabilities are provided services in 130 Day Centres;
- Home Care Allowance: Children can benefit from the service if they have a health board report with the phrases "severely disabled", "Has very advanced special needs", "Has significant special needs", and "Has special needs condition".

Reply to paragraph 7 (b) of the list of issues

92. Childcare institutions are regularly monitored by TOI and HREIT.

Reply to paragraph 7 (c) of the list of issues

93. In order to ensure the family integrity of children who are separated from their families during or after migration among children who are under care, activities related to monitoring of the families and family reunification are carried out in cooperation with relevant institutions.

94. Family reunification procedures are carried out by the Red Crescent and the Red Cross around the world. In other words, identifying the family member in the other country, bringing them to the border and providing documents fall within the scope of the above-mentioned institutions. As Presidency of Migration Management, actions and procedures are carried out within the scope of the Law on Foreigners and International Protection.

95. With the Temporary Protection Regulation, it has been stated that foreigners within the scope of the aforementioned Regulation can request family reunification with their

spouse, minor children and dependent adult children in another country to meet in Türkiye, and these applications will be evaluated by the Presidency. Regarding unaccompanied minors, family reunification procedures will be initiated immediately without waiting for the request of the children.

Reply to paragraph 8 (a) of the list of issues

96. With regards to policies and strategies on the rights of children with special educational needs in Türkiye, a National Action Plan for Inclusive Education has been designed by General Directorate of Special Education and Guidance Services of MoNE in 2022.

97. As the coordination mechanism stipulated in Article 33 of the CRPD, in line with the need to plan and execute the policies and services carried out by many different public institutions and organizations in our country with a rights-based and inclusive understanding and strong cooperation and coordination with a common denominator, Monitoring and Evaluation Board on the Rights of Persons with Disabilities was established with the Prime Ministry Circular No. 2013/8.

Reply to paragraph 8 (b) of the list of issues

98. "Day Centres", the details of which are described in 7(a), can also be considered within this scope.

Reply to paragraph 8 (c) of the list of issues

99. In Law No. 6701, "age" and "disability" are listed as a ground of discrimination. Therefore, upon examination and evaluation made by HREIT administrative fines may be imposed for discriminatory practices that children are exposed to.

100. Within the scope of this article, detailed guides have been prepared for teachers, administrators, families and guidance counsellors/psychological counsellors in order to strengthen the acceptance and adaptation of students with special education needs in schools, and through these guides, it is aimed to prevent discrimination by raising awareness about these students. These guides will be translated into different languages (Arabic and English) and sent to schools and institutions to disseminate the practices.

101. Informative resource booklets on eight disability areas (hearing impairment, physical disability, attention deficit and hyperactivity disorder, language and speech impairment, visual impairment, autism spectrum disorder, learning disability, intellectual disability) have been prepared to increase the awareness and skills of teachers.

102. See also 3 (a) and 8 (b).

Reply to paragraph 8 (d) of the list of issues

103. In addition to the explanations made under 2(c) and the last paragraph of 5(c), the issues of "confidentiality of investigation" and "reporting of crimes and complaint" are regulated separately under the First Section of the CCP entitled "Confidentiality of Investigation, Reporting of Offences".

104. Through the MoFSS Call Center Alo 183 Social Support Line, calls (including video calls) regarding services for family, women, children, PwDs, older persons, martyrs, veterans and relatives of veterans are evaluated and guidance and counselling services are provided. It provides services on a 24/7 basis. Denunciations about children coming to the 183 line through law enforcement or the prosecutor's office are promptly examined, and a detailed social environment analysis is made about the victim children and their families. In line with the examination, necessary protective and supportive measures are taken and children are supported within the framework of the measures ordered by the court.

Reply to paragraph 8 (e) of the list of issues

105. Pension for the Relative of the Person with the Disabilities: Persons with a disabled relative under the age of 18 with a disability rate of 40% and above (including single parent families) can benefit from the pension if they fulfil the conditions in the legislation.

106. Furthermore, people, who are benefitted from the pension, are regarded as being insured with Universal Health Insurance (UHI). Therefore, their premiums of UHI are paid by MoFSS and they could benefit from health services free of charge.

107. Kindergarten Support Program: The expenses, which families receiving social assistance within the scope of the Law no.3294, are obliged to pay the school affiliated to MoNE, are covered by MoFSS. This support program significantly contributes to the early childhood development of children and their preparedness to school life.

108. Within the scope of "Home Care Allowance" implementation, the details of which are provided in 7(a), home care allowance is paid to the caregivers who take care of PwDs under the age of 18 who have a health board report stating "with severe disabilities".

Reply to paragraph 8 (f) of the list of issues

109. 2030 Barrier-Free Vision Document, which sets out the vision of 'building an inclusive society where persons with disabilities can realize their potential' based on 8 principles, including respecting the developmental capacities of children with disabilities and their right to protect their own identities, was announced in 2021. Barrier-Free Vision consists of 8 objectives, including the aim of strengthening inclusive education that support diversity. The National Action Plan on the Rights of Persons with Disabilities (2023-2025), which includes the activities determined for the achievement of the goals in the 2030 Barrier-Free Vision, was shared with the public in 2022 and started to be implemented by the responsible parties.

110. The 2nd National Action Plan for Persons with Autism Spectrum Disorders, prepared under the coordination of MoFSS with the contribution and participation of relevant public institutions and organizations, non-governmental organizations and universities, with the aim of encouraging the participation of persons with autism in social life without discrimination in integrated environments within the framework of a rights-based understanding, and improving service delivery at central and local level, was announced on April 2, 2023, World Autism Awareness Day.

111. Provisions on the accessibility of public spaces are regulated in the 7th article, provisional 2nd and provisional 3rd articles of the Law No. 5378 on Persons with Disabilities, which entered into force on 7/7/2005. At the same time, with the regulation made in 2012 in the provisional article 3, the task of monitoring and auditing accessibility was given to Accessibility Monitoring and Auditing Commissions, and Accessibility Monitoring and Auditing Commissions were established within the governorships in each province and started their activities. In addition to the aforementioned regulations, MoFSS continues to carry out training programmes, projects and innovation activities in the field of accessibility in both physical and technological environment.

Reply to paragraph 9 (a) of the list of issues

112. When analyzed in ten-year periods, the infant mortality rate and under-5 mortality rate, which were 163 and 223 per thousand respectively in the mid-1960s, declined to 9 and 11 per thousand by 2021. In the Levels and Trends in Child Mortality Estimates 2020 report published by the UN Inter-Agency Group on Child Mortality Estimates, Türkiye is the 3rd country with the highest decrease in deaths under the age of 5 among all countries with an annual decrease of 6.9% since 1990.

113. To reduce the deaths of newborns and children under 5 years old following measures have been taken for immigrants under temporary protection:

- Pregnancy, birth and newborn follow-up are included in the scope of emergency health services;
- All health institutions accept pregnant women for delivery;

- Pediatrics and obstetricians are employed in Reinforced Migrant Health Center.

114. Apart from these measures, National newborn screening and vaccination program is implemented for immigrant newborns and children.

Reply to paragraph 9 (b) of the list of issues

115. In addition to the data of the Ministry of Health (MoH), the Türkiye Demographic and Health Surveys (TDHS) provide the longest period of data on the nutritional status of children in our country. TDHS provide data across the country by providing many international standards from sample selection to sample number and measurement methods and are carried out by Hacettepe Institute of Population Studies. Short stature for age (stunting) in children under the age of five indicates chronic malnutrition. According to TDHS results, which are conducted and published every 5 years, stunting (height for age $<-2SD$) in children under the age of five decreased from 18.9% in 1993 to 6.0% in 2018.

Reply to paragraph 9 (c) of the list of issues

116. Within the scope of the “Reproductive Health Programme” carried out between 2003 and 2008 in cooperation with MoH and the European Union, reproductive health training modules were developed with the principle of providing standard and quality service throughout the country and with the principle of a holistic approach.

117. In addition to many in-service trainings for increasing the quality of health personnel and improving the quality of service delivery, these module trainings are still being carried out. Health personnel who provide primary level preventive health services attend these trainings with priority. Health personnel who have completed module trainings conduct public trainings in order to raise the level of knowledge and awareness in the society.

118. Women, children, young people, the elderly, disabled, minorities, immigrants and people living with HIV/AIDS are provided with information, counselling and services in a way that does not cause any discrimination to those who apply to health institutions.

Reply to paragraph 9 (d) of the list of issues

119. Supporting the Psychosocial Development of the 0-6-Year-Old Child (ÇPGD) Program, a nationwide certified training program, aims to monitor the pregnant women and children in primary care with a biopsychosocial perspective by integrating the dimensions of monitoring and supporting the psychological and social development of the child into primary health care services. Trainings of the said program are given to midwives, nurses and physicians working in primary care.

120. Objectives of the program include monitoring the physical, mental and social dimensions of child development and health during pregnancy and 0-6 years of age in primary care regularly, directing families in need to institutions that provide social support, strengthening communication between parents, children and health personnel, development (speaking with their children, reading books, playing games, nutrition, etc.) and basic care, increasing the awareness of health personnel about the psychosocial development of the child and supporting the development, early identification of risk factors and pathologies that may prevent development.

121. Within the scope of the program, risk factors such as poverty at the level of malnutrition, developmental delays, childhood developmental and mental disorders, maternal/paternal mental disorders, smoking in parents, alcohol and substance use, domestic violence, neglect-abuse can be detected early and risky cases can be intervened early.

122. In order to strengthen the mental health of children by strengthening the basic knowledge and skills capacity of families and finding solutions, projects such as ZOYOP and RAM-School were carried out, a series of workshops were organised and then booklets were prepared by MNE. Türkiye's Combatting Addiction Program is implemented in schools. Since the beginning of the 2022-2023 academic year, alcohol addiction education, substance addiction education, healthy life education, technology addiction education and tobacco addiction education have been given to 1,704,231 female and 1,706,965 male students by guidance and psychological counselling services.

Reply to paragraph 9 (e) of the list of issues

123. The household approach is valid in the social assistance programs carried out within the scope of the duties of MoFSS, DG of Social Assistance and it is aimed to make everyone living in the household benefit from social assistances without any discrimination.

124. In this context, Soup Kitchen Assistance, Heating Assistance, Food Assistance, Electricity Consumption Support for Patients with Chronic Illnesses, Assistance for Relatives of Martyrs and War Veterans, Death Assistance, Other Family Assitances, Foreign Assistances, etc. are among the social assistance programs in which children living in the household also benefit. In addition, education assistances, which is one of the assistance programs aimed at supporting children directly, aims to benefit children living in households in need.

125. On the other hand, the household approach was also adopted in the Pandemic Social Support Program (Phase I, II and III), Biz Bize Yeteriz Türkiyem Campaign and Full Lockdown Social Support Program, which was implemented within the scope of combating the COVID-19 pandemic. These assistance programs were intended to support households that were determined to be in need periodically. In line with this aim, it is also targeted to benefit children living in these households from these social assistances.

126. In order to alleviate the socio-economic effects of the pandemic in the post COVID-19 period, the "Türkiye Family Support Program" was carried into effect in 2022. The program is provided to households below a certain income level who cannot benefit from the assistances because they do not meet the conditions determined by the program. Child Support Component is also included in the scope of the program. Depending on the number of children in eligible households, monthly additional payments are made in various amounts.

127. See also 10(b).

Reply to paragraph 9 (f) of the list of issues

128. In the 2023-2028 Türkiye Strategy Document and Action Plan on the Rights of the Child, 3 strategic targets have been set, which include child participation as well.

Reply to paragraph 10 (a) of the list of issues

129. Within the scope of the Information Programme for Children, 18,895 children were reached through 189 activities in 70 provinces. In these socio-cultural and educational activities, peer bullying, children's rights, privacy, child neglect and abuse, child and adolescent health, school attendance, addiction, early childhood, newborn care, early marriages, communication within the family were discussed. With the activities carried out, it was aimed to increase the school attendance rates of Turkish and foreign children, to increase their participation in social life and to combat discrimination.

130. "Roma Rights Summit" was organized by HREIT on 26 May 2022. The aim of the Roma Rights Summit was to raise awareness regarding Roma rights, to reveal the deficiencies encountered by Roma communities in terms of accessing to their rights and to present recommendations. In a session of the summit, "Right of Access to Education for Roma Youth and Children" was discussed. On November 21, 2022, "Panel on Access of Hospitalized Children to the Right to Education" was held. On 29 November 2022, "Human Rights Event Brochure for Children" was published to increase primary school students' awareness of human rights.

131. See also 3 (a).

Reply to paragraph 10 (b) of the list of issues

132. With TRT EBA (Education Informatics Network) of MoNE primary, secondary and pre-school channels, students are supported through distance education, and broadcasting studies continue for their learning deficiencies and their social, emotional and cognitive development. Apart from that, digital contents, including all fields and branches related to Vocational and Technical Education programs, have been developed and made available to all students over EBA.

133. IYEP was prepared for students attending the 3rd grades of primary schools who, for various reasons during the academic year, could not reach sufficient gains in the learning areas of reading, writing, reading comprehension skills and natural numbers and four operations with natural numbers. IYEP was implemented in both 3rd and 4th grades in the 2021-2022 academic year.

134. In order to ensure that all announcements, including public service bulletins, local announcements and other information on the measures taken, made available to the public via the internet and other communication tools during the Covid-19 process, reach all segments of the society and are understood without the need for anyone else, a letter has been sent to all institutions by MoFSS stating that all these should be prepared and published in accessible format; in Turkish Sign Language, with subtitles and if necessary with audio descriptions.

Reply to paragraph 10 (c) of the list of issues

135. "Living Languages and Dialects" courses can be offered in grades 5, 6, 7 and 8 of schools affiliated to the Ministry of National Education upon the application of at least 10 students. The languages covered by this course are Abaza, Adyghe, Albanian, Bosnian, Georgian, Kurmanj, Laz and Zazaki.

Reply to paragraph 10 (d) of the list of issues

136. Freedom of thought and belief is constitutionally guaranteed in Türkiye. Article 24 titled "Freedom of religion and conscience", Article 25 titled "Freedom of thought and opinion" and Article 26 titled "Freedom of expression and dissemination of thought" of the Constitution regulate the necessary legal provisions on the subject.

Reply to paragraph 11 of the list of issues

137. Article 71 of the Labor Law No. 4857 of our legislation particularly prohibits the employment of children under the age of 15 (fifteen). In the legislation, there are provisions that state the minimum working age of children, prohibition of employment based on age, the working hours of children who have completed their basic education and do not attend school, the working hours of children who currently attend school, protection procedures in work life, the requirement of health report before starting work, and other regulations prohibiting heavy and dangerous work, and night shifts. Penal sanctions are regulated for the effective implementation of these provisions.

138. Aside of legal procedures, projects are carried out, alternative education models and social assistance programs are implemented to increase schooling rate and facilitate access to education and educational materials for all children, including refugee, Roma and other disadvantaged children. Similarly, within the scope of the Circular No. 2016/5 on "Access to Education for Seasonal Agricultural Workers and Children of Migrant and Semi-Migrant Families," informative activities are carried out for families and children, compensatory trainings, courses are provided and in-kind, and cash aid is granted.

139. The "Seasonal Agricultural Workers" and the National Program on the Elimination of Child Labour (2017-2023), records of families and children working in seasonal agricultural areas as well as records of all other agricultural workers are kept based on the scope of Law No. 1774 and Circular No. 2017/6. In addition, protective and preventive measures for children are controlled through patrol activities. GGC also carries out activities in the sense by raising awareness among citizens to report child labor.

140. Ministry of Labour and Social Security (MoLSS) has been actively combating against child labour since the beginning of 1990s and has provided coordination and cooperation among public institutions and organizations, workers' and employers' organizations, as well as non-governmental organizations working on child labour.

141. During the period of 2005-2015, "The National Time-Bound Policy and Program Framework" was implemented by the MoLSS in order to eliminate child labour. "The National Program on the Elimination of Child Labour" was updated and put into practice in

2016 under the coordination of MoLSS with the contribution of all relevant stakeholders, covering the implementation period of 2017-2023 along with annexed Action Plan.

142. 2018 was declared as the “Year of Elimination of Child Labour.” As part of this action, “Joint Declaration of the Elimination of Child Labour” was signed by six ministries and seven social partners along with the ILO to prioritize the issue of combating child labour in all activities. Relevant institutions and organizations to increase awareness within the society on combatting child labour while contributing to the policies and objectives of the National Program at the highest level carried out the Declaration activities.

143. The action of Establishing Units for Combatting Child Labour in 81 provinces was included in the Second 100-Day Action Program of the Presidency, to be carried out under the responsibility of MoLSS. In this context, Units for Combating Child Labour were established in 81 provinces to ensure the local applicability and traceability of policies produced at the central level. Through these Units, family visits are made to provide guidance and consultancy services along with other efforts to directly benefit children and family members.

144. There have been various projects conducted by the MoLSS contributing in the combat of child labor. The main scope of these projects are to improve working and living conditions of seasonal agricultural workers and their families. Relevant to child labor, METİP-I and METİP-II projects were carried out to eliminate the problems experienced by workers and their families going to other provinces for work as seasonal agricultural workers. In short, both projects aimed improving living conditions of workers of agriculture and their families, preventing their children from working and orientating them to school for education. In addition to these projects, the Ministry carries out activities together with all relevant institutions and organizations in order to withdraw children, especially the children of seasonal agricultural workers from working life while directing them to schooling.

145. On the other hand, Türkiye has been continuing its work to become the Pathfinder Country developed as part of Alliance 8.7 of the United Nations’ 2030 Sustainable Development Agenda. In this scope of work, our country has planned organizing workshops primarily on ending child labor, forced labor, human trafficking, and modern slavery in order to become part of global commitment/cooperation.

146. While the proportion of children in the 6-17 age group working in economic activities was 15.2% in 1994, this rate decreased to 4.4% according to 2019 Child Labour Force Survey.

147. See also 10 (a).

Reply to paragraph 12 (a) of the list of issues

148. As per Article 31 of the TPC, minors under the age of twelve are exempt from criminal liability. Minors between age of twelve and fifteen are also exempt from liability, if she/he is either incapable of appreciating the legal meaning and consequences of her/his act or her/his capability to control her/his behaviour is underdeveloped.

Reply to paragraph 12 (b) of the list of issues

149. Numerous pre-service and in-service trainings and module trainings have been provided for the judges (at family courts), public prosecutors (working in the domestic violence bureaus) and also the personnel within the MoJ and it is envisaged that these trainings will be continued on a regular basis. In addition, Türkiye ranks 1st among the Council of Europe member states in terms of the number of HELP⁷ users (17000+).

⁷ HELP stands for “European Programme for Human Rights Education for Legal Professionals”, www.coe.int/help. “Child-friendly Justice and Children’s Rights” and “Refugee and Migrant Children” on-line courses were developed under HELP and 72 judges and public prosecutors successfully completed these courses.

Reply to paragraph 12 (c) of the list of issues

150. Apply diversion measures to refer children away from criminal proceedings.

151. In this regard:

- Conciliation;
- Suspension of the filing of criminal proceedings;
- A decision to suspend the pronouncement of the judgment;
- Suspension of the execution of prison sentence;
- Alternative sanctions for short-term imprisonment are applied for children in Türkiye

152. Moreover, a project proposal was developed in cooperation with the MoJ and UNICEF to be implemented in the fundamental rights sector. The main objective of the project is to enhance institutional capacity for the protection of children in conflict with the law (perpetrators, victims, witnesses, etc.) and to improve fundamental children's rights through the development and implementation of multi-sectoral, community-based, child-sensitive and restorative processes and alternative measures.

Reply to paragraph 12 (d) of the list of issues

153. In addition to the explanations under 2(c) and 12(c) above, Articles 20 (conditional bail) and 21 (prohibition of detention) of the CPL and Article 101 and 109 (conditional bail) of the CCP regulate the relevant provisions. In addition, necessary changes were made in UYAP in order to accelerate and prioritize the appellate legal remedy examinations of criminal files in which children are parties at the stage of appellate.

154. In the trainings of judges and prosecutors, the issues of ensuring children detention only as a measure of last resort, and accelerating the judicial proceedings, where juveniles are a party, are addressed especially in the light of the case law of the ECtHR.

Reply to paragraph 12 (e) of the list of issues

155. In addition to the explanations in section 2(c), comprehensive studies have been carried out on visitation opportunities, physical structure, rehabilitation activities, psycho-social assistance service activities, in-service training regarding children held as convicts/detainees in penal execution institutions; joint studies have been carried out with non-governmental organizations, universities and public institutions and organizations by the MoJ.

Reply to paragraph 13 (a) of the list of issues

156. Article 226 (Obscenity) and 227 (Prostitution) of the TPC and Article 8 of the Law No. 5651 comprehensively regulate the provisions on the subject.

157. In addition, GGC and BTK are actively working on the subject and organizing comprehensive training activities. These trainings also include the training on child protection system given by Child Protection League (CPC) officers under the coordination of the UK National Crime Agency (NCA) Ankara Office and the "Strengthening the Protection of Migrants and Victims of Trafficking in Human Beings in Türkiye from a Human Rights Perspective" project being implemented in cooperation with the Council of Europe.

158. In order to prevent online child abuse, the General Directorate of Security, the Department of Combating Cyber Crimes and Provincial Cyber Branch Directorates carry out virtual patrol activities on the internet on a 24/7 basis in order to combat crimes and criminals, and information is shared with the relevant judicial authorities when necessary.

Reply to paragraph 13 (b) of the list of issues

159. In addition to the comments made in 2 (c), 5(d) and 13(a), MoJ provides effective support services for victims and many new regulations have been introduced in favor of children.

Reply to paragraph 14 (a) of the list of issues

160. See articles 10, 299 and 302 of the Periodic Report.

Reply to paragraph 14 (b) of the list of issues

161. If such an issue is encountered during the temporary protection registration, international protection registration and status determination interview, the person is referred to the protection desk and the institutions are notified to access the necessary services. Protection desks were established for the purpose of directing and following up the institutions that will provide access to provide legal solution mechanisms, psycho-social support, rehabilitation services, social and economic resources to ensure the protection of human rights and fundamental freedoms, especially the right to life, by evaluating the conditions of those identified as having special needs and for on-site response to emergency cases by making an urgency assessment (low, medium or high risk) after the first interview.

162. In accordance with the Decision No. 2020/1.1 of the Coordination Board for Combating Human Trafficking regarding "Forced Use of Children in Criminal Activities" and "Use of Children in Armed Conflicts", within the scope of the efforts of GGC on the PKK/YPG terrorist organisation committing the crime of terrorism and human trafficking by deceiving, threatening and pressuring children, abducting them and using them for the purposes of the organisation through various propaganda activities, the victim children were rescued in the operations carried out, and an investigation was initiated against the traffickers, including the senior members of the organisation.

163. See 5 (c) and 3 (a).

Part two**Reply to paragraph 15 (a) of the list of issues**

164. With the amendment dated 30 November 2021, the procedures regarding the handing over of the child and establishing a personal relationship with the child would be carried out by the Directorates of Judicial Support and Victim Services in the presence of social specialists instead of the Enforcement Offices.

165. With the amendment dated 5 April 2023, the issue of "suspension of the execution of the sentence due to the illness of the child" of a female convict with a child under the age of 18 who is in need of care due to disability or who is exposed to a serious illness was added under Article 16/A of the Law no. 5275.

Reply to paragraph 15 (b) of the list of issues

166. See 2 (f) and 5 (d).

Reply to paragraph 15 (c) of the list of issues

167. 2023-2028 Türkiye Children's Rights Strategy Document and Action Plan has been published as of April 2023. Contributions of children, relevant public institutions and organisations, academia and NGOs were also received during the preparation of the document.

168. See 2 (c).

169. The National Action Plan on the Rights of Persons with Disabilities, which is the instrument for implementation of 2030 Barrier Free Vision based on 8 principles, including respecting the developmental capacities of children with disabilities and their right to protect

their own identity was shared with the public in 2022 and started to be implemented by all parties.

Part three

Data, statistics and other information, if available

Reply to paragraph 16 of the list of issues

*Table of MOFSS or the Protection and Development of Children**

	Program for the Protection and Development of Children	Central Government Budget	PPDC/CGB	GDP	PPDC/GDP
2022	7.529.881.754	2.941.420.394.000	0,256	13.429.497.247.956	0,056
2021	4.165.809.246	1.603.545.136.000	0,260	7.248.788.982.995	0,057
2020	3.702.763.210	1.203.737.134.518	0,308	5.048.220.067.000	0,073

* The amounts in the table are expressed in Turkish Lira.

* CGB, GDP PPDC figures are year-end realisation figures.

3.4% of the resources allocated to social assistance in 2020 and 3.1% in 2021 was within the scope of education assistance provided for children by MoFSS Directorate General of Social Assistance.

Reply to paragraph 17 (a) of the list of issues

170. Below are the links to MoJ's judicial statistics for years 2020, 2021 and 2022:

- https://adlisicil.adalet.gov.tr/Resimler/SayfaDokuman/1692021162011adalet_ist-2020.pdf;
- https://adlisicil.adalet.gov.tr/Resimler/SayfaDokuman/9092022143819adalet_ist-2021.pdf;
- https://adlisicil.adalet.gov.tr/Resimler/SayfaDokuman/29032023141410adalet_ist-2022cal%C4%B1sma100kapakl%C4%B1.pdf.

Reply to paragraph 17 (c) of the list of issues

<i>Year</i>	<i>Proportion of child marriages in total marriages for boys (%)</i>	<i>Proportion of child marriages in total marriages for girls (%)</i>
2019	0,2	3,1
2020	0,1	2,7
2021	0,1	2,3

See also 6 (d).

Reply to paragraph 17 (e) of the list of issues

<i>Year</i>	<i>Number of foreign boys</i>	<i>Number of foreign girls</i>
2020	151.039	138.128
2021	190.364	174.633

Reply to paragraph 18 (b) of the list of issues

		0-6 Yaş		7-12 Yaş		13-15 Yaş		16-18 Yaş		Total		Total
		Girl	Boy	Girl	Boy	Girl	Boy	Girl	Boy	Girl	Boy	
2020	CHCC	238	162	742	910	904	926	894	957	2778	2955	5318
2020	CHS	345	556	726	1065	542	743	747	815	2360	3179	5539
2020	CSC	17	19	1	0	462	77	626	482	1106	578	1684
	Total	600	737	1469	1975	1908	1746	2267	2254	6244	6712	12541
2021	CHCC	285	215	898	1128	821	916	654	641	2658	2900	5558
2021	CHS	385	668	714	1241	686	816	880	782	2665	3507	6172
2021	CSC	22	21	6	13	375	128	381	291	784	453	1237
	Total	692	904	1618	2382	1882	1860	1915	1714	6107	6860	12967
2022	CHCC	111	132	970	1215	948	919	815	655	2844	2921	5765
2022	CHS	537	878	763	1374	721	818	717	756	2738	3826	6564
2022	CSC	25	20	14	11	408	159	650	323	1097	513	1610
	Total	673	1030	1747	2600	2077	1896	2182	1734	6679	7260	13939

Reply to paragraph 18 (c) of the list of issues

Children Placed With Foster Families

	Girl	Boy	Total
2021	4164	4295	8459
2022	4476	4535	9011

Reply to paragraph 18 (e) of the list of issues

Children Adopted Domestically

	Girl	Boy	Total
2021	8772	9619	18391
2022	9024	9923	18947
2023	9045	9965	19010

*There have been no intercountry adoptions since 2017.

Reply to paragraph 19 (b) of the list of issues

DISTRIBUTION OF PERSONS WITH DISABILITIES WHO RECEIVE RESIDENTIAL CARE SERVICE FROM PUBLIC CARE INSTITUTIONS AFFILIATED WITH THE MINISTRY OF FAMILY AND SOCIAL SERVICES BY AGE AND GENDER																									
Years	Persons with Mental Disabilities						Persons with Psychological Disabilities						Persons with Physical Disabilities						Total						
	Women			Men			Women			Men			Women			Men									
	Age						Age						Age												
	0-6	7-12	13-18	18+	0-6	7-12	13-18	18+	0-6	7-12	13-18	18+	0-6	7-12	13-18	18+	0-6	7-12		13-18	18+				
2019	35	87	172	1.942	37	168	298	2.361	0	7	5	488	1	9	2	391	15	28	29	258	20	25	12	480	6.693
2020	36	87	174	1.959	38	169	300	2.381	0	8	5	492	1	9	2	394	15	28	29	260	20	25	12	485	6.750
2021	36	89	176	1.986	38	171	305	2.414	0	8	5	499	1	10	2	400	15	29	30	264	20	26	12	491	6.844
2022(October)	38	93	185	2.086	40	180	320	2.536	0	8	5	524	1	10	2	420	16	30	31	277	21	27	13	516	7.379

DISTRIBUTION OF FOREIGN PERSONS WITH DISABILITIES WHO RECEIVE RESIDENTIAL CARE SERVICE FROM PUBLIC CARE INSTITUTIONS AFFILIATED WITH THE MINISTRY OF FAMILY AND SOCIAL SERVICES BY AGE AND GENDER(October 2022)					
	Women		Men		Total
	0-18	18+	0-18	18+	
	8,86%	37,97%	8,86%	44,30%	100,00%
Syrian	3	20	4	24	51
Afghan	1	3	1	4	9
Iraqi	1	3	1	4	9
Azerbaijani		2			2
Yugoslav				1	1
German				1	1
Kirghizian	1				1
Uzbekistani	1				1
Algerian			1		1
Moldovan		1			1
Georgian		1		1	2
TOTAL	7	30	7	35	79

Reply to paragraph 19 (c) of the list of issues

Data regarding children with special needs registered in child day care centres is below.

Age		25-68 months						
Nationality		TC		Foreign				
The Number of Children with Special Needs		99		1				
Data of 2022 November	Types of Special Needs	Gender		2021	2020	2019		
		Male	Female					
		Physical	37	21	16			
		Intellectual	39	30	9			
		Both	24	19	5			
	Total			100	312	268	341	

171. In the Information Management System of Child Day Care Services, there are no data in breakdowns for the past years. Therefore, it is prepared based on the information obtained from the last month of the related years.

Reply to paragraph 19 (d) of the list of issues

172. See 19 (e).

Reply to paragraph 19 (e) of the list of issues

173. Below are the links to statistics for years 2020, 2021 and 2022:

- https://sgb.meb.gov.tr/meb_iys_dosyalar/2022_09/15142558_meb_istatistikleri_org_un_egitim_2021_2022.pdf;
- https://sgb.meb.gov.tr/meb_iys_dosyalar/2021_09/10141326_meb_istatistikleri_org_un_egitim_2020_2021.pdf;

- https://sgb.meb.gov.tr/meb_iys_dosyalar/2020_09/04144812_meb_istatistikleri_orgun_egitim_2019_2020.pdf.

Reply to paragraph 19 (f) of the list of issues

174. See 19 (e).

Reply to paragraph 19 (h) of the list of issues

175. See 19 (e).

Reply to paragraph 20 (a) of the list of issues

176. See Annex Table 2.

Reply to paragraph 20 (b), (c), (d) and (e) of the list of issues

177. See 20 (a).

178. In addition, articles 11, 12 and 15 of the Law No. 5275 on the Execution of Criminal and Security Measures regulate the provisions regarding reformatory for minors, closed penitentiary institutions for minors and for the youth.

Reply to paragraph 21 of the list of issues

179. Policies and measures for children and youth are addressed separately under the titles "Children" and "Youth" in the 11th Development Plan (2019-2023). The development plans, which are prepared for 5 years in our country, guide the policies to be carried out by all public institutions and the strategy documents to be created. The preparations for the 12th development plan are currently underway.

Reply to paragraph 23 of the list of issues

180. Migration, natural disasters, climate change and pandemic are considered as the areas that affect children the most in the recent period.
