



International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

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Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families

List of issues prior to submission of the second periodic report of Türkiye*

Section I

A. General information

1. Please provide information on the domestic legal framework regarding the Convention, including:

(a) Laws adopted since the adoption of the previous concluding observations¹ regarding the protection of migrant workers and members of their families under the Convention, including Act No. 6735 of 2016, on the International Labour Force;

(b) Measures taken by the State party to harmonize its legislation with the provisions of the Convention, in particular with respect to the status of adoption of the law on combating human trafficking and protection of victims as a comprehensive piece of legislation to combat trafficking in persons (para. 12);

(c) Measures taken for withdrawing the reservation related to the geographical limitation of the Convention relating to the Status of Refugees and its 1967 Protocol (para. 22);

(d) The nature and scope of bilateral and multilateral agreements concluded or envisaged with other countries pertaining to the rights of migrant workers and members of their families under the Convention, in particular with Australia, Azerbaijan, Iran (Islamic Republic of), Jordan, Kuwait, Libya, Qatar and Yemen and with the European Union and its member States, in particular Austria, Belgium, France, Germany, the Netherlands and Sweden (para. 82). Please specify how these agreements protect migrant workers' rights in transit and destination countries, in particular with respect to temporary labour programmes, double taxation and social security protection, protection from refoulement, the right to liberty and security of the person, due process safeguards, the right to asylum and other rights in immigration procedures, including repatriation, detention, return or expulsion, and family reunification procedures. Please provide information on measures taken to strengthen the protection of Turkish migrant workers abroad, including by reviewing and amending these bilateral and multilateral agreements.

2. Please provide information on all policies and strategies relating to the rights of migrant workers and members of their families adopted by the State party, including information on integration policies, such as the National Strategy on Harmonization and the National Migration Action Plan of 2018 and the Migration and Social Cohesion Action Plan

* Adopted by the Committee at its thirty-fifth session (19–30 September 2022).

¹ Unless otherwise indicated, paragraph numbers in brackets refer to the Committee's previous concluding observations ([CMW/C/TUR/CO/1](#)).



(2020–2024) of the Istanbul Metropolitan Municipality, and on progress made with the approval of a comprehensive migration strategy (para. 24), in accordance with the commitments made during the universal periodic review.² Please include information on specific time-bound and measurable goals and targets on effectively monitoring progress in the implementation of the rights of migrant workers and members of their families in the State party and provide information on the human, technical and financial resources allocated thereto (para. 24).

3. Please provide information on the governance of migration, including the government ministries and institutions responsible for intergovernmental coordination directed at ensuring a comprehensive and holistic implementation of the Convention in the State party, such as the Migration Board under the Ministry of the Interior, its Directorate-General for Migration Management, the International Labour Force Policy Advisory Board under the Ministry of Family, Labour and Social Security Services, and relevant areas of the Ministries of National Education, Foreign Affairs, and Justice. Please include information on their mandate and available human, technical and financial resources as well as monitoring activities and follow-up procedures for promoting, protecting and fulfilling the rights of migrant workers and members of their families under the Convention (para. 26).

4. Please provide qualitative information and statistical data collected by, among others, the Directorate-General for Migration Management, the Turkish Statistical Institute, the Ministry of Family, Labour and Social Security Services, the Turkish Employment Agency and consular and diplomatic representations of the State party for the period since the adoption of the Committee's previous concluding observations, disaggregated by sex, age, nationality, field of occupation, migration status and disability, on labour migration movements to and from the State party, including returns and other labour migration-related issues, in particular circular migration, and on migrant children and their families, unaccompanied migrant children and children left behind by migrant parents (para. 28), and migrants under temporary protection programmes. Please also provide qualitative and statistical data or, if precise data are not available, studies or estimates on migrant workers in an irregular situation in the State party and abroad, in particular those working in less-regulated sectors such as agriculture and domestic service (para. 85). Please also provide information on measures taken by the State party to establish a coherent and comparable system of data collection among the various government institutions involved, including measures aimed at making the information public.

5. Please indicate the steps taken by the State party to implement the commitment made during the universal periodic review in 2020³ to strengthening the Human Rights and Equality Institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). Please provide information on the activities of the Institution in the area of migration, including information on training for government officials, complaint mechanisms and other services, including helplines, offered by the Institution to migrant workers and members of their families. Please also include information on monitoring visits, and the outcomes thereof, conducted by the Institution to all immigration detention and removal centres, including under its mandate as the national preventive mechanism. Please inform the Committee about activities by the State party to raise awareness among the general public, and migrant workers in particular, of the services offered by the Institution (para. 30).

6. Please provide information on the steps taken by the State party to promote and raise awareness of the Convention and the applicable legislative and regulatory framework, including by the Communication Centre for Foreigners, among the general public, migrant workers and members of their families, including those in an irregular situation, asylum-seekers and migrants under temporary protection programmes, employers, teachers, health and social workers, labour inspectors, government officials, including embassy and consular personnel, border police and law enforcement officials and members of the judiciary, civil society and the media. Please indicate whether the media promotes the Convention and, if so,

² [A/HRC/44/14](#), para. 45.291; and [A/HRC/44/14/Add.1](#).

³ [A/HRC/44/14](#), paras. 45.23–45.29; and [A/HRC/44/14/Add.1](#).

how they do so and the impact that that engagement has on the situation of migrant workers coming to and departing from the State party (para. 32).

7. Please describe measures taken by the State party to develop and implement systematic and regular gender-responsive and child-sensitive training programmes on the human rights of migrant workers and members of their families for government officials providing legal and consular assistance to nationals of the State party abroad who are confronting migration-related issues, including trafficking in persons and smuggling of migrants, discrimination, workplace abuse and exploitation, arrest, pretrial detention, immigration detention, imprisonment, expulsion and repatriation (paras. 32 and 56).

8. In view of reports of a shrinking space for civil society organizations to operate freely in the State party for the promotion and protection of human rights, including the rights of migrant workers and members of their families, please provide information on the cooperation and interaction between the State party, civil society organizations and other social partners working on migrant workers' rights in relation to the implementation of the Convention. Please indicate whether and how representatives of civil society organizations, as well as other stakeholders, are involved in the preparation of the replies to the present list of issues (para. 34).

9. Please provide information on efforts to license, regulate and monitor private employment agencies in the State party recruiting migrant workers to work abroad and the laws, rules and regulations pertaining to private recruitment pursuant to the Private Employment Agency Regulations 2013. Please provide information in particular on:

(a) Measures taken to provide information to migrant workers about and raise their awareness of their rights and obligations, as well as measures taken to protect against abusive employment situations;

(b) The role and responsibilities of recruitment agencies and their joint responsibility with the overseas employer for claims and liabilities that may arise in connection with the implementation of the employment contract, including wages, disability compensation, repatriation and death, including the repatriation of the bodies of deceased migrant workers;

(c) Whether recruitment agencies provide life, disability and/or workers compensation insurance to migrant workers for work-related injuries and deaths;

(d) The issuance and renewal of licences of such employment agencies;

(e) Complaints lodged against recruitment agencies, labour inspections conducted and penalties and sanctions imposed in cases of non-compliance with the law;

(f) Measures taken by the State party to strengthen mechanisms to regulate and control private employment agencies and avoid situations where such agencies act as intermediaries for abusive foreign recruiters;

(g) Progress made with regard to the ratification of the International Labour Organization (ILO) Private Employment Agencies Convention, 1997 (No. 181) (paras. 70 and 80).

B. Information relating to the articles of the Convention

1. General principles

10. Please explain the status of the Convention in the hierarchy of norms within the State party and indicate whether the Convention has been directly applied by officials in the administration. Please also explain what measures have been taken to integrate the Convention into national legislation. Please provide information on and examples of judicial cases and judgments in which the Convention has been invoked directly before the courts (para. 14). Please also provide information on:

(a) The judicial and/or administrative mechanisms competent to examine and decide on complaints by migrant workers and members of their families, including those in an irregular situation, in particular migrant domestic workers;

(b) The number and types of complaints examined by such mechanisms since the adoption of the Committee's previous concluding observations, and their outcome, disaggregated by the sex, age, nationality, field of occupation, migration status and disability status of the authors of the complaints;

(c) Whether legal assistance was provided to migrant workers and members of their families in Türkiye, in particular at border crossing points, within immigration procedures, including in cases of detention and removal, and at facilities for migrants, and to Turkish nationals living as migrants abroad;

(d) Any redress, including compensation, provided to the victims of rights violations under the Convention;

(e) Measures taken to inform migrant workers and members of their families about the remedies available to them for violations of their rights, in a language that they understand (para. 40).

11. Please provide information on restrictions placed on the full exercise of the rights of migrant workers and members of their families in the face of the coronavirus disease (COVID-19) pandemic, including restrictive measures taken at the State party's international borders in relation to their entry or exit from their countries of origin, transit or destination. Please also provide information on measures taken in relation to voluntary return to their countries of origin in the context of the pandemic. Please indicate the measures taken to ensure that the pandemic does not affect the process of asylum applications or migration procedures, including in relation to the suspension of procedures. Please indicate efforts taken on behalf of migrant workers and members of their families to:

(a) Include them in national pandemic prevention and response plans, in particular in relation to ensuring access to a vaccine on a non-discriminatory basis, regardless of their nationality and migration status and on an equal basis with nationals, in view of the joint guidance note of the Committee and other international and regional human rights mechanisms on equitable access to COVID-19 vaccines for all migrants;⁴

(b) Ensure their access to health-care services;

(c) Uphold the necessary sanitary measures to prevent contagion and maintain the desired level of health protection at their workplaces;

(d) Prevent infections in detention centres and provide health-care services to those who have been infected;

(e) Ensure that families of migrant workers who have died of the disease are informed of their deaths and receive their remains;

(f) Protect their rights in other respects and mitigate the adverse effects of the pandemic, in view of the joint guidance note of the Committee and the Special Rapporteur on the human rights of migrants on the impacts of the COVID-19 pandemic on the human rights of migrants.⁵

2. Part II of the Convention

Article 7

12. Please clarify how the Constitution and national legislation, and the implementation thereof in practice, guarantee that all migrant workers and members of their families enjoy the rights provided for in articles 1 (1) and 7 of the Convention, without distinction of any kind, in particular on grounds of nationality, migration or documentation status, statelessness

⁴ See <https://www.ohchr.org/sites/default/files/Documents/Issues/Migration/JointGuidanceNoteCOVID-19-Vaccines-for-Migrants.pdf>.

⁵ See <https://www.ohchr.org/sites/default/files/CMWSPMJointGuidanceNoteCOVID-19Migrants.pdf>.

or types and length of residence, and provide relevant specific examples. Please also provide information on whether such legislation covers all the prohibited grounds of discrimination, including sex, age, gender identity and sexual orientation, disability, language, national, ethnic or social origin, nationality, economic position, property, marital status and birth or other status (para. 38). Please indicate measures taken to review the State party's legislation in order to repeal all provisions that are discriminatory against migrant workers and members of their families and those taken to adopt comprehensive anti-discrimination legislation. Please also provide information on measures taken to ensure non-discrimination and to combat discrimination, xenophobia and stigmatization.

3. Part III of the Convention

Articles 8 to 15

13. Please provide information about cases, supported by statistics disaggregated by relevant factors, of violence and abuse, including gender-based violence against women, experienced by migrant workers and members of their families. In particular, please include information on the protection of migrant, asylum-seeking, refugee and stateless women, in law and in practice, from all forms of violence and abuse, and on their access to justice, social services, including shelters, and socioeconomic support, as well as on reporting firewalls between law enforcement and immigration authorities on the one hand and social services and health providers on the other, in view of the State party's withdrawal from the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence and reports received of discrimination against women who are victims of violence in accessing justice and social services owing to fear of being arrested, detained or deported or to language barriers (paras. 42 and 46).

14. Please provide information on any cases identified in the State party of the exploitation of migrant workers and members of their families, in both regular and irregular situations, in those sectors of the economy where migrant workers are employed, in particular the agricultural sector, the construction and textile industries, domestic services, street vending and travel and tourism. Please also provide information on any cases of domestic servitude, forced labour and sexual exploitation involving migrant workers, in particular those from Afghanistan working in the agricultural sector, in domestic services and in travel and tourism, and on measures to prevent and combat those phenomena. Please indicate measures taken to bring national legislation into line with the ILO Forced Labour Convention, 1930 (No. 29), and the ILO Abolition of Forced Labour Convention, 1957 (No. 105) (para. 44), and to ratify the ILO Labour Inspection (Agriculture) Convention, 1969 (No. 129), to facilitate labour inspections in the agricultural sector.

15. Please provide information on measures taken to ensure the rights of migrant children, in particular those who are unaccompanied, in an irregular situation or transiting through the State party, and on measures taken to ensure that they are protected from all forms of exploitation, including under the National Programme on the Elimination of Child Labour (2017–2023). Please indicate legislative measures for the implementation of the ILO Worst Forms of Child Labour Convention, 1999 (No. 182), that have been taken, or are envisaged, to protect children against the worst forms of labour and to strengthen the labour inspection system (para. 44).

16. Please provide information, including statistical data disaggregated by relevant factors, on the nature of charges brought and sentences imposed and on measures taken to investigate and prosecute perpetrators and bring them to justice with regard to complaints of harassment and abuse of authority by law enforcement officials, including allegations of extortion and arbitrary detention or expulsion, concerning migrant workers and members of their families. Please also provide information on measures taken to address any instances of corruption, supported by statistical data, disaggregated by relevant factors, on efforts to investigate allegations of corruption by public officials, on information campaigns with a view to encouraging migrant workers and members of their families who are victims of corruption to report such cases, and on any campaigns targeting migrant workers and their families to raise their awareness with regard to the government services that are free of charge and what protection they are entitled to if they report being victims of corruption (para. 36).

Articles 16 to 22

17. In view of the high number of migrants and asylum-seekers in the State party from the Syrian Arab Republic, as well as from Afghanistan, Iran (Islamic Republic of) and Iraq, please provide detailed information on border governance measures introduced since the adoption of the previous concluding observations, in particular with respect to protection from violence or threats of violence, procedures applicable to migrant workers and asylum-seekers, including those with disabilities, arriving at the international borders of the State party and with respect to their placement at reception facilities, and how the State party processes protection claims to ensure that it acts in accordance with the Convention and the general comments of the Committee (paras. 42 and 46). Please provide information on how the State party guarantees that asylum applications made by migrant workers and members of their families, independent of their migration status, are registered in due time, that they are duly assessed and that the right to appeal is upheld. Please include information on legal safeguards and due process, including legal assistance and interpretation, as necessary, and access to information in a language they understand, as well as specific due process safeguards for unaccompanied children in migration-related administrative procedures, including the right to be heard and the right to a guardian (paras. 42 and 52).

18. Please provide information on plans to repeal laws criminalizing immigration-related offences and on measures taken to ensure that administrative detention is used only as a measure of last resort and for the shortest possible period of time, including in cases where the expulsion of the detainee is not possible for lack of removal agreements with the relevant receiving country. In view of reports received about immigration detainees being taken into renewed detention after their release following the expiry of the maximum time limit in law of one year, please include information on measures taken to prevent such cases in the future. Please also provide information on the application of policies and measures directed at ensuring, as a priority, the application of alternatives to immigration-related detention pursuant to articles 57 and 74 of Act No. 6458 of 2013 on Foreigners and International Protection, in view of reports received that the State party rarely applies such measures. Please explain why no immigration detainees were reportedly released, despite a law that was passed in April 2020 in response to the pandemic allowing for the release of up to 100,000 detainees. Please elaborate upon the measures taken to ensure that migrants and asylum-seekers deprived of their liberty at facilities that the State party reportedly does not recognize as detention facilities, such as those in transit zones at airports, enjoy all due process safeguards that persons deprived of their liberty are entitled to under the Convention (paras. 48 and 50). Please inform the Committee about measures taken to eradicate migration detention of children, families and groups in vulnerable situations. In particular, please provide information on legislative, administrative and other measures directed to ensure that migrant children, whether accompanied by members of their families or not, and other groups of migrants in vulnerable situations, in particular pregnant women and nursing mothers, victims of trafficking and persons with disabilities, are not placed in immigration detention under any circumstances, in accordance with the Convention, joint general comment No. 4 of the Committee/No. 23 of the Committee on the Rights of the Child (2017) and general comment No. 5 (2021) of the Committee.

19. Please provide information on whether any migrant workers or members of their families are detained as a result of allegations linked to security and, if so, how the State party ensures that they enjoy all due process safeguards in relation to their detention and/or expulsion proceedings, including the right to a fair trial.

20. Please provide information on all places where migrants are detained for migration purposes, including “removal centres”, ad hoc detention facilities along the international borders of Türkiye, police stations, prisons and transit zones at airports, on the conditions of detention for migrants and asylum-seekers and on efforts made to improve those conditions and to effectively investigate all cases of violence, ill-treatment and abuses in those places (para. 50). In particular, please provide information on immigration detainees’ access to basic services, such as health services, including medical screening upon placement, mental health care and attention given to specific medical needs of groups of migrants in vulnerable situations, lawyers, interpreters and legal aid, and on measures to address overcrowding.

21. The Committee has received allegations that the State party has continued with the practice of collective and mass expulsions from or through the State party, mainly of Afghan, Iranian and Syrian nationals, including women, some of them pregnant, and children, as well as “pushbacks” at its international borders, sometimes reportedly using force or violent means. Please provide information on measures taken to ensure that migrant workers and members of their families are only expelled from the territory of the State party pursuant to a decision taken by a competent authority, following a procedure established by law and in conformity with the Convention and the Committee’s general comments, including that individual decisions in that respect can be reviewed on appeal, that remedies have a suspensive effect and that the principle of non-refoulement and the prohibition of arbitrary and collective expulsion are always upheld.

22. Please include information on measures taken to ensure compliance with international standards on the proportionate use of force, and the protection of migrants from violence and abuse at the State party’s international borders. Please elaborate upon how it is ensured that the agreement concluded between the State party and the European Union on 18 March 2016 concerning migrants and asylum-seekers arriving in Greece from Türkiye is implemented in accordance with the Convention and the Committee’s general comments. Please inform the Committee about the reasons for building walls at the land borders with the Syrian Arab Republic and the initiative to build a wall at the border with the Islamic Republic of Iran, how it is ensured that the rights under the Convention, including procedural safeguards, are guaranteed at those borders, and whether the constructions have reduced irregular border crossings or the deaths or injuries of migrants. Please also provide information on whether arbitrary and collective expulsions are prohibited in the domestic laws of the State party. Please provide information on measures taken for ensuring the rights of and guarantees for children, on the basis of the principle of the best interests of the child as a primary consideration, in return and expulsion procedures and decisions (para. 54).

Articles 25 to 30

23. Please indicate what legal and labour protection and enforcement mechanisms are in place to ensure that migrant workers, including those in an irregular situation, those employed in the agricultural sector and migrant women, in particular in the domestic sector, enjoy treatment no less favourable than that applicable to nationals in respect of remuneration and conditions of work. Please indicate whether national labour laws and regulations relating to remuneration and conditions of work (for example, overtime, hours of work, weekly rest, holidays with pay, safety, health, termination of work contract and minimum wage) are in full compliance with the ILO Equal Remuneration Convention, 1951 (No. 100), and the ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111). Please also provide information on measures taken by the State party to ensure that migrant workers enjoy equality of treatment with nationals in respect of protection from dismissal, unemployment and other social benefits, including in the case of incapacity to work, access to public work schemes for combating unemployment and access to alternative employment and retraining in the event of loss of work or termination of other remunerated activity (paras. 58 and 60).

24. Please provide information on measures taken to ensure, in law and in practice, that all children of migrant workers, regardless of their migration status, persons under international protection and stateless persons, have access to primary and secondary education on the basis of equality of treatment with nationals of the State party, and on the enrolment rates of those children. Please also provide information on how it is ensured that educational institutions are not obliged to report the migration status of children to the authorities, to ensure that migrant parents in an irregular situation send their children to school. Please also provide information on measures taken to ensure that children of migrant workers from Türkiye residing abroad have access to education at all levels, including tertiary and higher education, in those countries, in accordance with article 62 of the Constitution (para. 68).

25. Please provide information on the measures taken by the State party to ensure, in law and in practice, that all migrant workers and members of their families, regardless of their migration status, persons under temporary or international protection and stateless persons

have adequate access to health-care services, including urgent medical care, pursuant to article 60 of the Constitution and the Regulation on Work Permits of Foreigners under Temporary Protection of 2016.

26. Please provide information on the measures taken by the State party to ensure the right of children of Turkish migrant workers abroad, including children of migrant workers who are in an irregular situation, to be registered at birth and to have their nationality recognized in law and in practice. Please also provide information on the measures taken to ensure the birth registration in the State party of migrant children, children of persons in need of international protection and children of stateless persons (para. 66). Given that articles 50 and 51 of Act No. 6458 of 2013 on Foreigners and International Protection also cover stateless persons, please indicate whether the State party has set up clear statelessness determination procedures and eased access to citizenship, and describe how the definition of a stateless person aligns with the definition established by the Convention relating to the Status of Stateless Persons.

Articles 31 to 33

27. Please provide information on measures taken by the State party to ensure that, upon termination of their stay in the State party, migrant workers and members of their families have the right to transfer their earnings and savings to their State of origin and, in accordance with applicable legislation, their personal effects and belongings. Please also provide information on the measures taken to facilitate the transfer of those funds, in particular to reduce the cost of the transactions (para. 74).

4. Part IV of the Convention

Article 40

28. Please provide information on measures taken to guarantee to migrant workers and members of their families the right to form, and to be part of the leadership of, associations and trade unions, in accordance with article 40 of the Convention and parts I and II of the ILO Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), and progress made in withdrawing its reservation to article 40 of the Convention (paras. 16 and 72).

Article 44

29. Please provide information on measures taken, including pursuant to Act No. 6458 of 2013 on Foreigners and International Protection, to ensure the protection of the unity of the families of migrant workers and persons with temporary protection status and to facilitate the reunification of migrant workers with their spouses or persons with whom the migrant worker has a relationship that, according to applicable law, produces effects equivalent to marriage, as well as with their dependent unmarried children, in compliance with the principle of the best interests of the child, including in the context of expulsion procedures.

Articles 46 to 48

30. Please provide information on legislation relating to import and export duties and taxes in respect of personal and household effects, as well as necessary work-related equipment of migrant workers, in particular departing foreign migrant workers. Please describe the policies in place to enhance the portability of social security and other entitlements and benefits earned by migrant workers, as well as to facilitate remittances, including pursuant to the Group of 20 plan to facilitate remittance flows, and the applicable legal framework in place to ensure the right of migrant workers to transfer their earnings and savings from Türkiye to their State of origin.

Article 49

31. In view of the positive fact that a work permit issued by the State party functions as a residence permit at the same time, pursuant to article 27 of Act No. 6458 of 2013 on Foreigners and International Protection, please provide information on measures taken to

ensure that migrant workers retain their authorization of residence in the event of termination of their remunerated activity prior to the expiration of their work permit or similar authorization to avoid such workers falling into an irregular situation. Please also indicate whether measures have been taken to ensure that the authorization of residence is not withdrawn at least for a period corresponding to that during which the migrant worker may be entitled to unemployment benefits (paras. 12 and 76). Please inform the Committee about the measures taken or envisaged to address the extremely low number of work permits issued to persons under international protection or temporary protection.

Articles 51 and 52

32. Please describe how the State party's legislation is in accordance with the Convention, in particular articles 51 and 52, in terms of allowing foreign migrant workers to remain in Türkiye upon termination of their contracts, regardless of the reason for such termination, in order to seek alternative employment and to participate in public work schemes and retraining activities.

5. Part V of the Convention

Articles 58 to 63

33. Please provide information on measures taken by the State party to ensure that frontier, seasonal and itinerant workers enjoy the rights to which they are entitled and treatment equal to that of national workers, in particular in respect to remuneration and conditions of work, and to ensure systematic monitoring by the relevant authorities of employers' compliance with relevant international labour standards (para. 78).

6. Part VI of the Convention

Article 64

34. Please describe the measures taken by the State party to address the irregular migration of nationals of the State party, in particular unaccompanied migrant children, including through multilateral and bilateral agreements, policies and programmes aimed at enhancing legal migration channels and at addressing the root causes of irregular migration, including labour migration, such as agreements in this regard with Afghanistan, Iran (Islamic Republic of) and Pakistan, and potential agreements with the European Union and the Black Sea Economic Cooperation Organization (para. 86). In view of reports received of instances of coercive rather than voluntary returns carried out by the State party of foreign migrant workers and members of their families, please clarify the measures taken by the State party to ensure that returns are indeed voluntary, including under the Voluntary and Safe Return Programme and the Assisted Voluntary Return and Reintegration Programme, and that they take place in accordance with the Convention and the Committee's general comments, including through independent monitoring and oversight.

Article 67

35. Please provide information on cooperation programmes in place between the State party and relevant States of employment, in particular States members of the European Union, for the voluntary return of migrant workers and members of their families to the State party when they decide to return or when they are in the State of employment in an irregular situation. With regard to migrant workers in a regular situation, please provide information on cooperation programmes between the State party and relevant States of employment, in particular States members of the European Union, on promoting adequate economic conditions for resettlement and reintegration into the economic and social life of the State party, supported by statistical data on readmitted migrants (para. 82). Please describe how the State party supports diaspora organizations for migrant workers from Türkiye abroad, including through the Presidency for Turks Abroad and Related Communities and the Directorate-General for Foreign Relations.

Article 68

36. Please provide information on the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons, including on the time frame for adopting the law on combating human trafficking and protection of victims and a new and comprehensive national action plan on combating trafficking in persons. In view of reports of rising cases of trafficking in persons for the purpose of sexual exploitation and labour exploitation, please provide information on measures taken, including through international, regional and bilateral cooperation with countries of origin, transit and destination, such as the security cooperation agreement concluded with Serbia in October 2020, to prevent and combat trafficking in persons, in particular women and children and migrant workers in an irregular situation, in particular in the agricultural sector, and to address its root causes. Please indicate the human, technical and financial resources allocated by the State party to combat trafficking in persons. In particular, please elaborate upon:

(a) Measures taken by the State party to investigate and prosecute cases of trafficking in persons, ensure adequate sentences for convicted traffickers and provide reparations to victims;

(b) Regular and specialized training provided to law enforcement officials, prosecutors, judges, labour inspectors, service providers and teachers to identify victims of trafficking among vulnerable populations and to strengthen the capacity of Turkish diplomatic and consular personnel to identify and provide assistance to victims abroad;

(c) The strengthening of the Department for the Protection of Victims of Human Trafficking of the Directorate-General for Migration Management, including through the allocation of sufficient human, technical and financial resources for its effective functioning;

(d) Efforts to strengthen mechanisms to identify victims of trafficking, provide support to them and facilitate their rehabilitation, including assistance for their physical, psychological and social recovery, and the availability of such mechanisms throughout the territory of the State party;

(e) Steps taken to strengthen the collection of data on victims of trafficking;

(f) Whether victims of trafficking may be granted temporary or permanent residence permits (para. 84).

37. Please explain what measures the State party has taken to prevent, eliminate and punish the smuggling of migrants by organized criminal groups, including through international, regional and bilateral cooperation with countries of origin, transit and destination, such as the security cooperation agreement concluded with Serbia in October 2020, and the adoption of legislation and implementation of policies, as well as the human, technical and financial resources allocated by the State party for this purpose, in accordance with the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime (para. 42).

Article 69

38. Please elaborate upon measures taken, including information and awareness-raising campaigns, to ensure that migrant workers and members of their families in an irregular situation in the State party have the possibility of regularizing their situation in accordance with the provisions of article 69 of the Convention, and the challenges faced in that regard. Please describe the actions taken, including through bilateral and multilateral agreements, to improve the protection and assistance afforded to Turkish nationals abroad, including efforts to promote the regularization of their situation (para. 86).

Section II

39. The Committee invites the State party to provide information, not to exceed three pages, regarding the protection of migrant workers and members of their families with respect to the following:

- (a) Bills or laws and their respective implementing regulations;
- (b) Institutions and their mandates or institutional reforms;
- (c) Policies, programmes and action plans covering migration and their scope and financing;
- (d) Recent ratifications of human rights instruments, including the International Convention for the Protection of all Persons from Enforced Disappearance, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the ILO Migration for Employment Convention (Revised), 1949 (No. 97), the ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), the ILO Domestic Workers Convention, 2011 (No. 189) (para. 20), and the Convention on the Reduction of Statelessness (para. 66);
- (e) Recent comprehensive studies on the situation of migrant workers and members of their families.

Section III

Data, official estimates, statistics and other information

40. Please provide, if available, statistical data and qualitative information, disaggregated by relevant factors, for the last three years, unless indicated otherwise, on:

- (a) The volume and nature of migratory movements to and from the State party since the Convention entered into force in the State party;
- (b) Migrant workers, including migrant children, whether or not accompanied by members of their families, and other groups of migrants in vulnerable situations, in particular pregnant women and nursing mothers, victims of trafficking and persons with disabilities, in detention in the State party, and migrant workers who are nationals of the State party and are detained abroad in States of employment, and whether such detention is immigration-related;
- (c) Migrant workers and members of their families who have been expelled from the State party;
- (d) The number of asylum-seekers, refugees and stateless persons and other persons in need of international protection;
- (e) The number of unaccompanied migrant children or migrant children separated from their parents in the State party;
- (f) The number of migrant workers and members of their families who have contracted COVID-19, the number who have received a COVID-19 vaccine and the number who have died as a result of COVID-19, disaggregated by sex, age and nationality;
- (g) Remittances received from nationals of the State party working abroad;
- (h) Reported cases of trafficking in and smuggling of migrants, investigations, prosecutions and sentences imposed on perpetrators, disaggregated by sex, age, nationality and purpose of trafficking;
- (i) Legal assistance services provided to migrant workers and members of their families in the State party and to nationals working abroad or in transit through third States.

41. Please provide any additional information on any important developments and measures in implementation of the Convention relating to the protection of the rights of migrant workers and members of their families that are considered a priority, including whether the State party envisages making the declaration under article 76 of the Convention recognizing the competence of the Committee to receive and consider State-to-State communications and/or the declaration under article 77 of the Convention recognizing the competence of the Committee to receive and consider individual communications, as foreseen in the declaration made by the State party upon ratification of the Convention (para. 18).

42. Please submit an updated core document in line with the harmonized guidelines on reporting.⁶ In accordance with paragraph 16 of General Assembly resolution 68/268, the common core document should not exceed 42,400 words.

⁶ [HRI/GEN/2/Rev.6](#).