



Convention on the Rights of the Child

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Committee on the Rights of the Child

List of issues in relation to the combined fourth and fifth periodic reports of Türkiye*

1. The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 February 2023. The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.

Part I

2. Please explain the measures taken or envisaged to:

- (a) Withdraw its reservations to articles 17, 29 and 30 of the Convention;
- (b) Evaluate the implementation of the national child rights strategy and its action plan for 2013–2017 and renew both the strategy and the action plan;
- (c) Adopt a comprehensive policy on children's rights;
- (d) Ensure coordination and cooperation among government institutions at the national, regional and local levels and provide a body responsible for such coordination and cooperation with adequate and specific human, technical and financial resources;
- (e) Establish a comprehensive data-collection system that disaggregates data, including by disability, nationality, ethnic origin and religious affiliation;
- (f) Strengthen existing human rights monitoring institutions, such as the Ombudsperson Institution and the Human Rights and Equality Institution, by ensuring that they are in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and that they carry out comprehensive and systematic monitoring of children's rights;
- (g) Ensure legal accountability of business enterprises and their subsidiaries operating in or managed from the State party to ensure that their operations are in line with the Convention and the Optional Protocols thereto.

3. Please explain the measures taken to:

- (a) Combat discrimination against children in vulnerable situations, including children with disabilities, asylum-seeking, refugee and migrant children and children of ethnic and religious minorities;
- (b) Ensure that the right of the child to have his or her best interests taken as a primary consideration is integrated, consistently interpreted and applied in all legislative, administrative and judicial proceedings and decisions;

* Adopted by the pre-sessional working group on 30 September 2022.



(c) Investigate the deaths of children during security operations carried out since 2015, including as a result of exposure to explosive remnants and use of lethal force by law enforcement agencies and by armoured vehicles in urban areas, and to bring those accountable to justice;

4. Please describe the measures taken to:

(a) Ensure accessibility to birth registration for all children, in particular asylum-seeking and refugee children, and repeal legislation allowing the withdrawal of nationality in the context of anti-terrorism efforts;

(b) Ensure children's full enjoyment of freedom of expression and review legislation restricting that freedom, in particular articles 220, 299, 300 and 301 of the Penal Code;

(c) Remove age-related barriers for children's enjoyment of their right to freedom of association and assembly under the Law on Associations and Law No. 2911 on Assemblies and Demonstrations.

5. Please explain the measures taken to:

(a) Prevent torture and inhuman and degrading treatment and incommunicado detention by prison guards in closed institutions, including in the Diyarbakir closed penal institution, and prosecute and punish perpetrators of such treatment;

(b) Eliminate the practice of corporal punishment and explicitly prohibit such punishment in all settings;

(c) Raise the awareness of relevant professionals, including social workers and teachers, to recognize and effectively respond to incidents of all forms of violence against children;

(d) Strengthen child-friendly investigations and services for children who are victims of violence through multi-agency collaboration, in particular by increasing the number and capacity of professionals, including social workers and psychologists;

(e) Combat sexual exploitation and abuse of children;

(f) Monitor conditions in religious schools and foundations in order to identify cases of abuse, including sexual abuse, of children and bring those responsible to justice;

6. Please describe the measures taken to:

(a) Enforce the minimum age of marriage of 18 years without exceptions;

(b) Adopt the national strategy and action plan for the prevention of early and forced marriage;

(c) Identify and assist child victims and witnesses of gender-based violence, including domestic violence, and bring perpetrators of such violence to justice;

(d) Ensure more effective deterrents to gender-based violence, including so-called honour killings and social pressure resulting in suicide, and ensure prompt and effective investigations into all allegations of such crimes.

7. Please explain the measures taken or envisaged to:

(a) Provide alternative care within family-type settings for children with disabilities and refugee and migrant children deprived of a family environment;

(b) Ensure independent monitoring of alternative care settings, in particular residential care institutions, in a regular and systematic manner;

(c) Strengthen family reunification, including for refugee children.

8. Please explain the measures taken or envisaged to:

(a) Establish a mechanism to monitor the impact of policies and strategies on the rights of children with disabilities, including children with intellectual disabilities;

(b) Improve early childhood development programmes for children with disabilities and develop community-based support for children with disabilities and their families;

(c) Combat prejudices and negative views that result in discrimination against children with disabilities;

(d) Introduce a mechanism enabling children with disabilities to lodge complaints in a confidential way before public authorities, in cases of violations of their rights, in particular with respect to violations occurring in the family, school and institutions;

(e) Extend the coverage and implementation of childcare allowances to families, including single parents, of all children with disabilities;

(f) Implement the Law on Persons with Disabilities, in particular with regard to the accessibility of public spaces, and develop a national plan or its equivalent to implement a human rights-based model of disability that encompasses the inclusion of children with disabilities in society, including in mainstream education.

9. Please describe the measures taken or envisaged to:

(a) Reduce the infant mortality rate and the mortality rate among children under 5 years of age, in particular in south-eastern and some eastern and central provinces and among refugees from the Syrian Arab Republic;

(b) Improve the nutrition of children, in particular by addressing stunting among children under the age of 5 and malnutrition among schoolchildren;

(c) Adopt a comprehensive adolescent and reproductive health policy and take the measures necessary to adopt comprehensive sexual and reproductive health and rights education, including on preventing sexually transmitted infections and HIV/AIDS;

(d) Strengthen mental health programmes aimed at children;

(e) Reduce poverty among children and the socioeconomic impact of the coronavirus disease (COVID-19) pandemic and related measures.

(f) Ensure that national legislation, policies and programmes on environmental protection, including climate change, are in line with child rights standards.

10. Please describe the measures taken to:

(a) Increase the enrolment and attendance rates, especially in upper secondary education, of all children, in particular asylum-seeking and refugee children and Roma children;

(b) Mitigate the impact of the COVID-19 pandemic on the equal access of children in disadvantaged situations to education and ensure access to digital infrastructure;

(c) Provide education without barriers in languages other than Turkish, in particular in primary schools in areas where languages other than Turkish are widely spoken;

(d) Ensure that the freedom of religion or belief of all children is taken into account and respected in the school curriculum.

11. Please provide information on measures taken to combat child labour and eliminate the worst forms of child labour and ensure that children, especially asylum-seeking and refugee children and Roma children, are protected from social and economic exploitation.

12. Please inform the Committee about efforts made to:

(a) Increase the minimum age of criminal responsibility in line with the Committee's general comment No. 24 (2019) on children's rights in the child justice system;

(b) Strengthen its child justice system with regular training of judges, prosecutors, lawyers and other court personnel who deal with cases involving children;

(c) Apply diversion measures to refer children away from criminal proceedings;

(d) Expedite the investigation and trial process in cases involving children, so as to reduce the number of children in pretrial detention and to ensure that the detention of children is used as a last resort;

(e) Improve detention conditions for children in closed juvenile prisons.

13. With reference to the Committee's concluding observations on the State party's combined second and third periodic reports¹ and its concluding observations on the State party's initial report on the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography,² please explain the measures taken to:

(a) Amend existing legislation and/or adopt specific legislation to strengthen the provisions regarding crimes on the Internet that are covered by the Optional Protocol so as to also include direct references to child sexual abuse material

(b) Ensure that the rights and interests of the child victims of offences prohibited under the Optional Protocol are protected at all stages of the criminal justice process.

14. With reference to the Committee's concluding observations on the State party's combined second and third periodic reports and its concluding observations on the State party's initial report on the Optional Protocol to the Convention on the involvement of children in armed conflict,³ please describe the measures taken by the State party to:

(a) Introduce a provision in the Penal Code that specifically criminalizes violations of the provisions of the Optional Protocol, and provide a definition of direct participation in hostilities;

(b) Reinforce the identification mechanisms for refugee and asylum-seeking children who may have been recruited or used in hostilities, and strengthen measures for their recovery and social reintegration.

Part II

15. The Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report with regard to the following:

- (a) New bills or laws, and their respective regulations;
- (b) New institutions and their mandates or institutional reforms;
- (c) Recently introduced policies, programmes and action plans and their scope and financing;
- (d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information

16. Please provide consolidated information for the past three years on the budget lines regarding children and the social sectors, indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographical allocation of those resources.

17. Please provide, if available, updated statistical data for the past three years, disaggregated by age, sex, ethnic origin, national origin, geographical location and socioeconomic status, on the following:

¹ CRC/C/TUR/CO/2-3, para. 71.

² CRC/C/OPSC/TUR/CO/1.

³ CRC/C/OPAC/TUR/CO/1.

(a) Cases of abuse and violence perpetrated against children, including torture, inhuman and degrading treatment, all forms of corporal punishment, child sexual abuse in and outside the home, domestic violence, bullying and online and sexual violence and abuse, as well as prosecutions and sentences handed down in the State party in such cases;

(b) Cases of child deaths during security operations, including as a result of exposure to explosive remnants and use of lethal force by law enforcement agencies and by armoured vehicles in urban areas;

(c) Cases of child marriage and adolescent pregnancy;

(d) Stateless children;

(e) Asylum-seeking, refugee, internally displaced and migrant children;

(f) Working children, including in the informal sector;

(g) Children in street situations;

(h) Children living in poverty.

18. Please provide data for the past three years, disaggregated by age, sex, socioeconomic background, ethnic origin, national origin and geographical location, regarding the situation of children deprived of a family environment, on the number of children:

(a) Separated from their families, and including data on the duration of their separation;

(b) Placed in institutions, as well as the number of institutions and data on children in each institution;

(c) Placed with foster families;

(d) Available for adoption;

(e) Adopted domestically, through intercountry adoptions, if any, including data on the receiving countries.

19. Please provide data for the past three years, disaggregated by age, sex, type of disability, ethnic origin, national origin and geographical location, on the number of children with disabilities who are or who have been:

(a) Living with their families;

(b) Living in institutions;

(c) Attending day care;

(d) Attending pre-school;

(e) Attending primary schools;

(f) Attending secondary schools;

(g) Receiving individualized support;

(h) Attending special schools;

(i) Out of school;

(j) Abandoned by their families.

20. Please provide, if available, updated statistical data for the past three years, disaggregated by age, sex, type of offence, ethnic origin, national origin, geographical location and socioeconomic status, on children in conflict with the law who have been:

(a) Arrested;

(b) Referred to diversion programmes;

(c) Held in pretrial detention;

(d) Detained with adults;

(e) Convicted and serving a sentence in detention, further disaggregated by the length of the sentence.

21. Please provide information on how the planning, implementation and monitoring of measures for achieving the Sustainable Development Goals integrate a child rights-based approach, including with regard to the participation of children and data collection, and how those measures promote the realization of children's rights under the Convention and the Optional Protocols thereto.

22. Please provide the Committee with an update of any data in the report that may have become outdated by more recent data collected or other new developments.

23. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.
