

**COMMITTEE ON THE  
RIGHTS OF THE CHILD**

**WRITTEN REPLIES BY THE GOVERNMENT OF TURKEY  
CONCERNING THE LIST OF ISSUES  
(CRC/C/Q/TUR/1)  
RECEIVED BY THE COMMITTEE ON THE RIGHTS OF THE CHILD  
RELATING TO THE CONSIDERATION OF THE INITIAL REPORT OF  
TURKEY  
(CRC/C/51/Add.4)**

**[Received on 9 April 2001]**

**CRC/C/Future...**

# IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

Additional information about the issues to be taken up in connection with the consideration of Turkey's First National Report

## PART I

### A. DATA and STATISTICS

1.

a) The child population under 18 in Turkey according to years (1998-2001) is as follows:

**TABLE 1: Child Population According to Years.**

(Mid Year, Thousand People)

Years	Total Population	Age Group 0-18					
		Population	%	Male	%	Female	%
1998	63 368	25 218	39,8	12 984	51,5	12 234	48,5
1999	64 325	25 173	39,1	12 953	51,5	12 220	48,5
2000	65 292	25 101	38,4	12 908	51,4	12 193	48,6
2001	66 214	25 041	37,8	12 873	51,4	12 168	48,6

Source: State Institute of Statistics, State Planning Institute

b) The data collection about the disabled children in Turkey is still in progress. Therefore the statistics below are presumed. The number of disabled children in Turkey according to their age groups is as follows:

**TABLE 2: The Persons In Need of Special Education According to Their Age Groups**

Ages 0-2	%	Ages 3-5	%	Ages 6-10	%	Ages 11-13	%	Ages 14-16	%	TOTAL
523.000	17,8	506.000	17,2	854.100	29,1	524.900	17,8	528.700	18	2.937.300

Source: The Directorate of the Administration of Disabled Persons, I Council of Disabled Persons, 1999.

c) Social Services and Child Protection Agency is providing boarding care and day care rehabilitation services to the disabled children.

**TABLE 3: The number of the disabled children who are benefitting from the boarding care and day care rehabilitation services of the Social Services and Child Protection Agency**

Type of Service	Age Group	1998			1999			2000		
		Female	Male	Total	Female	Male	Total	Female	Male	Total
Boarding Care Service	0-12	95	203	298	117	251	368	127	270	397
	13-18	108	231	339	134	285	419	144	306	450
Day Care Service	0-12	629	1337	1966	358	764	1122	406	865	1271
	13-18	339	339	678	194	412	606	220	466	686
<b>TOTAL</b>		1371	2481	3852	803	1712	2515	879	1957	2836

Source: The Data of the Social Services and Child Protection Agency.

Between the years 1998-2000, 1012 disabled children lived together with their families and were under care by benefiting from the social help provided by Social Services and Child Protection Agency. Distribution of this data by years is as follows:

In the year 1998: 162

In the year 1999: 482

In the year 2000: 368

d) In Turkey, adoption is effected by a court decision in conformity with the relevant provisions of the Civil Code. The adoption procedure of the children who are under protection and care is carried out by the General Directorate of Social Services and Child Protection Agency. The number of the children in need of protection who have benefited from the adoption services in the last three years by the General Directorate of Social Services and Child Protection Agency, according to years, is as follows:

**TABLE 4: The number of Children Adopted**

Year	Female	Male	TOTAL
1998	177	209	386
1999	220	265	485
2000	201	257	458
<b>TOTAL</b>	598	731	1329

Source: The Data of Social Services and Child Protection Agency

In the last three years, 27 children in need of protection and care of the said Agency were adopted by Turkish families living in a foreign country and 3 children were put under the care of foreign families.

e)

**TABLE 5: The number of Children in Care Institutions Who Are In Need of Protection**

Year	Age Group	Female	Male	TOTAL
1998	Age Group 0-6	743	1086	1829
	Age Group 7-12	1774	3321	5095
	Age Group 13-18	2677	7039	9716
1999	Age Group 0-6	708	1052	1760
	Age Group 7-12	1868	3258	5126
	Age Group 13-18	2681	6914	9595
2000	Age Group 0-6	820	1213	203
	Age Group 7-12	1801	3274	507
	Age Group 13-18	2851	6696	9547

Source: The Data of Social Services and Child Protection Agency

f)

**TABLE 6: Children Put Under the Care of Foster Families.**

YEAR	GENDER		AGE GROUP			TOTAL
	FEMALE	MALE	0-6	7-12	13-18	
1998	48	17	33	26	6	65
1999	132	63	117	65	13	195
2000	85	44	68	42	19	129
<b>TOTAL</b>	<b>265</b>	<b>124</b>	<b>218</b>	<b>133</b>	<b>38</b>	<b>389</b>

Source: The Data of Social Services and Child Protection Agency

Between the years 1998-2000, 389 children were put under the care of foster families. The total number of children still benefiting from the services of foster family, together with the ones from previous years is 487.

g) Due to the social and cultural structure of Turkey the number of children living permanently in the streets is low. In the biggest four cities of Turkey which are facing migration problem, namely Ankara, İstanbul, İzmir, Antalya where the problem of children living in the streets is intensely observed and where there are child and youth centers that provide services under the direction of Social Services and Child Protection Agency to the children living in the streets, the number of such children is 600.

h) The data about the type of the family members living together in the same household is based upon the 5 % sample of the 1990 General Census. As, on the day of the census, the houses without any family members apart from the head of the family, were not classified according to the type of the family members living together, they were not included in the overall number. Because of that reason the number of the family members living together in the same house could not be given.

According to the 1990 General Census, the percentage of women who are the head of the family is 7,6 %.

2. The following amounts with regard to the payments of the budget are the ones that have been distributed from the General Budget. Apart from these, there are also expenses made by funds, local administration authorities, social security institutions and public corporated bodies.

a) Education Budget

TABLE 7: Education Budget, the distribution of the budget of the Ministry of National Education to the different stages of education according to years.

THE DISTRIBUTION OF THE BUDGET OF THE MINISTRY OF NATIONAL EDUCATION TO THE DIFFERENT STAGES OF EDUCATION AND THEIR RATIO

Y E A R	GENERAL BUDGET	BUDGET OF THE MINISTRY OF NATIONAL EDUCATION (000 000)	THE RATIO OF THE BUDGET OF THE MINISTRY OF NATIONAL EDUCATION IN THE GENERAL BUDGET			PRE-SCHOOL		PRIMARY EDUCATION		SECONDARY EDUCATION			SPECIAL EDUCATION		FORMAL EDUCATION (%)
			AMOUNT	(%)	AMOUNT	(%)	AMOUNT	(%)	AMOUNT	AMOUNT	(%)	AMOUNT	(%)	AMOUNT	
1 9 9	27 143 467 190	2 131 808 500	2 131 808 500	7,9	2 678 860	0,13	1 278 323 025	60	245 345 132	274 696 363	24	13 201 960	1	52 606 011	2
2 0 0	46 968 000 000	3 330 330 000	3 330 330 300	7,1	5 505 000	0,16	1 976 005 000	59	377 077 000	426 180 100	24	27 382 000	1	79 877 900	2
2 0 0	49 360 000 000	4 046 305 625	4 046 305 625	8,4	6 941 500	0,17	2 409 423 000	60	461 991 000	515 185 100	24	26 890 500	1	98 538 900	2

TABLE 8: The Income of the Ministry of National Education Apart from the Budget

Years	The Income of the Law No. 4306 (Assessment to the Education) between the dates 01.09.1997 - 16.03.2001	The expenses made from the additional source provided by the Law No. 3418	The expenses made to the vocational and technical education from the Dissemination of the Apprenticeship, Vocational and Technical Education Fund established by the Law No. 3308
1998	52 647 296 719 000	62 088 713 983 744	1 143 997 414 000
1999	215 066 313 775 000	68 150 996 177 760	1 837 803 235 000
2000	500 315 286 260 000	126 012 070 886 733	3 032 777 517 000
2001	40 429 569 950 000	-	-

Source: Data of the Ministry of National Education.

\* By the Law No. 3418, an additional source is provided to Education, Youth, Sport and Health Services through different taxes.

#### b) Health Budget

In Turkey, the percentage of the number of people who are covered by social security programs to the total population is 91 % and the number of people who have social insurance in the field of health services is 86,4 %. The number of people who are covered by social security programs is 41.152.000 and approximately all of these people's health expenses are payed by the relevant social security institutions. Thus, there are some other expenses which are payed by the other social security institutions apart from the budget of the Ministry of Health, and these are not shown in the following table.

TABLE 9: Health Budget

Year	General Budget	Budget of the Ministry of Health		Mother and Child Health and Family Planning's Budget		Basic Health Services' Budget	
		Amount	General Budget %	Amount	Budget of the Ministry of Health %	Amount	Budget of the Ministry of Health %
1999	27 143 467 190	683 123 501	2.14	13 376 230	2.29	202 689 049	34.05
2000	46 968 000 000	1 059 855 000	2.26	21 905 900	2.06	309 575 250	34.75
2001	48 360 000 000	1 059 855 000	2.32	24 776 300	1.93	380 178 050	34.33

Source: The data of the Ministry of Health.

According to the Law No. 3418;

YEARS	Provision 39/A of the Law No. 3418		Provision 39/B of the Law No. 3418	
	Mother and Child Health and Family Planning	Basic Health Services	Mother and Child Health and Family Planning	Basic Health Services
1998	35.616.691.000	896.000.000.000	42.766.180.000	665.198.000.000
1999	500.000.000.000	862.923.000.000	45.220.000.000	112.500.000.000
2000		880.270.000.000	82.000.000.000	87.218.000.000

Source: The data of the Ministry of Health

c) The Budget for the Disabled Children

TABLE 10: The Budget for the Disabled Children, Ministry of National Education, (General Directorate of Special Training Guidance and Consultation Services).

(Million TL)

Year	Budget of the Ministry of National Education	The Budget of General Directorate of Special Training Guidance and Consultation Services	The ratio of the special training to the General Budget %
1998	1.273.108.000	7.985.500	1
1999	2.131.808.500	13.201.960	1
2000	3.350.330.000	27.382.000	1
2001	4.046.305.625	26.890.500	1

Source: The data of the Ministry of National Education.

TABLE 11: The budget of the Disabled Children, Social Services and Child Protection Agency. (Million TL)

Years	General Budget	The Budget of Social Services and Child Protection Agency	The percentage of the Budget of Social Services and Child Protection Agency in the General Budget %	The share of the Disabled Children	The percentage in the Budget of Social Services and Child Protection Agency %
1999	27.143.467.190	31.971.730	0,12	3.087.880	10
2000	46.968.000.000	54.428.000	0,12	5.929.236	11
2001	48.360.000.000	66.180.350	0,14	6.823.680	10

Source: The data of Social Services and Child Protection Agency

**TABLE 12: The income of the Social Services and Child Protection Agency apart from the Budget according to the Law No. 3418;**

(Million TL)

Years	The income of the LawNo. 3418	The share for the Disabled Children	The percentage in the income of the Law No. 3418 %
1999	10.119.131	1.593.008	15,7
2000	20.508.470	2.932.610	14,3
2001	5.960.000	0	0,0

Source: The data of Social Services and Child Protection Agency.

The data of the year 2001 includes the months of January and February.

d)

**TABLE 13: The budget of Social Services and Child Protection Agency that has been allocated to the children in need of protection.**

(Million TL)

YEARS	GENERAL BUDGET	THE BUDGET OF SOCIAL SERVICES AND CHILD PROTECTION AGENCY	THE PERCENTAGE OF THE BUDGET OF SOCIAL SERVICES AND CHILD PROTECTION AGENCY IN THE GENERAL BUDGET %	THE SHARE OF FAMILY AND CHILD SERVICES	THE PERCENTAGE IN THE BUDGET OF SOCIAL SERVICES AND CHILD PROTECTION AGENCY %
1999	27.143.467.190	31.971.730	0,12	20.229.248	63
2000	46.968.000.000	54.428.000	0,12	31.565.746	58
2001	48.360.000.000	66.180.350	0,14	38.149.220	58

Source: The data of Social Services and Child Protection Agency.

**TABLE 14: The income that has been allocated to the children in need of protection apart from the budget of the Social Services and Child Protection Agency**

According to the Law No. 3418;

Years	The income provided under the Law No. 3418	The share of the Family and Child Services	(Million TL)
			The percentage in the income provided under the Law No. 3418 %
1999	10.119.131	2.803.608	28
2000	20.508.470	4.854.724	24
2001	5.960.000	0	0

Source: The data of Social Services and Child Protection Agency.

The number of the year 2001 includes the months of January and February.

e) There is no available data.

f)

**TABLE 15: The budget of Juvenile Justice**

(Thousand TL)

INSTITUTION	1998	1999	2000	2001
Ankara Juvenile Reformatory	43.172.333	126.602.607	177.311.313	19.452.250
Elmadağ Juvenile Prison	30.623.174	28.650.000	56.943.000	26.960.000
Elazığ Juvenile Reformatory	66.940.313	63.745.225	65.896.600	9.000.000
Bakırköy Women and Juvenile Prison	169.534.945	212.082.333	245.141.000	54.336.900
İzmir Juvenile Reformatory	68.139.662	86.240.640	86.126.350	9.526.500
<b>TOTAL</b>	<b>378.410.430</b>	<b>517.320.807</b>	<b>631.418.265</b>	<b>119.275.722</b>

Source: The data of the Ministry of Justice

The General Directorate of Prisons and Penitentiaries of the Ministry of Justice provides juvenile justice services. Although there are no official allocated budgets, the Ministry of Justice allocates some portions of budget to these institutions.

3.

a) Between the years 1998 and 2000, the crimes in terms of violence against the children are as follows.

**TABLE 16: The crimes committed against the children (Age Group 0-18).**

TYPE OF CRIME	1998	1999	2000
Usurpation and Robbery	111	86	168
Homicide	119	109	139
Abduction of a girl	2089	2067	2289
Kidnapping of a child	119	136	161
Rape	270	215	294
Sexual Abuse	306	334	442
Battery	1737	1722	2279
Injury	2671	2372	2969
Threatening	104	150	176
Suicide	78	62	67
Instigation to prostitution	78	65	69
Theft	456	416	378
Swindling	51	55	45
Unclassified crimes	11 131	10 933	9768
<b>TOTAL</b>	<b>19 320</b>	<b>18 722</b>	<b>19 244</b>

Source : The data of the General Directorate of Security.

b) Between the years 1995-2000, it was determined that 942 female and 1736 male, in total 2678 children, for whom protective orders had been given, are among the children who had been "Abused by their Mother and/or Father".

4. a)

Turkey Thousand Person (000)	GENERAL TOTAL	LITERACY POPULATION BETWEEN AGES 6-17			LITERACY POPULATION AGES 18+			
		FEMALE	MALE	TOTAL	FEMALE	MALE	TOTAL	
1 9 9	IN TURKEY TOTAL	47465	6964	7444	14408	14821	18236	33057
	RURAL	18327	3065	3174	6239	5198	6890	12088
	URBAN	29138	3899	4270	8169	9623	11346	20969
1 9 9	IN TURKEY TOTAL	49357	7445	7865	15310	15408	18639	34047
	RURAL	18431	3059	3166	6191	5297	6944	12240
	URBAN	30925	4385	4733	9119	10111	11696	21807
2 0 0	IN TURKEY TOTAL	49103	6684	7359	14043	15876	19184	35060
	RURAL	17311	2695	2975	5670	4994	6647	11641
	URBAN	31792	3989	4384	8373	10882	12537	23419

Source : The data of the survey of working power of household, by the State Institute of Statistics.

b-c)

TABLE 17: The number of the newly registered students according to years.

Years of Education	The number of the newly registered students in the Primary Education			The number of the newly registered students in the Secondary Education		
	Total	Male	Female	Total	Male	Female
1998-1999	1 250 345	666 900	583 445	671 134	395 626	275 508
1999-2000	1 259 771	670 380	589 391	706 036	415 510	290 526
2000-2001	1 316 194	697 930	618 264	757 593	448 251	309 342

Source: The data of the Ministry of National Education.

d)

**TABLE 18: The number of the graduated students according to years.**

Years of Education	The number of the graduated students in the Primary Education			The number of the graduated students in the Secondary Education		
	Total	Male	Female	Total	Male	Female
1997-1998	708 675	412 343	296 332	423 330	240 184	183 146
1998-1999	700 999	410 901	290 098	541 163	311 573	229 590
1999-2000	820 063	486 421	333 642	498 241	280 278	217 963

Source: The data of the Ministry of National Education.

e) There is no data

(f-g)

TABLE 19: The number of the students in Boarding Care District Primary Schools and Boarding Care Pension Primary Schools according to the years.

Years of Education	Boarding Care District Primary Schools			Boarding Care Pension Primary Schools				
	The number of schools	Total	Male	Total	Male	Female		
1998-1999	171	84 698	64 207	20 491	90	46 760	28 363	18 397
1999-2000	203	102 388	76 530	25 858	141	80 550	47 306	33 244
2000-2001	247	131 161	95 297	35 864	205	122 758	70 412	52 346

Source :The data of the Ministry of National Education.

h)

TABLE 20: The number of students in the Private Education Schools according to years.

Years of Education	Private Turkish Schools			Private Minority Schools			Private Foreign Schools			Private International Schools		
	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female
1998-1999	224 122	125 972	98 150	4 614	2 178	2 436	8 477	4 000	4 477	866	468	398
1999-2000	232 346	128 893	103 453	4 523	2 131	2 392	8 974	4 246	4 728	671	355	316
2000-2001	247 305	137 140	110 165	4 253	2 064	2 189	8 197	3 809	4 388	438	236	202

Source: The data of the Ministry of National Education.

Note: The data have been finally released in 1996-1997 by the State Institute of Statistics. For that reason the numbers given in the table above that have been released by the Ministry of National Education are temporary.

i)

TABLE 21: The number of Children Attending Pre-School Education .

YEARS OF EDUCATION	PRE-SCHOOL EDUCATION		
	MALE	FEMALE	TOTAL
1998-1999	137.222	123.937	261.159
1999-2000	131.811	119.785	251.596
2000-2001	120.428	108.075	228.503

Source: The data of the Ministry of National Education.

j)

TABLE 22: The number of the students in Private Formal and Widespread Education according to years.

Years of Education	Private Formal Education			Private Widespread Education		
	Total	Male	Female	Total	Male	Female
1998-1999	238 079	132 618	105 461	1 522 869	1 075 571	447 298
1999-2000	246 514	135 625	110 889	1 684 166	1 183 653	500 513
2000-2001	260 193	143 249	116 944	1 819 239	1 268 239	551 000

Source: The data of the Ministry of National Education.

TABLE 23. The situation in The Primary Education and The Secondary Education according to years.

Years of Education	The number of the Teachers		The number of the Students		The number of the Classes		The number of the students Per one Teacher		The number of the students Per one Class	
	The Primary Education	The Secondary Education	The Primary Education	The Secondary Education	The Primary Education	The Secondary Education	The Primary Education	The Secondary Education	The Primary Education	The Secondary Education
1998-1999	316 991	139 664	9 581 120	2 296 203	213 243	70 878	30	16	45	32
1999-2000	324 835	137 516	10 053 127	2 444 407	244 958	73 714	31	18	41	33
2000-2001	345 001	134 815	10 289 233	2 128 957	253 892	75 223	30	16	41	28

Source: The data of the Ministry of National Education.

5.

**TABLE 24: The general situation of immunity in Turkey (%)**

	1998	1999	2000
BCG	77	79	77
DBT-1	88	86	87
DBT-2	83	81	84
DBT-3	79	78	80
OPV-1	88	86	87
OPV-2	83	81	85
OPV-3	79	78	80
HBV-1	-	73	77
HBV-2	-	68	73
HBV-3	-	65	66
MEASLES	78	81	81
TT-1	36	36	35
TT-2	36	36	36

Source : The data of the Ministry of Health.

## EARLY PREGNANCY

According to the 1998 Turkish Census Health Survey data, among the adolescents between the ages of 15-19;

Total percentage of the mothers : 7,9%  
 The percentage of the persons pregnant to their first child : 2,3 %

The percentage of adolescent mothers in urban areas : 7,4 %  
 The percentage of adolescent mothers in rural areas : 8,6 %

According to regions; East : 8,8 %  
 West : 7,2 %  
 North : 4,3 %  
 South : 8,4 %  
 Central : 8,8 %

The initial age of maternity has important results from the aspects of both demography and the health of the mother and the child. In many countries, the tendency to postpone the first birth, which is an indicator of increasing age of marriage, contributes to the decreasing of the general fecundity rate. In our country the age of giving birth to a child is increasing gradually. According to Turkish Census Health Survey the age of giving birth to the middle child is 20.6 for the women between the ages 45-49, but it has been increased to 22.2 for the women who are at the beginning of their fecundity between the ages 25-29. It was found 21.8 for the women between the ages 25-29 in the 1993 Turkish Census Health Survey.

There are also important changes in adolescents fecundity. During the surveys it was observed that, 26 % of the women between the ages 20-24 have become mothers before the completion of their 20 years of age. The mentioned percentage is lower than the percentage of the ones in the age group of 30-34 (32 %). Among the women between the ages 35-44 those who become mothers before the completion of their 20 years of age, are more than 40 %. This ratio was nearly one third or close to half in the 1993 Turkish Census Health Survey.

According to a survey held in 1993, one out of ten women (8 %) aged seventeen have either become a mother or got pregnant to her first child. After that there has been a positive improvement in the fecundity of adolescents.

The marriage of adolescents between the ages of 15 and 18 is accepted by our community's social and cultural structure. Because of that reason the adolescents' pregnancy is an inside-marriage pregnancy.\*

**TABLE 25: The number of informed AIDS cases and carriers in Turkey according to years.**

YEARS	EVENT	CARRIER	TOTAL
1998	29	80	109
1999	28	91	119
2000	46	112	158
<b>TOTAL</b>	103	283	386

Source: The data of the Ministry of Health.

\* The law which allows marriages under 18 will be amended by the new Civil Code reformation legislation, currently under consideration in the Parliament.

**TABLE 26: The number of known AIDS cases and carriers according to their age and gender.**  
(1 October 1985-31 December 2000)

AGE GROUPS	MALE	FEMALE	TOTAL
0	5	1	6
1-4	2	4	6
5-9	3	5	8
10-12	3	0	3
13-14	1	1	2
15-19	12	19	31
UNKNOWN	80	26	106
<b>TOTAL</b>	<b>106</b>	<b>46</b>	<b>152</b>

Source: The data of the Ministry of Health.

**TABLE 27: The situation of syphilis in the year 2000.**

	REMAI- NING FROM 1999			THE CASES THAT ENTER- ED WITH MIGRA- TION			RECENT CASES			GENERAL TOTAL			TREAT- MENT COMP- LETED			CASES THAT LEFT WITH IMMIG- RA-TION			DIED			TOTAL NUMBER OF THE SUB- STRUC- TED FROM THE REGIS-TRY			THE NUMBER OF PERSONS HAVING SYPHILIS IN 2000		
	F	M	T	F	M	T	F	M	T	F	M	T	F	M	T	F	M	T	F	M	T	F	M	T			
<b>T O T A L</b>	1239	2177	3416	14	16	30	156	239	395	1409	2432	3841	169	274	443	35	39	74	2	9	11	206	322	528	1205	2110	3315

Source: The data of the Ministry of Health.

F: Female

M: Male T: Total

According to a survey about the "the problems of adolescents in Turkish family" carried among 2400 children in the ages between 13-18 all over Turkey;

**TABLE 28: Whether the adolescents smoke and drink alcohol.**

	Total		Early Adolescents		Middle Adolescents		Late Adolescents	
	Number	%	Number	%	Number	%	Number	%
Smokers	719	30,0	53	8,9	247	29,3	419	43,7
The ones who drink alcohol	306	12,8	4	2,1	76	9,0	216	22,5
The ones who have tried drugs	30	1,3	3	0,5	6	0,7	21	2,2

Source : The data of the Prime Ministry Institution on Family Research.

6.

a) The number of the children reported to the police, with the allegation of having committed a crime, between the years 1998-2000 is as follows.

**TABLE 29: The number of the children reported to the police, with the allegation of having committed a crime.**

TYPE OF CRIME	1998			1999			2000		
	TOTAL	SEIZED ACCUSED		TOTAL	SEIZED ACCUSED		TOTAL	SEIZED ACCUSED	
		F	M		F	M		F	M
Usurpation and Robbery	171	10	269	161	9	270	238	13	386
Homicide	135	8	183	128	17	157	109	8	160
Arson	30	2	33	46	2	67	34	3	41
Offences against Law Enforcement Personnel	11		14	71	23	53	23	3	30
House Breaking	87	1	71	63	5	97	94	10	129
Kidnapping	487	36	580	300	23	554	489	36	537
Offences against Public Decency	243	32	347	196	17	269	246	25	343
Defamation against Police	114	10	73	132	25	143	142	15	204
Obstructing an officer	45		66	51	4	68	48	2	55
Dissemination to the Law No. 6136*	512	10	365	368	14	438	239	15	398
Battery	2148	159	3126	2484	239	3628	2960	275	4220
Injury	3091	77	3893	3130	109	4318	3459	142	4338
Swindling	229	17	198	216	57	219	124	18	147
Gambling	29	5	52	45	2	62	21	4	54
Threatening	128	17	202	155	19	189	199	27	221
Suicide	185	100	60	186	81	77	277	141	79
Bribery, Embezzlement, Extortion	4		4	13	2	85	45	4	51
Theft	8472	600	10751	9160	807	11854	10069	999	13498
Unclassified Crimes	3954	579	4134	446	664	4020	3865	669	3803
Drug Usage	52	2	55	31	3	36	30	7	56
Terrorism	54	46	126	182	75	402	67	5	85
Financial Smuggling	44	6	41	29	1	34	51	10	49
Smuggling of guns and ammunition	11	2	10	6	1	5	10	2	10
<b>TOTAL</b>	<b>20306</b>	<b>1718</b>	<b>24856</b>	<b>21400</b>	<b>2199</b>	<b>27045</b>	<b>22 959</b>	<b>2 432</b>	<b>28 894</b>

Source : The data of the General Directorate of Security.

\* Illegal possession of firearms.

**TABLE 30: Numbers of Children Against Whom Criminal Proceedings Have Started According to the Courts and Age Groups Within the Years.**

	AGE GROUP 11-14						AGE GROUP 16-17						TOTAL			THE NUMBER OF THE DEPENDANT CHILDREN			
	11-14 AGES		16-17 AGES		TOTAL		11-14 AGES		16-17 AGES		TOTAL		FEMALE		MALE		TOTAL		
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
1998	JUVENILE COURTS (*)																		60
	OTHER COURTS (**)																		900
	GENERAL TOTAL																		960
1999	JUVENILE COURTS (*)																		59
	OTHER COURTS (**)																		825
	GENERAL TOTAL																		883

Source : The data of the Ministry of Justice.  
 (\*) In Turkey, at the Juvenile Courts only the children below 15 years of age are tried and there are 6 Juvenile Courts. The context of the Juvenile Courts are limited with the 11-15 age group.  
 (\*\*) It includes, State Security Courts, Aggravated Felony Courts, General Criminal Jurisdiction Courts, Criminal Peace Courts, Criminal Seizure and Traffic Courts.

**TABLE 31: Numbers of children for whom a verdict has been issued according to the courts and the type of the decision.**

	ACQUITTAL						SENTENCED						ABATEMENT						OTHER				TOTAL				RESULT							
	11-14 AGES		16-17 AGES		TOTAL		11-14 AGES		16-17 AGES		TOTAL		11-14 AGES		16-17 AGES		TOTAL		11-14 AGES		15-17 AGES		TOTAL		11-14 AGES		15-17 AGES		TOTAL					
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F						
1998	JUVENILE COURTS (*)																																63871	5753
	OTHER COURTS (**)																																63871	5753
	GENERAL TOTAL																																127642	11506
1999	JUVENILE COURTS (*)																																66271	6082
	OTHER COURTS (**)																																66271	6082
	GENERAL TOTAL																																132542	12164

Source : The data of the Ministry of Justice.  
 (\*) In Turkey, at the Juvenile Courts only the children below 15 years of age are tried and there are 6 Juvenile Courts.  
 (\*\*) It includes, State Security Courts, Aggravated Felony Courts, General Criminal Jurisdiction Courts, Criminal Peace Courts, Criminal Seizure and Traffic Courts.

TABLE 32: Repartition of the Accused Children who are sentenced by the criminal courts according to the courts and the type of the punishment.

	DEPRIVATION OF LIBERTY				DEPRIVATION OF LIBERTY AND PECUNIARY PUNISHMENT				PECUNIARY PUNISHMENT				SUSPENSION				OTHER PRECAUTIONS				TOTAL SENTENCED			
	11-14 AGES		15-17 AGES		11-14 AGES		15-17 AGES		11-14 AGES		15-17 AGES		11-14 AGES		15-17 AGES		11-14 AGES		15-17 AGES		11-14 AGES		15-17 AGES	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
JUVENILE COURTS (*)	66	0	19	0	800	0	723	0	0	0	0	0	0	0	0	0	1102	0	0	0	2710	0	0	0
	1	0	0	0	39	0	58	0	0	0	0	0	0	0	0	0	136	0	0	0	234	0	0	0
OTHER COURTS (**)	713	3072	252	2661	2036	14846	2706	11184	1293	1203	14846	11184	1293	107	288	2953	1293	107	288	2953	7000	505	34716	3122
	55	194	11	284	138	1203	194	1153	138	1203	14846	11184	107	288	288	2953	107	288	288	2953	505	3122	3122	3122
GENERAL TOTAL	779	3072	271	2661	2836	14846	3429	11184	2395	1203	14846	11184	2395	243	288	2953	2395	243	288	2953	9710	739	34716	3122
	56	194	11	284	177	1203	252	1153	177	1203	14846	11184	252	288	288	2953	243	288	288	2953	739	3122	3122	3122
JUVENILE COURTS (*)	76	0	32	0	568	0	496	0	0	0	0	0	0	0	0	0	827	0	0	0	1999	0	0	0
	1	0	0	0	13	0	29	0	0	0	0	0	0	0	0	0	100	0	0	0	143	0	0	0
OTHER COURTS (**)	288	3384	330	2420	1822	14865	2893	12021	1533	1310	14865	12021	1533	138	405	3828	1533	138	405	3828	6866	458	36518	3186
	26	285	21	182	126	1310	147	1004	126	1310	14865	1004	138	405	405	3828	138	405	405	3828	458	3186	3186	3186
GENERAL TOTAL	364	3384	362	2420	2390	14865	3389	12021	2360	1310	14865	12021	2360	238	405	3828	2360	238	405	3828	8865	601	36518	3186
	27	285	21	182	139	1310	176	1004	139	1310	14865	1004	238	405	405	3828	238	405	405	3828	601	3186	3186	3186

Source : The data of the Ministry of Justice.

(\*) In Turkey, at the Juvenile Courts only the children below 15 years of age are tried and there are 6 Juvenile Courts.

(\*\*) It includes, State Security Courts, Aggravated Felony Courts, General Criminal Jurisdiction Courts, Criminal Peace Courts, Criminal Seizure and Traffic Courts.

c)  
**TABLE 33: Juvenile Detention Centers and Their Capacity**

INSTITUTION	CAPACITY
Ankara Juvenile Reformatory	100
Elmadag̃ Juvenile Detention Center	60
Elaziğ̃ Juvenile Reformatory	250
Bakırköy Women and Juvenile Detention Center	480
İzmir Juvenile Reformatory	250
<b>TOTAL</b>	<b>1140</b>

Source : The data of the Ministry of Justice

d)  
**TABLE 34: The number of the children detained at the detention centers**

Years		Age Groups		TOTAL
		11-15	15-18	
1998	Convicted	26	503	529
	Detained	86	1422	1508
1999	Convicted	23	428	451
	Detained	81	1252	1333
2000	Convicted	41	419	460
	Detained	155	1258	1413

Source : The data of the Ministry of Justice

e) The Statistics About the Children Who Came or were Brought to the Security Unit; (in selected 27 cities): According to the 1998 data of the State Institute of Statistics, it has been determined that, with regard to their number of arrival, among the children who came or were brought to the security units:

- 82.6% of them never came or were brought again,
- 5.1% of them came or were brought one more time,
- 12.3% of them came or were brought more than once.

f) The number of incidents brought to the Human Rights Unit working under the General Directorate of Security between the dates 1998 – January 2001, with the claim of abuse or maltreatment during detention for any reason is totally 28. The mentioned incidents were put under investigation at once, and administrative and judicial precautions were taken about the responsible persons.

Elazığ Juvenile Reformatory Center, 8 children filed court suit against the personnel in 1998. The personnel were acquitted. However, the director of the reformatory issued a warning to the personnel afterwards.

Elmadağ Republic's Prosecutor filed a court suit against the personnel of Elmadağ Juvenile Detention Center on behalf of 3 children in 1999, however, the court suit has been postponed as a result of the Amnesty Law of year 2000.

The Bakırköy Republic's Prosecutor filed a court suit against the personnel of the Bakırköy Juvenile Detention Center on behalf of 29 children in 1998. Also another suit was filed by the Bakırköy Republic's Prosecutor within the framework of the report prepared by the Human Rights Commission of the Turkish Parliament on their investigation in the aforementioned institution, for abuse and maltreatment. Both court cases are on-going.

It was noted that there are not any children who have been subject to abuse and maltreatment by the personnel of the Ankara and İzmir Juvenile Reformatory Centers and other prisons.

7.

a) With the aim of preventing the exploitation of children under 18 for prostitution and to be evaluated by the Child Police, views are requested from the related institutions and establishments and within the framework of these views preparation of a circular draft is initiated. The aim this is to widen the working field of the police concerning the protection of children from sexual abuse, prostitution and such acts. Besides, a study is already in process to prevent Child Pornography on Internet by the Department of Information Processing of the General Directorate of Security.

**TABLE 35. The Children Faced with Sexual Abuse (Exploitation)**

TYPE OF CRIME	1998	1999	2000
Abduction of girl	2089	2067	2289
Child Kidnapping	119	136	161
Rape	270	215	294
Sexual Abuse	306	334	442
Instigation to Prostitution	78	65	69
<b>TOTAL</b>	<b>2863</b>	<b>2817</b>	<b>3255</b>

Source : The data of the General Directorate of Security

b) The legal guardians of children faced with sexual abuse may use psychiatric clinics for their rehabilitation. For example; if a child suffers sexual abuse within the family, the legal guardianship of parents of that child may be taken and given to the Social Services and Child Protection Agency together with a protection order. Thus, the necessary rehabilitation services to the child will be supplied by this Agency.

c) Children addicted to illicit drugs and their families will be taken to the relevant clinics of the hospital and private clinics, where they will receive a treatment, by the Child and Youth Centers of Social Services and Child Protection Agency. Though the usage of drugs among children is a recent fact in Turkey,

the number of these children shows a tendency to increase. For that reason there are studies in order to construct rehabilitation services to this group of people.

d) According to the data obtained from the Department of the Foreigners Border Refuge of the General Directorate of Security, in year 2000 there were 14 children who left the country without a company. 9 of the mentioned children were Iranian citizens and 5 were Iraqi.

In year 2000, the number of children still living in our country without a company was 4 and all of these children had Iranian citizenship.

**TABLE 36. The ones leaving the Country together with their accompaniers.**

YEARS	0-6 Ages	6-12 Ages	12-18 Ages	TOTAL
1999	3	16	22	41
2000	3	10	25	38

Source : The data of the General Directorate of Security.

e) The data about the working children under 14 years of age is given in a comparative way below, according to the results of the "Child Labour Survey" conducted by the State Institute of Statistics in years 1994 and 1999.

TABLE 37. The Children Working in the Economical Jobs according to their age group and gender

Age Groups	TURKEY										URBAN				RURAL				
	Total Population		Number	%	Number	%	Urban population		Number	%	Number	%	Rural Population		Number	%	Number	%	
	October 94	October 99	October 94	October 99	October 94	October 99	October 94	October 99	October 94	October 99	October 94	October 99	October 94	October 99	October 94	October 99	October 94	October 99	
TOTAL																			
6-9	4701	5225	130	42	2,8	0,8	2486	3151	8	0,3	0	0,1	2215	2074	123	5,6	39	1,9	
10-11	2748	2906	168	60	6,1	2,1	1480	1702	21	1,4	11	0,6	1268	1204	147	11,6	49	4,1	
12-13	2851	2648	443	176	15,5	6,6	1514	1527	106	7,0	52	3,4	1337	1121	337	25,2	124	11,1	
14	1106	1286	233	233	21,1	18,1	587	744	56	9,5	66	8,9	519	542	176	33,9	167	30,8	
6-14	11406	12065	974	511	8,5	4,2	6057	7124	191	4,4	132	1,9	5339	4941	783	14,7	379	7,7	
MALE																			
6-9	2391	2710	77	20	3,2	0,7	1245	1608	4	0,3	2	0,1	1146	1102	73	6,4	18	1,6	
10-11	1449	1445	91	26	6,3	1,8	765	872	15	2,0	8	0,9	684	573	76	11,1	18	3,1	
12-13	1448	1335	276	107	19,1	8,0	782	788	81	10,4	41	5,2	666	547	195	29,3	66	12,1	
14	567	665	136	146	24,0	22,0	297	382	45	15,2	48	12,6	270	283	91	33,7	98	34,6	
6-14	5855	6155	580	299	9,9	4,9	3089	3680	145	4,7	99	2,7	2766	2505	415	15,7	200	8,0	
FEMALE																			
6-9	2310	2515	53	22	2,3	0,9	1241	1543	4	0,3	1	0,1	1069	972	49	4,6	21	2,2	
10-11	1299	1461	78	34	6,0	2,3	715	830	6	0,8	3	0,4	584	631	72	12,3	31	4,9	
12-13	1403	1313	166	69	11,8	5,3	732	739	25	3,4	11	1,5	671	574	141	21,0	58	10,1	
14	539	622	97	87	18,0	14,0	290	362	11	3,8	18	5,0	249	260	86	34,5	69	26,5	
6-14	5551	5911	394	212	7,1	3,6	2978	3474	86	4,5	33	0,9	2573	2137	348	13,5	179	7,3	

Source: State Institute of Statistics, 1999 Ministry of Child Labour

TABLE 38. The Number of Children in the Age Groups 6-14 Working in Economical Jobs According to Gender and Sectors (Thousands)

	The number of children working in Economical Jobs		Agriculture				Industry				Trade				Service			
			1994		1999		1994		1999		1994		1999		1994		1999	
	1994	1999																
<b>TURKEY</b>																		
TOTAL	974	510	742	76,2	335	65,7	108	11,1	81	15,9	51	5,2	34	6,7	72	7,4	60	11,8
MALE	580	298	396	68,3	158	53,0	71	12,2	59	19,8	47	8,1	30	10,1	66	11,4	51	17,1
FEMALE	394	212	345	87,6	177	83,5	37	9,4	21	9,9	4	1,0	4	1,9	7	1,8	10	4,7
<b>URBAN</b>																		
TOTAL	190	131	23	12,1	12	9,2	76	40,0	62	47,3	42	22,1	26	19,8	49	25,8	32	24,4
MALE	145	98	12	8,3	6	6,1	50	34,5	41	44,9	39	26,9	24	24,5	44	30,3	24	24,5
FEMALE	45	33	11	24,4	6	18,2	26	57,8	18	54,5	3	6,7	2	6,1	5	11,1	8	24,2
<b>RURAL</b>																		
TOTAL	784	379	719	91,7	323	85,2	32	4,1	18	4,7	9	1,1	9	2,4	23	2,9	28	7,4
MALE	433	200	384	88,3	152	76,0	21	4,8	15	7,5	8	1,8	7	3,5	22	5,1	27	11,5
FEMALE	349	179	334	95,7	171	95,5	11	3,2	3	1,7	1	0,3	2	1,1	1	0,3	1	0,6

Source: State Institute of Statistics, 1999 Newsletter of Child Labour.

## B. GENERAL IMPLEMENTATION MEASURES

1. In order to evaluate the conformity of the provisions of domestic laws concerning children with the principles and provisions of the Convention on the Rights of the Child (CRC), a book named "Related Codes and Laws of the Turkish Republic" was prepared in co-operation with the relevant sectors and published. This study includes all of the Codes and applicable laws related to the CRC as well as the international conventions to which Turkey is a party.

Additionally, "Implementation and Check List of the Republic of Turkey" was prepared with the contributions of the relevant sectors under the coordination of Social Services and Child Protection Agency in order to monitor the implementation of the CRC and was published. The objective of this document is to demonstrate what sort of developments have been observed in the country with regard to the implementation of the CRC. This list is a document to be updated regularly through monitoring of the implementation of the CRC. Therefore, this study which is a product of a mutual learning process in which all sectors were involved, is an open-ended document to be developed. This study is expected to be a leading guide for the implementation of the CRC in Turkey and to reflect all developments through regular updates.

In order to ensure the conformity of the Turkish applicable laws in the field of the rights of the children with the conventions and reports recognised by Turkey, the Ministry of Justice established the Turkish Civil Code Commission on 14 January 1994, the Code of Criminal Procedure Commission on 5 May 1997, the Code of Civil Procedure Commission on 16 September 1999, the Code of Execution and Bankruptcy Commission on 4 October 1999 and the Turkish Criminal Code Commission on 21 December 1999.

"Draft Turkish Civil Code" and "Draft Imprisonment Institutions and Detention Houses Workers Training Centers Code" prepared by these commissions are in the agenda of the Turkish Grand National Assembly's Judicial Commission. "Draft Code of Criminal Procedure" and "Draft Code of Imprisonment Institutions and Detention Houses Monitoring Councils" were sent to the Ministries and the relevant institutions and organisations to be reviewed. Meanwhile, studies of the commissions over Turkish Criminal Code, Code of Execution and Bankrupt and Code of Civil Procedure as well as the studies over "Draft Code of Enforcement of Penalties and Detentions and Protection of the Convict Released from Imprisonment Institutions" are presently going on. (See Section 3 for detailed information).

As for the review of the reservations forwarded by Turkey on the articles no. 17, 29 and 30 of the CRC;

Within the framework of the interpretation by Turkey of the definition of minority used in the articles 17, 29 and 30 of the CRC, with respect to the constitutional system, code of citizenship and other applicable laws as well as provisions of international treaties (Treaty of Lausanne) Turkey signed and ratified this Convention with the following reservation: Turkey reserves her right to interpret and implement these articles in accordance with the word and spirit of the Constitution of the Turkish Republic and Treaty of Lausanne dated 24 July 1923. In other words, Turkey does observe the provisions of the articles 17, 29, 30 of the CRC in the light of its constitutional requirements as well as other international treaties.

Turkey's approach on minority issue is shaped by the Treaty of Lausanne. Turkey accepts the status of minority for the communities mentioned in the Treaty of Lausanne and in the Agreement of Friendship between Bulgaria and Turkey. Within this framework, by the term minority, non-muslim citizens are meant.

The term "minority" as defined in the Treaty of Lausanne, serves as a basis in the bilateral and multilateral agreements to which Turkey becomes party. The interpretation of this term by Turkey emanates also from the definition given in the Treaty of Lausanne. Thus, Turkey had reiterated its interpretation of the term of "minority" based on the Treaty of Lausanne in connection with several other international instruments, including during the Ottawa Conference in 1985 where this issue had been taken up in detail for the first time by the Organisation of Security and Co-operation in Europe (OSCE) and also during the preparation of the follow-up documents. Turkey declared that it understands the term of "national minority" mentioned in the Charter of Paris in 1990 also within the same framework.

The reservation put on the CRC does not have a negative impact on the purpose and subject of the Convention. Therefore, within the framework of the long-standing interpretation of "minority" adopted by Turkey, the reservations put on the articles 17, 29 and 30 of the Convention will not be reviewed.

2. General Directorate of Social Services and Child Protection Agency is an agency aimed to provide social services to families, disabled, older and other people in need of protection, care and support and to determine and implement the guidelines for the foundation, functioning and inspection of the institutions to be established by real and legal persons under private law. It is affiliated to the central management (Prime Ministry).

In Turkey, there are various and successful organisations in the area of social support and solidarity, whose roots go back to the years before the Republic. The applications of these organisations once used to be based mainly on the traditional values of understanding and belief for help among the society and family turned out to be the basic responsibilities and constitutional mission of the social state with the proclamation of the Republic. In order to deal with the social services in a scientific and professional framework and to train experts at the university level, Institute of Social Services, Academy of Social Services and General Directorate of Social Services were established respectively in 1951, 1961 and 1963.

The Social Services and Child Protection Agency Law No. 2828 was promulgated on 24.5.1983. By this law, it was aimed to bring a standard to the social services carried out by the public and private persons and institutions and to expand them as well as to determine the nation-wide social service policies to be practised by professional people. This law which gives special importance and support to the co-operation with non-governmental organizations and local administrations (the offices of Governor and municipalities) includes various regulations aiming at the community participation. For instance, while the missions of municipalities relevant to the social services are going on, the criteria and principles to implement them are carried out within the standards determined by Social Services and Child Protection Agency. In the same way, the principles to be followed by private persons and institutions for the foundation and functioning of the day-care centers, care and rehabilitation centers for the disabled are determined, controlled and guided by the said Agency. In the administrative structure of Turkey, governors are top officials responsible for the administration in the provinces. Governors are in charge of the implementation and coordination of the social services in the provinces. In this field, there are Social Services Advisory Councils in the provinces whose members include mayor, representatives from people and public institutions and these Councils are headed by governors. Additionally there are non-governmental organizations like associations and foundations under all social service institutions.

Within the sources of the income of Social Services and Child Protection Agency, the allocations from the general budget take the first place. Among other sources can be included donations, rents from the real estates, allocations from the budgets of municipalities and provincial special administrations and sources to be transferred from the fund incomes that can be summarized under the taxes like education, health, sports. On the other hand, offices of governors and municipalities can transfer some money to the institutions from the sources of budget and funds under their control. The donations of voluntary persons and organizations have a considerable place among the incomes. The workers in the Agency are in government workers status. All matters pertaining to personnel are dealt by the Central Management. The total number

of workers in the central and local administrations of Social Services and Child Protection Agency is about 9,300 as of March 2001. Additionally, as many as 2,643 people are employed for cleaning and care services, whose wages are also paid by the General Directorate.

For the widespread distribution of the social services to all segments of society at national and local levels efficiently and fruitfully and in view of the distance of towns to the cities and intensity of the applications for social services, 35 new Social Service provincial directorates have been established in June 2000.

There are on-going protocols between non-governmental organizations and the Agency with the purpose of using resources more effectively and fruitfully and encouraging the volunteering people and organizations into the social services. As many as 141 protocols for co-operation between Social Services and Child Protection Agency and non-governmental organizations were signed, 100 of which are relevant to the services for children. Another 50 protocols signed with the various institutions, organizations and persons, defines the principles and guidelines for the co-operation of investment activities in the areas of earthquake. Following the two recent big earthquakes in Turkey, Social Services and Child Protection Agency, non-governmental organizations and international organizations, UNICEF in primary, have realized a widespread and effective co-operation and ensured the rapid distribution of services.

The only authorized institution to release permission for opening private day-care and special rehabilitation centers working in social services area is the General Directorate of Social Services and Child Protection Agency. This Agency provides guidance and consultation to the centers to ensure them to work more effectively and fruitfully in the light of the prevailing laws. On the other hand, there are 238 associations and foundations organized under the institutions and Provincial Directorates. The volunteers working in these associations and foundations contribute considerably in developing new services and service models. These formations are supported by the Social Services and Child Protection Agency.

In the implementation of principles and provisions of the CRC, a Higher Council and a Subcommittee for Monitoring and Evaluating the Rights of the Child were established to coordinate the inter-sectoral planning, agreements on the works relating to the applicable laws for children, agreement in principle for the activities to improve social sensitivity and to realize the plans to utilize the sources efficiently and effectively. State Minister who is responsible from the Social Services and Child Protection Agency chairs the Higher Council on behalf of the Prime Minister. The members of this Council are: one of the Undersecretary of the Prime Ministry or Deputy Undersecretary, Deputy Undersecretaries for Ministries of Justice, Internal Affairs, Foreign Affairs, National Education, Health, Labour and Social Security, representative from the Presidency of High Education Council, the President of Religious Affairs, the President of the Radio and Television Supreme Council, the President of the Administration for the Disabled, the General Director of Security, the General Director for Women's Status and Problems, the General Director of Social Services and Child Protection Agency and authorities from various institutions and organizations, non-governmental organizations and experts. The Higher Council for Monitoring and Evaluating the Rights of the Child held its first meeting on 30 January 2001 to define decision-making and planning works at national level. As the Higher Council is the supreme body where all public units and parties are represented by the top officials and is established directly by the instruction of the Prime Minister and meets under the chairmanship of the relevant Minister, the Council for the Rights of the Child was included into the Higher Council. There is not a separate Council for the Rights of the Child.

The Sub-committee established under the same circular is formed by the people who are tasked directly by the concerning units of the institutions and organizations represented in the Higher Council and by the representatives and the experts from the organizations, institutions and non-governmental organizations invited by the Higher Council. The preparations for the first meeting of the Sub-committee are on-going. The works realised in conformity with the decisions of the Higher Council are carried out by the Sub-committee. The secretarial work of the Higher Council and Sub-committees is made by the Social Services and Child Protection Agency.

Social Services Advisory Committee, structured under the Social Services and Child Protection Agency is an important advisory committee, headed by the relevant State Minister and including highest representatives from all relevant public institutions and whose five members appointed by the President of the Republic are invited depending on the agenda. Social services policies and goals for children in Turkey are in this Committee's agenda of at its meeting to be held on 23 April 2001, the foundation date of the Turkish Grand National Assembly. This day was celebrated as the Day of National Sovereignty until 1927. Since then it is celebrated as the Day of National Sovereignty and Children. Turkey devoted this day to the world children as the Day of Children and has been celebrating for 23 years.

To summarize, the coordination for implementation of principles and provisions of the CRC and monitoring these implementations and secretarial services of the Higher Council and Sub-committee for Monitoring and Evaluating the Rights of the Child are carried out by the Social Services and Child Protection Agency.

Ombudsman system is not existing in Turkey for the time being. However, in the 7<sup>th</sup> Five Year Development Plan (FYDP) (1996-2000), among the legal and institutional arrangements takes place the establishment of the ombudsman system which will lead to the solution of the conflicts between the administration and persons effectively and rapidly.

The ombudsman system was discussed intensively during the second half of 1990's due to the purposes and policies concerning this system in 7<sup>th</sup> FYDP as well as due to some other reasons. However, there has not been much progress in legal arrangements to establish the ombudsman system. Again in the 8<sup>th</sup> FYDP covering 2001-2005, paragraph 1850 is dedicated to the ombudsman system under the title of Improvement of Public Administration and Reorganization. Furthermore, in the same Plan, it is envisaged to establish a Public Inspector (Ombudsman) System to include all administrative procedures and actions under the title of Legal and Institutional Arrangements.

On the other hand, the proposal by the Italian Parliamentarian, who is one of the reporters for Social, Health and Family Commission under European Council Parliamentarians Assembly (ECPA), to establish a "European Ombudsman for Children" which will be discussed during the 2000/2 Term ECPA General Committee was welcomed by Turkey.

Moreover, although an ombudsman system has not been established yet, Human Rights Councils were established in all cities and districts. In these councils there are representatives from the Bar and non-governmental organizations besides Government officials. On the other hand, the measures to be taken for the implementation of the provisions of the Convention are monitored by the General Directorate for International Relations of the Ministry of Justice. Additionally, there has been an undergoing effort to build a social sensitivity, awareness to monitor the implementation of the Convention and a significant progress has been made by various bodies including the Presidency and the Turkish Grand National Assembly.

3. In 1996, a "National Plan of Action for Children" was initiated at national level, which was prepared with the participation of all relevant sectors and pertaining to the survival, protection and development of children. To reach the goals for 2000, some of the activities were completed, while some others are carried on in the framework of the routine services. New activities were identified and new programs were included to meet the needs. Each agency prepares its own annual programs in compliance with the FYDP and works in accordance with these programs.

#### **Allocations dedicated for children from the International Sources.**

For the project of Eradication of Child Labour in the Districts of Golcuk and Adapazari provinces by the Social Services Child Protection Agency in co-operation with International Labour Organization (ILO)/International Program on the Elimination of Child Labor (IPEC), IPEC contribution totaled 281.000 US dollars. On the other hand, within the context of the project which was activated as of July 2000, as a result of meetings held on this subject, the contributions of the public sectors and civil organizations totalled up to 47 billion Turkish Liras (TL) either in cash or in kind. The project will be completed as of July 2002.

The Project of "Rehabilitation of the Working Children in Diyarbakir" within the context of the ILO International Program for the Prevention of Child Labour was initiated in 1999 by Diyarbakir Child and Youth Center affiliated to the Social Services Child Protection Agency, in co-operation with the Regional Development Administration of the South Eastern Anatolian Project (GAP) depending on the Prime Ministry, the Office of the Governor of Diyarbakir and to the Social Services Child Protection Agency. The IPEC contribution to this project which will last for 2 years is 30.260 US dollars (USD).

In accordance with the agreement with the World Bank, starting from 1997, a credit amounting to 600 million US dollars was approved for the Primary Education Project, and the first half of this source has already been used.

Within the framework of the IPEC Program signed between ILO and the Ministry of Labor and Social Security, a source amounting 1.005.850 USD was transferred for the projects realized from 1992 to the end of 2000. ILO contribution for the on-going projects sums up to almost 500.000 USD.

By an agreement made with the European Union within the framework of Socrates and Leonardo D Vinci Programs, 100 million USD were allocated to the projects of "Support for Primary Education" and "Technical Vocational Training Development". The implementation of these projects are in progress.

The World Health Organization (WHO) transferred an amount of 10.000 USD for an Integrated Management of Childhood Illnesses, 50.000 USD for the Control and Prevention of the Illnesses and Injuries, 15.000 USD for the reinforcement of the Healthy Environmental Schools Network and finally 10.000 USD for Primary Health Care for the mid-term 2000-2001.

Within the context of the Government of Turkish Republic-UNICEF Cooperation Master Plan of Implementation for years 1997-2000, a total amount of 12.520.000 USD has been allocated, 4.920.000 USD through the General Budget and 7.600.000 USD through supplementary funds.

The Government of Turkish Republic-UNICEF Cooperation Master Plan of Implementation for years 1997-2000 that aims to support National Action Plan for Children was completed and the new Master Plan of Implementation for the years 2001-2005 has been prepared.

The Country Co-operation Program for 1997-2000 has been prepared to support the 7<sup>th</sup> FYDP (1996-2000). This Program has contributed a lot to the efforts of the Government of the Turkish Republic to bring up important reforms in the health and education sectors, primarily on the issues such as child education at early childhood and encouragement of woman literacy, promotion of children and women for a healthy life and protection, and mobilization of the public opinion for the welfare of the children.

As a general strategy, the Country Program has called for interventions which enable the situation to be held as a whole. Therefore, four intersectoral programs in close relation with each other has been developed: promotion of the participation of the society and voluntary institutions (mobilization of civil society); support to reduction of inter-regional and intra-urban disparities; social research and monitoring; planning and policy development. Program activities have focused on technical assistance, building national and lower level capacities, reinforcement and support for creating awareness rather than providing supply and material.

Almost for 10 years, UNICEF has been supporting the Turkish Government's efforts in the field of education aiming to enable everybody to benefit from the primary education. The "Project for the Expansion of the Primary Education" covering 3.000 children in 74 village schools between 1992-1996 was broadened to cover 24.000 children in 276 schools with the "Primary Education Pilot Project" realized in co-operation with the World Bank between 1996-1998. In the former Project, community participation in primary education was advocated to change the traditional attitude which has negative impacts over education, especially for the education of the girls.

Additionally, the efforts by UNICEF has been effective on the initiation of the implementation of the 8 Year Compulsory Education in 1998; the "Project for the Education of the Girls" led to the expansion of the program targeting the problem of low literacy rate among the girls and women.

The Country Cooperation Program also supported the Mothers Training Program and Day Caregivers Project to provide training to the parents of the children between 0-6 ages, on the topics like nutrition, breastfeeding and so on. This project can be considered as a follow-up activity of the previous family training activities. The said project, which encompasses more than 24.000 mothers has also emphasized the early education of children. In 1997, the project has become nation-wide and started to be implemented by the Ministry of Education. The evaluation study of this project has shown that the increasing knowledge on childcare and changes in behaviours of mothers and/or parents through better applications for childcare had positive impacts on the developments of the children who also obtained better results in development-measuring scales. This also indicated that gathering the integrated approaches while communicating messages relevant to health, nutrition and caution in early childhood development at family levels, has crucial impacts on change of the family behaviours positively towards childcare applications.

UNICEF has continued to support the efforts of the Ministry of Health to provide healthcare training and to improve services in the healthcare area. The Turkish Government has adopted the Integrated Management of Childhood Illnesses (IMCI). The IMCI, initiated by UNICEF and WHO at a global scale in 1995, aims the management of major causes of child deaths in the whole world with an integrated approach.

The intensive efforts of the Turkish Government to eradicate poliomyelitis by 2000 were supported through informative campaigns, community mobilization, in-service training and building capacity. National immunization days realized in spring 1998 were successful through training and mobilizing the community how to deal with polio and through repetition of these activities every year. An important step in the fight against the diseases due to the Iodine Deficiency and its results was the adoption in 1998 of a law which enforces the iodization of the whole salt produced in the country.

In the field of advocating the CRC, UNICEF has helped in developing partnerships among non-governmental organizations, local administrations, police and juridicial bodies and academic environments

to eliminate or at least alleviate primarily in major cities the circumstances, which damage the human honor through its negative impacts on street children and children in conflict with the laws. UNICEF, by this effort, has also aimed to integrate these children as a conscious member in the society to which they belong. The Country Program has supported the research and training activities for the above mentioned groups to enable them to react as necessary to the facts they face.

UNICEF has persistently continued its co-operation with the Turkish Government on the problems in the fields of health and nutrition in rural areas to support the efforts to reduce the regional disparities. The greenhouse initiative started in 1998 to encourage non-seasonal nutrition activities in rural areas was tried in 16 villages in the cities of Van and Yozgat and was successful. The Country Program supported the efforts to make clean and secure water available in 350 villages in the mentioned cities. It also supported the integrated training for the women in poor families on developing material, production and providing virtual training relating to health, literacy and income increasing activities at village level through co-operation among the institutions. Additionally, it gave its support to building local capacities in planning and presentation of social services in an integrated manner.

### **Goals, Principles and Policies for Children in the Eighth Five Year Development Plan (FYDP) (2001-2005)**

In the 8<sup>th</sup> FYDP covering the period of 2001-2005, goals, principles, policies and legal and institutional arrangements for children are as follows: (The numbers at the beginning of the paragraphs are those in the 8<sup>th</sup> FYDP)

#### a) Goals, Principles and Policies

839. It is essential to reach the principles and goals of the CRC.

840. A Child Information Network that will contain all data for children shall be established.

841. With the purpose of improving life quality, the causes preventing the children from benefiting from health services shall be removed.

842. Based on the principle that the family is the ideal and priority environment for the care and growth of the child, social support programs for families shall be emphasized to make disabled and needing children be protected and brought up near to their families.

843. The causes leading the children to crime, street, to work and drug addiction shall be removed; starting from the places where child crime is intensive, new juvenile courts shall be established; for the purpose of experiencing their custody or conviction period in the environments separated from the adults, the number of the child custody and correction centers shall be increased.

844. The causes hindering the children from benefiting from education possibilities shall be removed so as to prevent them from working, all the population at the proper age shall be retained in the process of compulsory primary education and an education system promoting professional education shall be established. In the long term, measures shall be taken to keep the children away from the work life.

845. People specialized on children in sufficient number and with the needed qualifications shall be employed in the institutions that provide service to children.

846. The local administrations will be encouraged to outline programs that will steer children to adopt activities in certain fields like culture, art, sport, folk music, reading and writing by establishing child centers where specialized personnel will be employed meanwhile private sector will be encouraged to invest in these areas.

847. Children shall be protected from the harmful effects of mass media; the television companies shall be ensured to broadcast programs containing violence, sex and exploitation and promoting the use of drugs, tobacco at hours when the children will not be able to watch.

#### **b) Legal and institutional arrangements**

848. Turkish national legislation shall be brought into line with the CRC.

849. By making the necessary amendments in the Law No.2253, every human being below the age of 18 shall be accepted as a child for the applications of this Code, present juvenile courts shall be restructured as set forth in this Law and child observation and acceptance centers shall be constructed as stated in the Law No. 2253.

850. The principles and procedures concerning child labour shall be arranged in accordance with the international principles and standards.

In the 8<sup>th</sup> FYDP (2001-2005), the following goals have also been determined for the education of the children.

1. Expansion of pre-school education, raising the school-attendance rate up to %25 at pre-school, %100 at primary school and %75 at secondary school.
2. Extension of compulsory education up to 12 years,
3. Usage of contemporary information technology at every phase of education,
4. Establishment of a scientific and effective guiding system at every phase of education,
5. Provision of the teacher requirements,
6. Foreign language education,
7. Elimination of regional and intra-urban disparities through the evaluations of educational successes,
8. Increasing of financial sources,
9. Involvement of local administrations and non-governmental organizations in expansion of education,
10. Continuation of educational co-operation with other countries.
11. Provision of education needs of all children who need special education,
12. Emphasis on vocational education.

#### **4. Co-operation with Non-Government Organizations (NGO's) and Studies for Awareness.**

The "First National Report" was prepared by forming special expertise commissions with almost 200 members with the participation of the representatives from relevant public institutions and organizations, universities, local administrations and civil society organizations under the coordination of the Social Services and Child Protection Agency as the coordinating body on behalf of the Turkish Government in accordance with the article 44 of the CRC.

The purpose of "The Campaign for the Introduction of the Rights of the Child", held by the Ministry of Health, the Ministry of Labour and Social Security and UNICEF under the coordination of the Social Services and Child Protection Agency, started on 20 November 1999 and lasted until 20 November 2000, was to ensure that everybody learns the rights of the child, acquires sensitivity and protects those rights in order to ensure that all children benefit from the sources of country equally and justly.

National Child Congress was held within the framework of this campaign on 20-21 April 2000. Child commissions were formed including School Children, Working Children, Street Children, Disabled Children, Children In Need of Protection and Children In Conflict with Law in order to represent all segments of the society at the said Congress.

Besides, province commissions were also formed consisting of members from relevant non-governmental and public institutions and organizations, the Bar, the Chambers of Vocation, the Chambers of Commerce and people renowned in this field. These commissions prepared and presented to the National Child Congress province level reports by introducing the CRC to the public agenda in order to increase the sensitivity at local and regional levels. While preparing these reports, the commissions took care to determine issues at nation-wide, in particular at provincial level, with the aim to build an origin for the formation of monitoring indicators for the CRC. Taking into consideration socio-economic and cultural posture, geographical features, demographic structure at national and in particular provincial levels, these commissions included in their reports, province maps containing services for the children according to the priorities, needs, positive developments, proposals and monitoring indicators.

Again within the framework of the Promotion Campaign of the CRC, a Child Forum was assembled on 20-21 November 2000. The aim of this Forum was to enable children to express their opinions and suggestions freely on the main topic of the "Right of Participation" and on sub-titles like family, school, health, media and justice. The Child Forum also aimed to ensure the said campaign to reach the targeted extension and to transform it into a social mobilization.

An informative meeting on the principles and provisions of the CRC and children under risk and exploitation was held for the deputy governors and the major district governors responsible for the activities of the Social Services and Child Protection Agency in 81 provinces.

Within the context of the said Promotion Campaign, a seminar program was organized for students and teachers in the provinces of Mardin, Batman and Diyarbakır in cooperation with the Social Services and Child Protection Agency, UNICEF and the Association of Protection of Children from Child Abuse and Rehabilitation to present the provisions of the Convention and the implementation of its principles.

An informative meeting to introduce the principles and the provisions of the Convention, to raise community awareness and to form a Monitoring Committee for the CRC within the Turkish Grand National Assembly, was held with the participation of female parliamentarians and university representatives.

Studies are carried out on the CRC to create community awareness at society centers which mainly perform protective and preventive services under the Social Services and Child Protection Agency. In this respect, common activities are developed in co-operation with the schools in the areas where there are society centers.

Educational programs aiming at staff members are designed in cooperation with the NGO's in order to raise efficiency, productivity and variety, to broaden the spectrum of services and to increase the knowledge and equipment of the staff members.

Official legal marriage ceremonies are performed on a regular basis by society centers to register children into the population files. Group legal marriage ceremonies are performed within the framework of 8 March World Women's Day and Family Week activities.

A national structure was formed for the coordination and implementation of the studies related to working children in Turkey and utmost attention was paid for involvement of the the NGO's in this structure. Brief information about this structure, which provides active participation during the phases of forming policies and programs concerning working children, programming the future studies and their implementation, and its functions is below.

**National Guidance Committee :** The Committee formed under the Ministry of Labour and Social Security includes the representatives from this Ministry and the other relevant ministries, representatives of employee and employer organizations and other voluntary institutions carrying out activities related to the subject. ILO and UNICEF representatives attend the Committee meetings as observers in order to get counselling support. National Guidance Committee whose secretarial work is undertaken by the Working Children Department of the Ministry of Labour and Social Security held its first meeting on 15 April 1993. At the meetings held up to now, the Committee made an evaluation within the context of the IPEC program and identified the general framework of its future works. As a second step, the Committee defined the priority regions to fight against the child labour and the institutions that will carry out activities in these regions. At the meetings held afterwards, the projects that would be put into practice had been discussed and this process is still in progress. The Committee is not responsible only for studying the projects being implemented, but at the same time it is functioning as a body where more macro level topics such as evaluation of national policy, review of former studies and preparation of time-bond programs of action are discussed, where decisions are taken, current institutions are assessed and the IPEC strategies are negotiated.

**Consultation Committee:** Consultation Committee was formed by the Working Children Department of the Ministry of Labour and Social Security under the framework of the IPEC project to exchange knowledge among the institutions, to share the studies and the experiences, to make suggestions on the studies in Turkey and to provide inter-institutional coordination. It consists of representatives from labour unions, NGO's, universities and relevant international organizations in addition to the representatives from public institutions and organizations implementing the ILO / IPEC project and/or studying on child labour. The Committee has about 50 members and meets twice a year.

Consultation Committee publishes a journal named "Working Children" twice a year in Turkish and once a year in English with the aim of informing the public opinion about the studies of the Ministry of Labour and Social Security on working children and the results of the studies of various institutions and organizations operating under the ILO / IPEC program and of raising the sensitivity of the public opinion and the social parties to the problem of working children. The publication council of the journal is formed with the participation of representatives from the said Ministry, universities, labour unions and a representative from an NGO.

The Working Children Department organizes regional meetings in the provinces where child labour rate is high, with the participation of all social parties and NGOs in order to mobilize local public opinion and raise awareness on the child labour problem. Local administrators, representatives from educational institutions and NGOs and children are invited to these meetings where the causes and consequences of child labour, studies in this field, necessary measures that must be taken and the tasks and responsibilities of all institutions are discussed.

Besides, labour union confederations have set up Provincial Committees of Action in nine provinces experiencing intense child labour. The committees carry on the studies to identify and find solutions to the child labour problems peculiar to their regions, to inform the local public opinion and to raise awareness on the child labour.

In the Project Committees, representatives from the employees and the employers and the other NGOs are undertaken missions for the projects related to working children.

It has been considered essential to cooperate with NGOs in every phase of education. School and parent associations and school protection associations have been set up by parents of students in schools and the cooperation with civil society has been carried out by means of these organizations on a continuous basis.

NGOs such as local administrations, municipalities, and teachers unions participate in the decision-making process, policies and studies relevant to training through the "Education Region Consultation Committees" formed in the education regions. All relevant NGOs are in co-operation in the projects carried out by the Ministry of National Education. All segments of civil society can participate in the National Education Councils as members. With the contribution of all NGOs and local community, studies on parent training, child training, provision of sources, child support training etc. are carried out.

The views of the NGOs are taken into consideration during the establishment of the laws and policies relevant to education and studies are realized together with the relevant sectors. Projects prepared by the local society in rural areas to meet the educational requirements are financed by the funds created within the context of Primary Education Program.

**SECTION II**

The CRC was translated into Turkish during its ratification process by Turkey and issued on the Official Gazette. Thereafter, institutions and organizations relevant to the child problems have disseminated the Convention by reproducing it. Additionally, the Social Services and Child Protection Agency, the coordinating organization for implementation and monitoring the Convention has reproduced the text of the Convention as a book under the name "My rights", which can be understood by the children between 7-12 ages, published and had them distributed.

The text of the Convention can be found in internet environment. The address is as below:

[www.shcek.gov.tr/nilecocuk/cocuk.hak](http://www.shcek.gov.tr/nilecocuk/cocuk.hak)

[www.die.gov.tr/cin./t-cocukhaklari.htm](http://www.die.gov.tr/cin./t-cocukhaklari.htm)

## CHAPTER III

### Recent Drafts of Law and the Effective Legislation

According to the Law About the Acceptance by Amendment of the Statutory Decree on the Organisation and the Duties of the Ministry of Justice dated 29.3.1984 and numbered 2992; the Civil Code Draft, which also includes provisions related to children was prepared within the framework of the functions of the General Directorate of Legislation of the Ministry of Justice, and was submitted to the Turkish Grand National Assembly. The above mentioned Civil Code Draft, equalizes the marriage age of men and women by suggesting the minimum marriage age as 17, also the minimum marriage age that could be decided by a judge under special situations is 16 and this amendment suggestion is still in the agenda of the Justice Commission of the Turkish Grand National Assembly.

The Draft Law About the Monitoring Boards of Crime Execution Institutions and Detention Centers; that brings provisions about the formation of the monitoring boards of crime execution institutions and detention centers that will have the duty and authority of monitoring, getting information, evaluating and preparing a report about the physical structure, administration, functioning and applications of the crime execution institutions, prisons and penitentiaries within the framework of the rules and programs determined by the international treaties or legislations to which Turkey is a party; was prepared and submitted to the Prime Ministry for its enactment by the Parliament.

The Draft Code of Criminal Procedure and the Draft Criminal Code were prepared by a Commission whose members have been formed by the Ministry of Justice among the high court judges, academics and experts; in order to change, amend and reform the Code of Criminal Procedure numbered 1412 and Turkish Criminal Code numbered 765 that contain some provisions which are no longer suitable to the public, political, social and economic developments in our country and which do not meet contemporary standards. These two drafts have been sent to the review of the ministries and related institutions and while they are being prepared, the provisions of the CRC been taken into account.

The Ministry of Justice formed a Commission in order to prepare a Draft Law About the Organisation and Duties of the General Directorate of Prisons and Penitentiaries. The Commission is still continuing its work in order to overcome the problems that are faced in the application and to improve the Turkish crime execution system in the light of international documents, court decisions and the improvements in the field of human rights; the said Commission, during this work, takes into account the legislation about execution systems and the organisation of prisons in the developed countries with the aim to form prisons and penitentiaries that are suitable to the modern execution system.

The work on the preparation of a new Draft Law about the Execution of Penalties by a Commission formed by the Ministry of Justice among high court judges, academics and experts is still in progress. The aim of this Commission is: to regulate the execution system, applied to the convicted and detained persons, with a modern approach; to bring the right of objection of disciplinary offences and punishments in front of a judge; to provide the dominance of judicial examination in the law of execution; to prevent the externalisation from the society of the convicted who have served their sentences; to help them in finding a job and continuing their education and to bring the principles about the protection of the convicted after they are released from the prison, and lastly to form an execution system according to the modern norms.

Besides, the By-Law About the Seizure, Detention and Questioning prepared together by the Ministry of Justice and the Ministry of Interior became effective after its publication in the Official Journal dated 23480 in 1.10.1998. The provisions of the CRC are reflected in the article 18 of the mentioned By-Law.

The Law About the Formation, Duties and Procedure of the Juvenile Courts No. 2253 is one of the basic legislation of the Turkish juvenile justice system and this law became effective after its publication in the Official Journal numbered 16816 and dated 21.11.1979. According to the article 11 of the mentioned Law, no child may be investigated or punished if he/she is younger than 11 years of age at the time he or she has committed an offence. But if a punishment of imprisonment of more than one year or a heavier punishment is applicable to this offence, then the precautions mentioned in the article 10 will be applied. If the mother and father or the persons responsible of this child under 11 years may take the necessary precautions, no other precautions will be applied to the child by the court. According to the article 12, after an investigation followed suitable to the article 20, if it is found as being not necessary to give a punishment to a child who has completed 11 years but has not yet completed 15 years of age at the time he/she has committed the crime; the court may apply to this child one of the precautions mentioned in the article 10.

According to the mentioned Law, if the person has completed 11 years but has not yet completed 15 years of age, he or she will be punished by 15 years of imprisonment instead of capital punishment and at least 10 years of imprisonment instead of life-long heavy imprisonment. The other punishments will be decreased to the half, heavy imprisonment will be changed to imprisonment and none of the punishments will be more than 7 years for each crime. According to the mentioned Law, it is not possible to punish people below 18 years of age with capital punishment.

In the same Law it is also stated that "emergency situations, martial law, war periods and the crime that are under the jurisdiction of military courts and the provisions about the crimes counted in article 136 paragraph 2 of the Constitution are preserved" and in the article 41 it is stated that "The term juvenile (child) used in this Law includes the ones who have not completed their 15 years of age when committed the crime". There is also an amendment proposal in order to change the age limit of juvenile courts from 11-15 to 18.

In this respect, the Ministry of Justice has started a study to harmonise the Law About the Formation, Duties and Procedure of the Juvenile Courts numbered 2253 with the rules brought by the CRC, United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the "Beijing Rule"), United Nations Rules for the Protection of Juveniles Deprived of Their Liberty (the "Havana Rules"), and United Nations Guidelines for the Prevention of Juvenile Delinquency (the "Riyadh Guidelines") and this work is still in progress.

A commission formed under the Working Children Department of the Ministry of Labour and Social Security prepared a Draft Law About the Minimum Age for Work and the Protective Measures for Working Children which will cover all working children by taking into account the related articles and provisions of the ILO Conventions, European Union (EU) Directives, the CRC, the European Social Charter and the existing legislation about working children in Turkey which is being applied by the Ministry of Justice or other Ministries, and the needs of Turkey.

The Draft Law includes the following: content, age for work, points that should be taken into account when children and young persons are employed, jobs in which children and young persons can not be employed, persons who can not employ children and young persons, monitoring the health and development of children, duties of the employer, duties of the government, structure and functions of the national direction committee and the advisory council, declaration of the rights of the working children and young persons and work permit, duration of work, duration of rest hours, situations that are included in the duration of work, weekly holidays, national feasts and holidays, yearly paid holidays, determination of the right to yearly paid holidays, prohibition of employment during holidays and the fees. This Law Draft was opened to discussion in the meeting of the Advisory Council on 8.3.2000. The Draft was reviewed by taking into account the views and suggestions of the Advisory Council and then it was explained to the parties at a

meeting held with the Syndicate Confederations of Employees and Employers, and their views, suggestions and support were asked. The studies are still in progress.

Besides this the Ministry of Labour and Social Security is trying to include the Agricultural Works among the concepts of the Labour Code No. 1475.

The studies for the ratification of the Convention No.182 was started, the views of the social parties were taken in this process, the Convention was sent to the Turkish Grand National Assembly which ratified it on 25.1.2000. The law concerning the ratification of the said Convention was published in the Official Journal dated 3.2.2001.

The ILO Convention numbered 138 on Minimum Age for Work was signed and ratified.

The Additional Protocols to the CRC, namely the Optional Protocol to the CRC on the Involvement of Children into the Armed Conflict and the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography were signed on 8 September 2000. The ratification process has been initiated.

### **New Institutions**

The Higher Council and Sub-committee of Monitoring and Evaluating the Children's Rights have been formed (detailed information has been given before this topic)

### **Programs Recently Applied**

#### **Recent Programs In the Field of Social Services :**

District social service directories were established under the structure of the Social Services and Child Protection Agency, in order to transmit the services to each member of the society in a more efficient and rapid way if there is a need of social service and by taking into account the distance of the district to the center. In 35 districts, the services are conducted by the District Social Service Directories.

Family Consultation Centers were established in order to protect, strengthen and support the families in the society through protective-preventive, educative-improving and treatment-rehabilitative services and projects. The Family Consultation Centers were established primarily in the big cities, in which there are universities or fully equipped state hospitals to where the families may be guided, and in which there are NGOs dealing with these issues, public and private sector institutions serving in this field. They were also established in the cities where it is found necessary. As of January 2001, there are 12 centers started providing service.

In Turkey, there were two big earthquakes in the Marmara Region, Düzce and Bolu, on the dates 17 August and 12 November 1999. Social services offices were established at the crisis centers in the first hours following the earthquake. All the specialized personnel in the region were tasked in these works. By way of assignments from other cities, above a thousand expert personnel were sent to the region according to a rotation.

After the formation of the tent villages, social service units were also established there. These centers have been organized according to the needs; there were Society Centers, Social Service Offices, Nursery, Recreation and Rehabilitation Centers, Psychological and Sociological Consultancy Centers and Youth Centers. In 54 temporary settlements, more than 100 centers as mentioned above were established. All of them were established and provided services with the support of volunteering persons and institutions. In these centers, a society organization work in order to make life more organized, a work to determine and guide the ones in need of social services, the sociological and psychological and physical rehabilitation services were provided. From these centers about 2500 children and young persons benefited daily. Most of the children who lost their mother and father in the earthquake are cared by their relatives. But in order to determine the situation and needs of these children, 2547 children were chosen, inquiries were made at their addresses about their situation and the services they needed were provided. At the Child and Youth Centers established in the earthquake region, the children published regularly a journal named "Kıyır Kıyır", which is an example of publication and journalism. Also in these Child and Youth Centers, with the participation of NGOs, child and youth theatre groups were formed.

#### **The Early Childhood Development Support Project by Social Services and Child Protection Agency:**

The Social Services and Child Protection Agency put a new model in application, in the field of Early Childhood Development in the years 1999 and 2000. The project started with 3000 children in 4 cities in 1999 and in 2000, and it reached to 10.000 children in 13 cities. This project had a duration of 60 days and costed 1.5 USD daily for one child. The aim of this project was to prepare children living in disadvantaged regions of the cities in 5-6 age groups to school with programs suitable to their age, to support their health, nutrition and social development, to determine the problems of the families and to solve these problems.

The following goals were achieved by this project applied widely and successfully;

- Many of the children played, learned, developed emotionally, mentally and socially and got basic health information.
- All of the children had health examination.
- Their teeth were examined.
- Contribution was made to their nutrition.
- The children without an identity card were registered at the identity offices.
- At the beginning of the program, for the mothers and fathers who did not have an official wedlock, an official marriage ceremony was held.
- At the end of the program a circumcision feast was held.
- A work was carried on with the families of the children, who were of school age, but did not started to school and by giving economic support to these families, the attendance of these children to primary schools was achieved.

#### **Recent Program About the Children Living in the Streets :**

The decision named "The Security Decision About the Realisation of Public Health and Security by the Protection of Children Living and Working on the Streets", prepared by the Governorship of İstanbul and put into effect by its publication in the Official Journal numbered 24145 and dated 19.8.2000 forms the basis of this service. According to this Security Decision numbered 2000/1, a Monitoring and Inspection Group was formed. This group hands over the children living and working in the street to the Child Protection Station and after the initial selection work at the first station, the children are sent to the related Child and Youth Center. After the children are sent to this center, it is explained to their families both orally and in writing that it is harmful for the psychological, social and educational development of children to force them to work in the streets and also that kind of act contains a criminal liability for the parents or guardians of the

children. If the children are found in the streets a second time, information, about the crime of the parents or guardians is forwarded to the public chief prosecutor.

Similar applications about the children living in the streets are widely expanded to other cities. According to the Security Decision numbered 2000/1, the children who are persuaded to leave the streets are handed to the First Step Station Centers. In these centers, the initial information about the children and their family is obtained, if necessary drug addiction is treated and work on education is carried on. For the children whose families are found, these families are monitored among the other works carried on and importance is given to the reunification of the children with the family.

The provisions stated in the Criminal Code, like the mother's and father's forcing the child to work or about the neglect and abuse of the child by the mother and the father, that were not effectively applied in practice, are now being applied. On the one hand the families are warned about this subject. on the other hand information is given about the families committing these offences to the related authorities. In the year 2000, nearly 30 families were sentenced to various punishments.

Apart from these, in order to prevent the encouragement of child labour by way of shopping from children; an efficient work is carried out by written and visual sources to render the society in Ankara, İstanbul and İzmir more conscious about this problem; and this work is still in progress.

A new service named Yes (Hello) Child has started in Ankara and İstanbul. The service is conducted through a 24 hours telephone service and the children who are neglected or abused or their relatives may apply. There is also cooperation with the NGOs in the field of these services.

About the disabled children, a Down-Café was opened in Ankara with the aims of integration of the disabled children into the society, rendering the society more conscious on this matter and teaching the disabled children a job and vocation.

#### **Recent Programs in the Field of Education :**

- To increase the period of obligatory education.
- To increase the physical capacity in education according to the needs and to widen the content.
- To update the education programs and education materials regularly.
- To increase the types and quantities of schools.
- To use the information technology in all stages of education. To catch the information era, to become an information and technology society to train a person thinking universally and acting nationally, to support all stages of education system by technological education in order to increase the competition capacity of persons and the community.
- To educate the educators regularly
- To evaluate the learning success.
- The participation and support of the related NGOs and local administrations to the decisions related to education.
- Students-oriented education (Effective Teaching and Teaching Methods).
- To apply the school development model.
- To apply quality realization to education.
- Distant education.
- To canalise vocational training.
- To spread multi-programmed schools.
- To teach how to learn.
- To learn all life long.

### **Recent Programs in the Field of Health:**

According to 1988 Turkish Census Health Survey, in Turkey the post-neonatal death rate was 42.19 per thousand, neonatal death rate was 35.53 per thousand; according to 1998 Turkish Census Health Survey the post-neonatal death rate is decreased to 16.9 per thousand and the neonatal death rate is decreased to 25.8 per thousand. As it could be seen the post neonatal death rate in Turkey is decreasing rapidly by the application of programs, such as polio eradication program, the control of diarrhea diseases program and the control of acute respiration diseases program. The application of the following programs started in order to decrease the neonatal death rate and to increase the quality of life:

- Prevention of the perinatal deaths and neonatal resuscitation program.
- Monitoring project of early childhood development and growth.
- Health project of adolescents.
- The control program of hemoglobinopathy.
- Integrated approach project to child diseases.
- Nutrition of mother and child.

### **Recent Programs in The Field of Working Children:**

Starting from the year 1992, it was decided that all studies conducted about ILO/ IFEC should be evaluated by an independent group from the universities and the team to carry out these studies was chosen in the year 1997. After this work was completed, the report prepared was discussed and it was announced to the public opinion in the year 1998. According to a decision taken at the meeting in which this report was discussed, it was decided that work should be carried for the preparation of a scheduled national action program and at the end of this a project was prepared. While this project was being prepared, the goals, aims and rules stated in the 8<sup>th</sup> FYDP was also taken into account ( this plan was prepared by the State Planning Institute with the participation of all related parties, under the coordination of the of the Working Children Department and which also includes the work to be carried for putting an end to the child labour). The Project named "The Scheduled National Policy and Program Suggestion on the Prevention of Child Labour" was finalized after the meetings in which the governmental and non-governmental organizations have participated, and this project was signed between the Ministry of Labour and Social Security and ILO on 9.12.2000 and the work has started. This project will be carried out with the participation of the governmental and non-governmental organizations under the coordination of the Ministry of Labour and Social Security, after an evaluation, future policies about the working children will be determined, programs suitable to these policies will be prepared and the roles and the responsibilities of all the related institutions and establishments will be determined.

In the years 2000-2001, the aims of the projects prepared under ILO/IPEC context, are the prevention of the worst types of child labour and in this context, the children working in the chosen fields and sectors will be prevented from working and they will be guided to continue to their education.

### **The Programs Directed to the Detained and Convicted Children:**

In the context of the recently applied programs; in order to improve the application about the children, together with the coordination of UNICEF and the Ministry of Justice, an inservice training seminar was held on 7-8 November 1999 and a final report was prepared. The seminar was for the prosecutors, judges working in the Juvenile Courts, juvenile court experts, advocates working in this field and the representatives of the voluntary institutions.

One of the most important deficiencies is that, there are no institutions for the children to whom a preventive order will be applied. For that reason another project which is planned to be applied in the year 2001 is to establish "Monitoring and Precaution Centers".

It is determined that one of the needs of the children who are detained is legal consultancy. In order to solve this problem, Ankara Bar Association has established a "Legal Consultancy Commission". This Commission started to work in the Reformatories and Juvenile Detention Centers in Ankara. It has also been planned to spread the said work in the whole country.

In order to give information to the children deprived of their liberty, about the problems that they may face in the security units and in the institutions in which they are detained, the legislation applicable to them, their rights and responsibilities, a leaflet named "The Hand Book for Children Who Are Brought to the Security Units, Public Prosecution Offices, and Courts on the Presumption that They Have Committed an Offence" was prepared. The mentioned hand book will be published in this year.

Starting from February of this year, the preparation work of similar handbooks to guide the detained and convicted children, the persons on duty in the security units, advocates, the personnel working in the institutions and the children's families will continue.

### **The Programs of the General Directorate of Security**

The General Directorate of Security has given great importance to the education, during the reconstruction process. The knowledge of the personnel is supported by in-service education, besides the knowledge given at the education institutions. Starting from the year 1990, Human Rights is taught as a separate course both at the Police Academy and Police Colleges.

Human Rights Section has been established in the Department of Anti-terrorism and Operations. Time to time a cooperative work is carried together with NGOs and universities. Besides the Security Forces give great importance to the children and the related subjects. In article 1 of the Law on the Duties and the Powers of Police, a provision is dedicated to children. A harmonization process is rapidly developing according to the CRC. In this aspect, the work that has been carried about children by the Protection of Children Section is reconstructed under the name of "Child Police". In-service training have been organized about this subject with the cooperation of some international organizations such as UNICEF, ILO, the British Council and the universities. A draft by-law has also been prepared about this subject. In this draft, social workers, psychologists, child development experts and some other professions have also been regulated. There is also a cooperation starting with the universities in order to teach Child Law at the Police Academy and Police Colleges. As a first stage in this respect, the CRC has been added among the subjects of Human Rights.

The police does not have a discretion about the activities related with children, because of that reason, apart from the first stage, all the judicial activities are carried out by public prosecutors. But according to the reconstruction process, the Child Police will be the associate and police force of the Public Prosecutor; the judicial subjects will also be reviewed by the Child Police, and a better service will be provided to the children together with the social workers who will serve with the police.