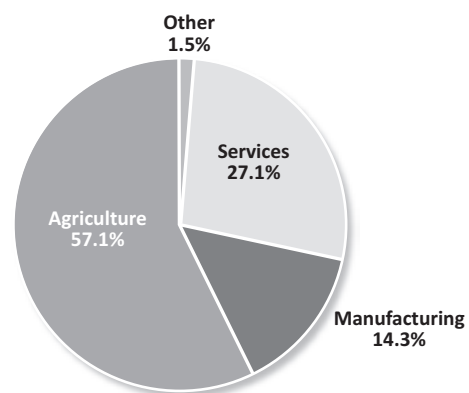


# Turkey

*The Government of Turkey has committed to eliminating the worst forms of child labor by 2014, and has put in place a policy framework and labor inspection system; however, many children continue to be engaged in the worst forms of child labor, particularly in agriculture and the informal sector, due to gaps in legislation and the current government's program focus on human trafficking.*

## Statistics on Working Children and School Attendance

Children	Age	Percent
Working	6-14 yrs.	2.6%
Attending School	6-14 yrs.	92.4%
Combining Work and School	7-14 yrs.	1.5%



## Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

In Turkey, children are engaged in the worst forms of child labor<sup>5074</sup>, most often in the agriculture and forestry sectors, producing cotton and cut logs. Although evidence is limited, there is reason to believe that the worst forms of child labor are used in the production of livestock, onions, tea, processed mussels, dried sliced tomatoes, bricks, leather goods/accessories and footwear.<sup>5075</sup> They often work long hours and are involved in activities such as using potentially dangerous machinery and tools, carrying heavy loads, and applying harmful pesticides.<sup>5076</sup>

According to Government reports, children are also exploited in street work.<sup>5077</sup> As of December 2009, 8,298 children were found to be working on the streets.<sup>5078</sup> There were reports of parents forcing their children to shine shoes, sell tissues and food, and beg.<sup>5079</sup> Children working on the streets may be exposed to severe weather, accidents caused by proximity to vehicles, and vulnerability to criminal elements.

Children also work in small-scale carpentry and manufacturing and boys are often employed in auto repair shops.<sup>5080</sup>

Trafficking is also a problem. The country is a destination and, to a lesser extent, transit country for women and children trafficked primarily for commercial sexual exploitation.<sup>5081</sup>

## Laws and Regulations on the Worst Forms of Child Labor

The Labor Act establishes the minimum age for work at 15 and prohibits children under 16 from working more than 8 hours per day.<sup>5082</sup> Children under 16 are prohibited from employment in arduous or dangerous work.<sup>5083</sup> Seasonal agricultural work, dangerous conditions in small- and medium-sized enterprises, and child labor in the streets are classified as the worst forms of child labor in Turkey.<sup>5084</sup> Decree number 25425 on the fundamentals and principles of the employment of children and young workers (April 2004) lays out the list of hazardous labor prohibited to people under the age of 18.<sup>5085</sup> Available information does not reveal the specific occupations included on either the list of prohibited hazardous labor or the list of arduous and dangerous work allowed for children over age 16.

A number of sectors are not covered by the labor laws, including agricultural enterprises employing

50 or fewer workers, small shops employing up to three persons, and domestic service. Article 4 of the Labor Act of Turkey specifically exempts activities and employment relationships in those sectors from the provisions of the Labor Act.<sup>5086</sup> Many children are known to work in these sectors, especially small agricultural enterprises. This leaves children vulnerable to hazardous labor conditions without legal protection.

In addition to barring children from hazardous work, Turkey prohibits forced or compulsory labor.<sup>5087</sup> Article 227 of the New Turkish Penal Code prohibits prostitution under the age of 21 years and the sexual exploitation of children in the production of pornography.<sup>5088</sup> Article 80 of the Turkish Penal Code outlaws trafficking for sexual exploitation and forced labor for both adults and children.<sup>5089</sup> The voluntary military recruitment age in Turkey is 18 with compulsory recruitment at 19.<sup>5090</sup>

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	15
	Free Public Education	Yes

## Institutional Mechanisms for Coordination and Enforcement

The Disadvantaged Groups Department (DGD) of the Ministry of Labor and Social Security (MOLSS) is the primary agency coordinating and collaborating across the Government on child labor issues.<sup>5091</sup> It coordinates efforts of the Ministry of Education, the

Social Services and Child Protection Institution, the Ministry of the Interior, the Ministry of Justice, and non-governmental organizations (NGOs).<sup>5092</sup> The DGD acts as the secretariat of the National Guidance Committee, which monitors child labor and the activities of the Government to combat the problem. Representatives from the Government, labor unions, and NGOs participate in the committee.<sup>5093</sup>

Within the Ministry of Foreign Affairs, an ambassadorial-level official serves as coordinator of the Government's Task Force on Human Trafficking. This task force also includes officials from six ministries, as well as representatives from NGOs, the IOM, and each municipality.<sup>5094</sup>

MOLSS conducts labor enforcement in workplaces that are covered by the labor law, including medium- and large-scale industrial and service sector enterprises.<sup>5095</sup> MOLSS inspectors are responsible for enforcing the child labor laws and are instructed to prioritize complaints alleging child labor.<sup>5096</sup> There are 627 labor inspectors and 70 deputy inspectors operating in Turkey with 285 inspectors assigned to cases of occupational health and safety including cases of hazardous child labor.<sup>5097</sup> As of January 2009, all inspectors had been trained in child labor issues, including how to identify underage children in the workplace.<sup>5098</sup>

In the first 6 months of 2009, there were 8,508 occupational health and safety inspections revealing 2,764 cases of child labor.<sup>5099</sup> Inspections focusing on specific sectors were also conducted in 2009 including inspections of construction sites and underground mines; however, the reports of these inspections have not yet been released.<sup>5100</sup>

The Commission on Child Laborers Working on the Streets investigates instances of child street labor and proposes intervention programs.<sup>5101</sup>

Complaints about hazardous child labor can be made by phone to a hotline operated by the Social Services Institution or to the Web site of the Prime Minister's Office Communications Center.<sup>5102</sup> According to the Prime Minister's Social Services and Child Protection Institution, as a result of calls to this hotline, 740 parents were given notifications that they had committed a crime for making their children work in the streets. Of those, 151 were punished.<sup>5103</sup>

The Turkish National Police (TNP) employs 3,500 officers tasked with addressing children's issues.<sup>5104</sup> However, these officers handle all issues related to the treatment and protection of children, and do not have a specific unit focused on child labor exploitation.<sup>5105</sup> The TNP also investigates cases of human trafficking and reports capturing 246 and arresting 178 suspected traffickers in 2009.<sup>5106</sup> The Ministry of Justice reports convicting 23 suspects for human trafficking violations in 2009. It is unclear whether these convictions were for child or adult trafficking.<sup>5107</sup>

The Ministry of Justice, TNP, and MOLSS provide anti-human trafficking training for employees.<sup>5108</sup> Turkish National Police officers received training in six cities with judges and prosecutors participating in training focused on victim identification and interviewing.<sup>5109</sup>

### **Government Policies on the Worst Forms of Child Labor**

The Government of Turkey developed a National Timebound Policy and Program Framework in 2004 which aims to eliminate the worst forms of child labor by 2014. The policy prioritizes reducing poverty, improving the quality and accessibility of education, and increasing social awareness and sensitivity to the problem.<sup>5110</sup> It also sets the roles of each participating agency and highlights the need to coordinate across services. It identifies the worst forms of child labor in Turkey including street work, the informal urban economy, seasonal commercial agricultural labor, domestic labor, and rural labor.<sup>5111</sup> The policy articulates objectives, indicators, outputs, target groups, activities, and responsibilities for the elimination of the worst forms of child labor. However, no new programs directly carrying out the country's timebound program have been implemented since 2006.<sup>5112</sup>

The Ninth Development Program, the National Program to Harmonize with the EU Acquis for membership, the 2007 Erdogan Government Program, and the Rural Development Program all briefly mention child labor.<sup>5113</sup> The Government did not prioritize elimination of the worst forms of child labor in these development plans.<sup>5114</sup>

In March 2009, Turkey signed the Council of Europe Convention on Action against Trafficking in Human Beings.<sup>5115</sup> The Prime Minister's Office approved the Second National Action Plan against Trafficking

in Persons in June 2009, which will complement an ongoing EU project aimed at ensuring the sustainability of the fight against trafficking.<sup>5116</sup> As a part of this plan, the Ministry of Foreign Affairs is spearheading a multi-agency effort to create a comprehensive plan for addressing trafficking in persons, which would include identifying an agency or NGO responsible for each aspect of trafficking.<sup>5117</sup> The plan will propose legislation that, if approved, would empower the Ministry of Finance to allocate money to these individual ministries or NGOs for their work on trafficking.<sup>5118</sup>

### **Social Programs to Eliminate or Prevent the Worst Forms of Child Labor**

The Government of Turkey has participated in donor-funded projects to combat child labor in street work, the informal urban economy, and seasonal agriculture. A USDOL-funded project that ended in 2007 worked to build government and civil society's capacity to combat child labor through education and withdrew 5,661 and prevented 7,448 children from the worst forms of child labor through education and vocational training.<sup>5119</sup>

In a budget speech before parliament in 2009, the Minister of Labor noted that the MOLSS had plans to initiate new programs to target the worst forms of child labor from 2009-2013.<sup>5120</sup> However, research did not reveal any ongoing or new programs directly addressing the reduction of exploitive child labor during the reporting period.<sup>5121</sup>

In an effort to reduce poverty, the Government created a cash transfer program under the direction of the Social Assistance Solidarity Directorate and through the Social Assistance Solidarity Foundations. One of the conditions for families to participate in the program is for children between ages 6 and 15 to attend primary education.<sup>5122</sup> While this program is not directly aimed at withdrawing children from worst forms of child labor, it may influence parents to take children out of work to attend school. Available information does not include the funding or scope of this cash transfer program.

To assist victims of human trafficking, the Ministry of Justice provides free legal services to foreign victims who choose to remain in Turkey to testify against traffickers.<sup>5123</sup> Foreign trafficking victims may apply

for humanitarian visas to remain in Turkey for up to 6 months and may apply for renewal for an additional 6 months.<sup>5124</sup> The Ministry of Foreign Affairs also supports shelters for trafficking victims in Ankara and Istanbul; however, the \$20,000 provided during the reporting period was insufficient and the shelters continue to rely on external donor funding.<sup>5125</sup> In November 2009 the IOM and a local NGO set up a third anti-trafficking shelter in Antalya with the facility donated by the municipality.<sup>5126</sup>

The Government instituted a trafficking awareness campaign in 2009.<sup>5127</sup> This campaign was internationally televised in collaboration with Russia and Moldova, which targeted both victims and traffickers. The Government also partnered with the IOM and other NGOs to raise awareness of the issue.<sup>5128</sup>

The Government does not currently implement programs to assist children in hazardous labor in agriculture or street work.

**Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Turkey:**

**IN THE AREA OF LAWS AND REGULATIONS:**

- Revise the Labor Act to ensure that child labor provisions apply to small-scale agriculture and small businesses.
- Amend the Labor Act to protect child domestic workers.

**IN THE AREA OF POLICIES:**

- Renew the Timebound Policy and Program for the Elimination of the Worst Forms of Child Labor.
- Mainstream exploitive child labor policies into poverty reduction strategies and action plans and provide resources for these activities.
- Provide adequate funding for anti-trafficking policy implementation and victim assistance programs.

**IN THE AREA OF PROGRAMS:**

- Renew effective expired social programs in support of the country's Timebound Program.
- Implement programs specifically addressing the most prevalent worst forms of child labor such as hazardous work in agriculture and street work.
- Provide adequate funding to shelters for human trafficking victims.



<sup>5074</sup> Data provided in the chart at the beginning of this country report are based on UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity, School Attendance, and Combined Working and Studying Rates*, 2005-2010. Data on working children and school attendance are from 2006. Data on children combining working and schooling are from 1999. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics and information on children's work in general are reported in this section, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children, and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.

<sup>5075</sup> U.S. Embassy- Ankara, *reporting*, March 30, 2010. See Also IMPAQ International, *Combating Exploitative Child Labor through Education in Turkey*, Project Document, Columbia, MD, May 17, 2005.

<sup>5076</sup> IMPAQ International, *Combating Exploitative Child Labor through Education in Turkey*, 7-8. <sup>5</sup> Ibid.

<sup>5077</sup> U.S. Embassy- Ankara, *reporting*, March 30, 2010, 2.

<sup>5078</sup> U.S. Embassy- Ankara, *reporting*, March 30, 2010.

<sup>5079</sup> U.S. Department of State, "Turkey," in *Country Reports on Human Rights Practices- 2009*, Washington, DC, March 11, 2010; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136062.htm>. See also U.S. Department of State, "Turkey," in *Country Reports on Human Rights Practices- 2008*, February 25, 2009, section 6c; available from <http://www.state.gov/g/drl/rls/hrrpt/2008/eur/119109.htm>.

<sup>5080</sup> U.S. Department of State, "Country Reports- 2009: Turkey," section 6d. See also U.S. Embassy- Ankara, *reporting*, March 30, 2010.

<sup>5081</sup> U.S. Department of State, "Turkey (Tier 2)," in *Trafficking in Persons Report- 2010*, Washington, DC, June 14, 2010; available from <http://www.state.gov/documents/organization/142979.pdf>. See also U.S. Department of State, "Turkey (Tier 2)," in *Trafficking in Persons Report- 2009*, Washington, DC, June 16, 2009; available from <http://www.state.gov/documents/organization/123365.pdf>.

<sup>5082</sup> U.S. Department of State, "Country Reports- 2009: Turkey," section 6d. See also U.S. Department of State, "Country Reports- 2008: Turkey," section 6d.

<sup>5083</sup> Government of Turkey, *Labor Act of Turkey, Law No. 4857*, (May 22, 2003), article 85; available from <http://www.ilo.org/public/english/region/eurpro/ankara/legislation/law4857.htm>.

<sup>5084</sup> U.S. Embassy- Ankara, *reporting*, December 14, 2007.

<sup>5085</sup> ILO Committee of Experts, *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Turkey (ratification: 2001)*, [online] 2009 [cited November 30, 2010]; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=23560&chapter=9&query=Turkey%40ref&highlight=&querytype=bool&context=0>.

<sup>5086</sup> U.S. Department of State, "Country Reports- 2008: Turkey," section 6d. See also Government of Turkey, *Labor Act*, article 4.

<sup>5087</sup> U.S. Department of State, "Country Reports- 2009: Turkey." See also U.S. Department of State, "Country Reports- 2008: Turkey," section 6c.

<sup>5088</sup> Government of Turkey, "Turkey," in *Legislation of Interpol Member States on Sexual Offenses Against Children*, 2006; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaTurkey.pdf>.

<sup>5089</sup> U.S. Department of State, "Trafficking in Persons Report- 2010: Turkey." See also U.S. Department of State, "Trafficking in Persons Report- 2009: Turkey." See also U.S. Embassy- Ankara, *reporting*, April 7, 2010, 2 and 4.

<sup>5090</sup> Coalition to Stop the Use of Child Soldiers, "Turkey," in *Child Soldiers Global Report 2008*, London, 2008, 342; available from [http://www.childsoldiersglobalreport.org/files/country\\_pdfs/FINAL\\_2008\\_Global\\_Report.pdf](http://www.childsoldiersglobalreport.org/files/country_pdfs/FINAL_2008_Global_Report.pdf).

<sup>5091</sup> U.S. Embassy- Ankara official, E-mail communication to USDOL official, October 23, 2010.

<sup>5092</sup> U.S. Embassy- Ankara, *reporting*, March 30, 2010.

<sup>5093</sup> Ministry of Labor and Social Security, *Views of the Government of Turkey Regarding 2008 Child Labor Review in the Production of Certain GSP-Eligible Hand-Loomed or Hand-Hooked Carpets*, February 14, 2008.

<sup>5094</sup> U.S. Department of State, "Country Reports- 2009: Turkey," section 6.

<sup>5095</sup> Ibid., section 6d.

<sup>5096</sup> U.S. Embassy- Ankara, *reporting*, January 23, 2009.

<sup>5097</sup> U.S. Embassy- Ankara, *reporting*, March 30, 2010.

<sup>5098</sup> U.S. Embassy- Ankara, *reporting*, January 23, 2009.

<sup>5099</sup> U.S. Embassy- Ankara, *reporting*, March 30, 2010.

<sup>5100</sup> Ibid.

<sup>5101</sup> ILO-IPEC, *Combating the Worst Forms of Child Labor in Turkey- Supporting the Timebound Program for the Elimination of the Worst Forms of Child Labor in Turkey (2004-2006)*, Technical Progress Report, TUR/03/P50/USA, Geneva, March 2005, 2, 3.

<sup>5102</sup> U.S. Embassy- Ankara, *reporting*, March 30, 2010.

<sup>5103</sup> Ibid.

<sup>5104</sup> U.S. Embassy- Ankara, *reporting*, January 23, 2009.

<sup>5105</sup> Ibid.

<sup>5106</sup> U.S. Embassy- Ankara, *reporting*, April 7, 2010, 5.

<sup>5107</sup> Ibid., 5-6.

<sup>5108</sup> Ibid., 4 and 6.

<sup>5109</sup> U.S. Department of State, “Country Reports- 2009: Turkey.”

<sup>5110</sup> U.S. Embassy- Ankara, *reporting*, March 30, 2010. See also ILO-IPEC Turkey, *2.1 Time bound National Policy and Programme (BP)*, [online] [cited June 16, 2010]; available from <http://ilo-mirror.library.cornell.edu/public/english/region/eurpro/ankara/programme/ipec/tbp.htm>.

<sup>5111</sup> ILO-IPEC, *Combating the Worst Forms of Child Labor in Turkey- Supporting the Timebound Program for the Elimination of the Worst Forms of Child Labor in Turkey (2004-2006)*, Project Document, TUR/03/P50/USA, Geneva, 2003.

<sup>5112</sup> U.S. Embassy- Ankara, *reporting*, March 30, 2010.

<sup>5113</sup> Ibid.

<sup>5114</sup> Ibid., 4.

<sup>5115</sup> U.S. Embassy- Ankara, *reporting*, March 26, 2009.

<sup>5116</sup> U.S. Embassy- Ankara, *reporting*, December 16, 2009.

<sup>5117</sup> U.S. Embassy- Ankara, *reporting*, March 26, 2009. See also U.S. Embassy- Ankara, *reporting*, January 23, 2009.

<sup>5118</sup> Ibid.

<sup>5119</sup> U.S. Department of Labor, *Combating the Worst Forms of Child Labor in Turkey - Supporting the Timebound National Policy and Program for the Elimination of the Worst Forms of Child Labor in Turkey*, Technical Cooperation Project Summary, Washington, DC.

<sup>5120</sup> U.S. Embassy- Ankara, *reporting*, January 23, 2009.

<sup>5121</sup> U.S. Embassy- Ankara, *reporting*, March 30, 2010.

<sup>5122</sup> Ibid., 5.

<sup>5123</sup> U.S. Department of State, “Country Reports- 2009: Turkey.” See also U.S. Department of State, “Country Reports- 2008: Turkey,” section 5.

<sup>5124</sup> Ibid.

<sup>5125</sup> U.S. Department of State, “Trafficking in Persons Report- 2010: Turkey.” See also U.S. Department of State, “Trafficking in Persons Report- 2009: Turkey.”

<sup>5126</sup> U.S. Embassy- Ankara, *reporting*, March 16, 2010.

<sup>5127</sup> U.S. Embassy- Ankara, *reporting*, April 7, 2010.

<sup>5128</sup> Ibid.