

# Turkey

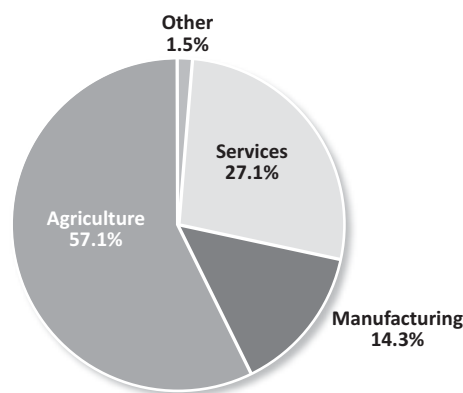
The Government of Turkey operates programs to address child labor in migrant agriculture and street work.

However, many children continue to be engaged in the worst forms of child labor, particularly in these sectors.

The lack of a comprehensive program to end the worst forms of child labor has become a challenge since the timebound program ended.

## Statistics on Working Children and School Attendance

Children	Age	Percent
Working	5-14 yrs.	2.6
Attending School	5-14 yrs.	92.4
Combining Work and School	6-14 yrs.	1.6



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

In Turkey, children are engaged in the worst forms of child labor,<sup>5826</sup> particularly in agriculture and the urban informal sector. Children are involved in the agricultural production of cotton, tobacco, hazelnuts and sugar beets.<sup>5827</sup> Children in agriculture 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>5828</sup>

Children are also exploited in street work.<sup>5829</sup> According to the Government, as of December 2009, 8,298 children were found to be working on the streets.<sup>5830</sup> There were reports of parents forcing their children to shine shoes, sell tissues and food, and beg.<sup>5831</sup> Children working on the streets may be exposed to many dangers including severe weather, vehicle accidents and criminal elements.

Children also work in small-scale enterprises in carpentry, auto and shoe repair, food processing

and the production of furniture, machines and textiles.<sup>5832</sup>

Trafficking is also a problem. The country is a destination and transit country for children trafficked primarily for commercial sexual exploitation.<sup>5833</sup>

Children reportedly work in the worst forms of child labor in the production of livestock, onions, tea, processed mussels, dried sliced tomatoes, bricks, leather goods and footwear.<sup>5834</sup>

Although education is free and compulsory, access to education services is still limited for some populations. Girls are often kept out of school because of the belief that education will ruin a girl's chance for marriage.<sup>5835</sup> In some areas schools are far away and safe travel is a concern, especially for female children.<sup>5836</sup> Poverty also keeps some children out of school, as families cannot afford school supplies.<sup>5837</sup> Roma children also have limited access to education in Turkey.<sup>5838</sup>

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

Labor Law No. 4857 establishes the minimum age for work at 15.<sup>5839</sup> Children younger than age 16 are prohibited from employment in arduous or dangerous work.<sup>5840</sup> The Regulation on Heavy and Dangerous Works lists the specific jobs prohibited for children in this age group.<sup>5841</sup> Decree No. 25425 on the fundamentals and principles of the employment of children and young workers (April 2004) lays out a separate list of hazardous occupations prohibited to all children younger than age 18.<sup>5842</sup> Children in Turkey are required to attend school only until they reach age 14.<sup>5843</sup> This standard leaves children age 14 particularly vulnerable to the worst forms of child labor as they are not required to be in school but are not legally permitted to work.

	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	14
	Free Public Education	Yes

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>5844</sup> These gaps in the Labor Act leave children vulnerable to dangerous labor conditions without legal protection.

In addition to barring children from hazardous work, Turkey prohibits forced or compulsory labor including by children.<sup>5845</sup> Article 227 of the New Turkish Penal Code prohibits prostitution for persons younger than age 21 and the sexual exploitation of children in the production of pornography.<sup>5846</sup> Article 80 of the Turkish Penal Code outlaws trafficking for the purposes of sexual exploitation and forced labor.<sup>5847</sup> The age for military recruitment is 19.<sup>5848</sup>

### 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 the child labor efforts of the Ministry of Education, the Social Services and Child Protection Institution, the Ministry of the Interior, the Ministry of Justice and NGOs. 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.<sup>5849</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 includes officials from six ministries as well as representatives from NGOs, IOM and municipalities.<sup>5850</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>5851</sup> MOLSS inspectors are responsible for enforcing the child labor laws and are instructed to prioritize complaints alleging child labor.<sup>5852</sup> There are 841 labor inspectors, all of whom are authorized to conduct inspections on child labor.<sup>5853</sup> Labor inspectors are provided

training on child labor issues, and the ILO handbook on child labor prevention is included in the inspectors' training materials.<sup>5854</sup>

In 2010 the Labor Inspection Board conducted 46,969 labor inspections, which revealed 22,271 employed youth. No children younger than age of 15 were found in heavy or dangerous work.<sup>5855</sup> In 2010 MOLSS implemented a special child labor inspection project in the Ankara and Ivedik Organized Industrial Zones. In this project 230 workplaces were inspected and three underage workers were detected.<sup>5856</sup>

The Commission on Child Laborers Working on the Streets investigates instances of child street labor and proposes intervention programs. The commission includes the Ministers of Justice, Health, Education, Interior and Family and Women Affairs.<sup>5857</sup>

Complaints about 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>5858</sup>

The Turkish National Police (TNP) employs 3,500 officers tasked with addressing children's issues.<sup>5859</sup> These officers handle all issues related to the treatment and protection of children, but do not have a specific unit focused on child labor exploitation.<sup>5860</sup> The TNP also investigates cases of human trafficking.<sup>5861</sup> The Ministry of Justice, the TNP and MOLSS provide anti-trafficking training to their employees.<sup>5862</sup> There is no information on the number of criminal investigations, victims, court cases or convictions for violations of human trafficking laws in 2010.

### **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 2015. The policy prioritizes reducing poverty, improving the quality and

accessibility of education and increasing social awareness and sensitivity to the problem.<sup>5863</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 agriculture and domestic service.<sup>5864</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>5865</sup>

The Rural Development Plan (2010-2013), prepared by the Ministry of Agriculture and Rural Affairs, addresses child labor in agriculture and focuses specifically on seasonal migrant labor.<sup>5866</sup>

The Ninth Development Program, the National Program to Harmonize with the EU Acquis for membership and the 2007 Erdogan Government Program briefly mention child labor.<sup>5867</sup> However, the question of whether these policies have an impact on child labor does not appear to have been addressed.

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

During the reporting period the Government did not implement a comprehensive program to support the Timebound Policy and Program Framework.

The Social Services and Child Protection Agency operates Child and Youth Centers to provide rehabilitation services to children working on the streets. At the centers, children are enrolled in education programs and have access to social, cultural, artistic and sports activities.<sup>5868</sup> Children can also receive health screenings, occupational training, and psychosocial support. Families can receive financial support to assist with the child's education.<sup>5869</sup>

In line with the Rural Development Plan, the Government has instituted a project to improve the working conditions of seasonal agricultural workers. This program focuses on providing educational opportunities to the children of migrant laborers and supplying them with school supplies and uniforms.<sup>5870</sup> The MOLSS allocated \$27.6 million for this project, which is being carried out in 28 provinces.<sup>5871</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 regularly attend primary school.<sup>5872</sup> Priority is given to families who work in seasonal agriculture and whose children attend dormitory schools.<sup>5873</sup> While this program is not directly aimed at withdrawing children from the worst forms of child labor, it

may influence parents to take children out of work and send them to school.

The Ministry of National Education participates in a UNICEF project to increase the quality of primary education in Turkey. The program assists in the development of education standards across schools and aims to increase enrolment in primary education with a focus on gender parity.<sup>5874</sup>

The question of whether these poverty reduction and education programs have an impact on child labor does not appear to have been addressed.

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>5875</sup> The Ministry of Foreign Affairs also supports shelters for trafficking victims in Ankara and Istanbul. However, they continue to rely on external donor funding.<sup>5876</sup> The facility for a third anti-trafficking shelter in Antalya was donated by the municipality.<sup>5877</sup>

### 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:

- Raise the compulsory education age to 15 to harmonize with the minimum age for work.
  - Revise the Labor Act to expand protections to children working in agriculture and small businesses.
- Amend laws to provide protections for child domestic workers and children working on the street.

#### IN THE AREA OF ENFORCEMENT:

- Publish data on the number of child trafficking investigations, victims assisted, court cases and convictions of child traffickers.

#### IN THE AREA OF POLICIES:

- Renew the Timebound Policy and Program for the Elimination of the Worst Forms of Child Labor in an effort to meet the Government's goal of eliminating the worst forms of child labor by 2015.
- Assess the impact that existing policies may have on child labor.

#### IN THE AREA OF PROGRAMS:

- Renew effective expired social programs in support of the country's timebound program.
- Assess the impact that existing programs may have on child labor.
- Provide adequate funding to shelters for human trafficking victims.

<sup>5826</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>5827</sup> U.S. Embassy- Ankara, *reporting, March 30, 2010*, 1. See also IMPAQ, *Combating Exploitive Child Labor through Education in Turkey*, Project Document, May 17, 2005, 7.

<sup>5828</sup> IMPAQ, *Combating Exploitive Child Labor through Education in Turkey*, Project Document, 7-8.

<sup>5829</sup> U.S. Embassy- Ankara, *reporting, January 28, 2011*, para. A1. See also U.S. Embassy- Ankara, *reporting, March 30, 2010*, 2.

<sup>5830</sup> U.S. Embassy- Ankara, *reporting, March 30, 2010*, 2.

<sup>5831</sup> U.S. Department of State, "Turkey," in *Country Reports on Human Rights Practices- 2010*, Washington, DC, April 8, 2011, section 7.d; available from <http://www.state.gov/g/drl/rls/hrrpt/2010/index.htm>. See also U.S. Department of State, "Turkey," in *Country Reports on Human Rights Practices- 2009*, Washington, DC, March 11, 2010, section 6; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/index.htm>.

<sup>5832</sup> U.S. Department of State, "Country Reports- 2010: Turkey," section 7.d. See also U.S. Embassy- Ankara, *reporting, March 30, 2010*, 2. See also ILO Committee of Experts, *Individual Direct Request concernings Worst Forms of Child Labour Convention, 1999 (No. 182) Turkey (ratification: 2001) Submitted: 2006*, April 29, 2011; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=18927&chapter=9&query=%28C182%29+%40ref+%2B+%28Turkey%29+%40ref&highlight=&querytype=bool&context=0>.

<sup>5833</sup> U.S. Department of State, "Turkey," in *Trafficking in Persons Report- 2010*, Washington, DC, June 14, 2010; available from <http://www.state.gov/g/tip/rls/tiprpt/2010/>.

<sup>5834</sup> U.S. Embassy- Ankara, *reporting, March 30, 2010*, 1. See also IMPAQ, *Combating Exploitive Child Labor through Education in Turkey*, Project Document, 7.

<sup>5835</sup> U.S. Department of State, "Country Reports- 2010: Turkey," section 6. See also UNICEF, *Going door-to-door in Turkey for girls' education*, [online] December 29, 2005

[cited March 24, 2011]; available from [www.unicef.org/infobycountry/Turkey\\_30668.html?q=printme](http://www.unicef.org/infobycountry/Turkey_30668.html?q=printme).

<sup>5836</sup> UNICEF, *Going door-to-door for girls' education*.

<sup>5837</sup> Ibid.

<sup>5838</sup> UNICEF Turkey, *A New Education Roadmap Developed for Roma Children*, [online] [cited March 24, 2011]; available from [www.unicef.org.tr/en/content/article/707/a-new-education-roadmap-developed-for-roma-children](http://www.unicef.org.tr/en/content/article/707/a-new-education-roadmap-developed-for-roma-children).

<sup>5839</sup> Government of Turkey, *Labor Act of Turkey*, No. 4857, (May 22, 2003), Article 71.

<sup>5840</sup> Ibid., Article 85.

<sup>5841</sup> U.S. Embassy- Ankara, *reporting, January 28, 2011*, para. B2 and B3.

<sup>5842</sup> ILO Committee of Experts, *Individual Direct Request concernings Worst Forms of Child Labour Convention, 1999 (No. 182) Turkey (ratification: 2001) Submitted: 2009*, April 29, 2011; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=23560&chapter=9&query=%28C182%29+%40ref+%2B+%28Turkey%29+%40ref&highlight=&querytype=bool&context=0>.

<sup>5843</sup> 18 U.S. Department of State, "Country Reports- 2010: Turkey," section 6.

<sup>5844</sup> Ibid., section 7.d. See also Government of Turkey, *Labor Act*, Article 4.

<sup>5845</sup> U.S. Department of State, "Country Reports- 2010: Turkey," section 7.d.

<sup>5846</sup> Government of Turkey, "Turkey," in *Legislation of Interpol Member States on Sexual Offenses Against Children, 2006*; available from [www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaTurkey.pdf](http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaTurkey.pdf).

<sup>5847</sup> U.S. Department of State, "Trafficking in Persons Report- 2010: Turkey." See also U.S. Embassy- Ankara, *reporting, March 12, 2010*, 2 and 4.

<sup>5848</sup> UN Committee on the Rights of the Child, *Optional Protocol to the Convention on the Rights of the Child on the Involvement of children in ARmed Conflict: Concluding Comment: Turkey*, CRC/C/OPAC/TUR/CO/1, Geneva, October 2, 2009; available from <http://sim.law.uu.nl/SIM/CaseLaw/uncom.nsf/bed3dd7764468b53c125685e004653e7/756a706a94156299c125764e00473b4f?OpenDocument&Highlight=0,CRC%2FC%2FOPAC%2FTUR%2FCO%2F1>.

<sup>5849</sup> U.S. Embassy- Ankara official, E-mail communication to USDOL official, October 23, 2010. See also U.S. Embassy- Ankara, *reporting, March 30, 2010*, 2.

<sup>5850</sup> U.S. Department of State, "Country Reports- 2009: Turkey," section 6.

<sup>5851</sup> U.S. Department of State, "Country Reports- 2010: Turkey," section 7.d.

<sup>5852</sup> U.S. Embassy- Ankara, *reporting, January 23, 2009*, 2.

- <sup>5853</sup> U.S. Embassy- Ankara, *reporting, May 5, 2011*, para. 4.3.
- <sup>5854</sup> *Ibid.*, para. 4.5.
- <sup>5855</sup> *Ibid.*, para. 4.6.
- <sup>5856</sup> *Ibid.*, para. 4.6.
- <sup>5857</sup> ILO-IPEC, *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 (2004-2006)*, Technical Progress Report, Geneva, March 3, 2005, 2.
- <sup>5858</sup> U.S. Embassy- Ankara, *reporting, March 30, 2010*, 3.
- <sup>5859</sup> U.S. Embassy- Ankara, *reporting, January 23, 2009*, 3.
- <sup>5860</sup> *Ibid.*
- <sup>5861</sup> U.S. Embassy- Ankara, *reporting, March 12, 2010*, 5.
- <sup>5862</sup> *Ibid.*, 4 and 6.
- <sup>5863</sup> U.S. Embassy- Ankara, *reporting, March 30, 2010*, 5.
- <sup>5864</sup> *Ibid.*, 5.
- <sup>5865</sup> *Ibid.*, 5.
- <sup>5866</sup> U.S. Embassy- Ankara, *reporting, May 5, 2011*, para. 4.
- <sup>5867</sup> U.S. Embassy- Ankara, *reporting, March 30, 2010*, 4.
- <sup>5868</sup> U.S. Embassy- Ankara, *reporting, May 5, 2011*, para. 4.1.
- <sup>5869</sup> *Ibid.*, para. 4.1.
- <sup>5870</sup> *Ibid.*, para. 4.
- <sup>5871</sup> *Ibid.*, para. 4.
- <sup>5872</sup> U.S. Embassy- Ankara, *reporting, March 30, 2010*, 5.
- <sup>5873</sup> U.S. Embassy- Ankara, *reporting, January 28, 2011*, 5.
- <sup>5874</sup> UNICEF Turkey, *Quality Education*, [online] [cited March 24, 2011]; available from [www.unicef.org/tr/en/knowledge/detail/20/quality-education-2](http://www.unicef.org/tr/en/knowledge/detail/20/quality-education-2).
- <sup>5875</sup> U.S. Department of State, "Country Reports- 2009: Turkey," section 6.
- <sup>5876</sup> U.S. Department of State, "Trafficking in Persons Report- 2010: Turkey."
- <sup>5877</sup> U.S. Embassy- Ankara, *reporting, March 16, 2010*.