

Turkey

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 1992, Turkey became one of the six original countries to participate in ILO-IPEC and established a Child Labor Unit (CLU), under the Ministry of Labor and Social Security (MLSS), to chair an interagency committee formed from government ministries, employer organizations, trade unions, universities, and other United Nations agencies.²⁵⁴³ The CLU is also responsible for reviewing and ensuring the enforcement of child labor laws, proposing new programs, and raising awareness with the public.²⁵⁴⁴ The State Institute of Statistics, with technical assistance from the ILO's statistical agency, conducted a child labor survey that formed the basis for identifying and creating programs for children most at risk. Some of these programs have included awareness-raising activities on child labor for workers, employers, and labor inspectors; non-formal education for working children in rural communities; vocational training for working migrant and street children; and healthcare for youths working in the metal, automotive, leather, and shoe-making industries.²⁵⁴⁵

In cooperation with the Ministry of National Education (MONE), UNICEF conducts "Child-to-Child" training to educate working youths on how to identify and handle risks at work.²⁵⁴⁶ UNICEF has also been working with the MONE to promote universal primary education. With funds from the World Bank and assistance from UNICEF, the Basic Education Pilot Program has expanded access of primary education to children in rural communities.²⁵⁴⁷

Incidence and Nature of Child Labor

In 1999, the ILO estimated that 13.3 percent of children between the ages of 12 and 14 in Turkey were working.²⁵⁴⁸ Children work in agriculture, auto repair shops, the production of

²⁵⁴³ Embassy of Turkey, submission to USDOL official, *The Implemented Programs and Measures Taken Against Child Labour in Turkey*, November 9, 2001 [hereinafter *Implemented Programs and Measures*]. See also ILO-IPEC, "IPEC in Action: Turkey," at <http://www.ilo.org/public/english/standards/ipecc/publ/field/europe/index.htm> on 11/15/01, and ILO, "Country Programme: Turkey" [hereinafter "Country Programme"], at <http://www.ilo.org/public/english/region/eurpro/ankara/programme/> on 11/15/01.

²⁵⁴⁴ *Implemented Programs and Measures*.

²⁵⁴⁵ Turkish Confederation of Employer Associations, *Child Labour in Turkey* (Ankara: ILO, 1997) [hereinafter *Child Labour in Turkey*], 26, 27. See also "Country Programme" and ILO-IPEC, Bilikent University, Child Labour Unit, at <http://www.ug.bcc.bilikent.edu.tr/~cib/main.htm> on 11/15/01.

²⁵⁴⁶ UNICEF, CRC Child-to-Child Training in Apprenticeship Centers Project, at http://www.unicef.org/turkey/u_in_tr/apptraining.htm on 11/15/01.

²⁵⁴⁷ UNICEF in Turkey, 1999 [hereinafter UNICEF in Turkey], at http://www.unicef.org/turkey/u_in_tr/pdf/unicefinturkey-e.pdf on 11/15/01.

²⁵⁴⁸ ILO, *Yearbook of Labour Statistics* (Geneva, 2000). A child labor survey conducted in 1994 by the Turkey State Institute of Statistics in cooperation with ILO-IPEC estimated that 32 percent (3.8 million) of children between the ages of 6 and 14 were engaged in either economic activity or domestic labor. See *Child Labour in Turkey* at 10.

clothing and textiles, leather and metal work, and in personal and domestic services.²⁵⁴⁹ Street children in the cities of Diyarbak'yr, Adana, and Istanbul collect trash, pick garbage at dumpsites, shine shoes, and sell various goods.²⁵⁵⁰

In 1998, 3,000 children worked as soldiers in the opposition group Kurdistan Workers Party (PKK).²⁵⁵¹ Children under the age of 18 in the PKK have been forced to serve in the armed conflict against the Turkish Security Forces in the Southeastern Anatolia.²⁵⁵² Turkey is also a destination and transit country for girls who are trafficked for the purpose of prostitution from Romania, Russia, Ukraine, Moldova, Armenia, Azerbaijan, Bulgaria and Georgia.²⁵⁵³

Primary education is compulsory for eight years for children between the ages of 6 and 14 under the Basic Education Act.²⁵⁵⁴ However, expenses for school still include uniforms, books, and voluntary contributions, costs that affect low-income families.²⁵⁵⁵ In 1996, the gross primary enrollment rate was 107.4 percent, and the net primary enrollment rate was 99.3 percent.²⁵⁵⁶ Primary school attendance rates are unavailable for Turkey. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.²⁵⁵⁷

²⁵⁴⁹ UNICEF, *The Situation of Children and Women in Turkey: An Executive Summary* (1998) [hereinafter "The Situation of Children and Women"].

²⁵⁵⁰ Bahattin Ak'it, Nuray Karanc'y, and Ay'oe Gunduz-Ho'g'ör, "Turkey: Working Street Children in Three Metropolitan Cities: A Rapid Assessment" (Geneva: ILO, October 2001), 4, 5.

²⁵⁵¹ Coalition to Stop the Use of Child Soldiers, *Global Report 2001: Turkey* [hereinafter *Global Report 2001*], at <http://www.child-soldiers.org/report2001/countries/> on 11/15/01.

²⁵⁵² Ibid. See also UNICEF, "The State of Children and Women in Turkey: Perspectives in the Context of the CRC and CEDAW" (Ankara, 2000) [hereinafter "Perspectives in the Context of the CRC and CEDAW"], at <http://www.die.gov.tr/CIN/got-unicef/Sowc2000/cover.html>.

²⁵⁵³ U.S. Department of State, *Trafficking in Persons Report*, July 2001, Tier 3: Turkey, 98. See also Swedish International Development Agency, *Looking Back, Thinking Forward: Fourth Report on the Implementation of the Agenda for Action Adopted at the First World Congress against Commercial Sexual Exploitation of Children in Stockholm, Sweden, on 28 August 1996* (Bangkok: ECPAT International, 2000), 124. See also *Country Reports on Human Rights Practices for 2000—Turkey* (Washington, D.C.: U.S. Department of State, 2001) [hereinafter *Country Reports 2000*], Section 6f, at <http://www.state.gov/g/drl/rls/hrrpt/2000/eur>.

²⁵⁵⁴ "The Situation of Children and Women." In 1997, compulsory education in Turkey was extended from 5 to 8 years under the Basic Education Act. See also ILO, *ILO/Turkish Confederation of Employer Associations*, (Geneva: 1997) [hereinafter *Child Labour in Turkey*], 22. See also UNICEF in Turkey.

²⁵⁵⁵ UNICEF in Turkey.

²⁵⁵⁶ *World Development Indicators 2001* (Washington, D.C.: World Bank, 2001) [CD-ROM].

²⁵⁵⁷ For a more detailed discussion on the relationship between education statistics and work, see *Introduction* to this report.

Child Labor Laws and Enforcement

There are numerous and sometimes contradictory laws relating to working children and the worst forms of child labor in Turkey.²⁵⁵⁸ The Labor Law (Article 67) sets the minimum age for employment at 15 years, but allows children at least 13 years of age to perform light work that does not harm their health or interfere with their education.²⁵⁵⁹ The Labor Law prohibits underground work and night work for children under the age of 18 and precludes children under 16 years from working in heavy and hazardous work.²⁵⁶⁰ General Health Care Act No. 1593 prohibits the work of children under the age of 12 at industrial sites, mining works and in factories and manufacturing shops, and it proscribes the work of children under 18 years in bars, coffee houses, dance halls, cabarets, casinos, and public baths. The Code of Obligation limits the work hours of children between the ages of 12 and 16,²⁵⁶¹ and it covers children working in economic activities and sectors not included under the Labor Law (e.g., agriculture, domestic servants, home-based establishments, and enterprises with three or fewer workers).²⁵⁶² Apprenticeship and Vocational Training Act No. 3308 allows children between the ages of 13 and 18 to be employed as an apprentices.²⁵⁶³

References to other worst forms of child labor are also found in military and criminal laws. Law on Military Service No. 1111 requires all males in Turkey to undergo military training despite their age, but boys and adolescents are not allowed to be recruited into the armed services until they reach 19 years of age.²⁵⁶⁴ However, in the event of a war, Law on National Defense Liability No. 3634 allows the drafting of children at least 15 years of age.²⁵⁶⁵ The Criminal Law forbids the sexual exploitation and trafficking of children.²⁵⁶⁶ Sexual offences committed against children 15 years or younger are subject to heavier sentences than offences committed against individuals over 15 years, particularly crimes committed by family members or guardians of the child.²⁵⁶⁷

²⁵⁵⁸ “Perspectives in the Context of the CRC and CEDAW.”

²⁵⁵⁹ Labor Act, Article 67, as cited in “Perspectives in the Context of the CRC and CEDAW.” *See also* Child Information Network in Turkey, *Child Rights in Turkey*, at <http://www.die.gov.tr/CIN/childrights.html> on 11/15/001. The Constitution also protects against individuals being required to work in situations unsuitable to their development. *See* Constitution of the Republic of Turkey, Article 50, at http://www.turkey.org/politics/p_consti.htm on 11/15/01.

²⁵⁶⁰ Labor Act, Articles 68, 69, and 79, as cited in “Perspectives in the Context of the CRC and CEDAW.”

²⁵⁶¹ Children in this age range may work only 8 hours per day and no later than 8 p.m. *See* Labor Act, Articles 173, 174, and 176, Annex 2, as cited in *Child Labour in Turkey*, 31.

²⁵⁶² “Perspectives in the Context of the CRC and CEDAW.”

²⁵⁶³ *Child Labour in Turkey* at 29.

²⁵⁶⁴ *Global Report 2001*. *See also* “Perspectives in the Context of the CRC and CEDAW.”

²⁵⁶⁵ “Perspectives in the Context of the CRC and CEDAW.”

²⁵⁶⁶ Articles 435 and 436 of the Criminal Law protect children and youth under the age of 21 from prostitution. Articles 429 through 434 of the Criminal Law concern the abduction of children for sexual intentions and/or marriage. Article 436 of the Criminal Law specifically deals with the trafficking of children under the age of 21 for sexual purposes. *See* “Perspectives in the Context of the CRC and CEDAW.”

²⁵⁶⁷ *Ibid.*

The MLSS Labor Inspection Board is the government agency tasked with enforcing child labor laws in Turkey. The MLSS has been unable to effectively enforce many of the child labor laws because of a lack of inspectors trained in child labor issues and the numerous field establishments falling under their jurisdiction. There are approximately 70 trained inspectors to handle child labor issues and nearly 4 million establishments subject to be inspected.²⁵⁶⁸ The Government of Turkey ratified ILO Convention 138 on October 30, 1998,²⁵⁶⁹ and ILO Convention 182 on August 2, 2001.²⁵⁷⁰

²⁵⁶⁸ Ibid. See also *Implemented Programs and Measure*.

²⁵⁶⁹ ILO, ILOLEX database: Turkey, at <http://ilolex.ilo.ch:1567/cgi-lex/>.

²⁵⁷⁰ Ibid. at <http://ilolex.ilo.ch:1567/cgi-lex/ratifice.pl?C182>.

NOTE: Hard copies of all Web citations are on file.