

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

The Government of Turkey has been a member of ILO-IPEC since 1992.⁴⁴⁰⁶ In working towards meeting EU accession conditions, priorities for the Government of Turkey include fulfilling obligations to eliminate child labor.⁴⁴⁰⁷ The Ministry of Labor and Social Security established a Child Labor Unit (CLU) that chairs an inter-agency advisory committee, comprised of representatives of government ministries, NGOs, universities, and other United Nations agencies.⁴⁴⁰⁸ The CLU is also responsible for making and promoting child labor laws, launching new programs, and raising awareness with the public.⁴⁴⁰⁹ The CLU has contributed to the preparation of the child labor chapter in the Eighth Five-Year Development Plan of Turkey (2000-2005). This plan commits the government to respond to child labor and promote policies designed to combat child labor by increasing family income, providing social welfare, and reducing education costs for the poor.⁴⁴¹⁰ The Government of Turkey is currently developing a National Timebound Policy and Program Framework that will further be used to develop actions to eliminate the worst forms of child labor and the involvement of children below the age of 15 in all forms of work in Turkey within a period of ten years.⁴⁴¹¹ In October 2002, an Anti-Trafficking Task Force was formed.⁴⁴¹²

⁴⁴⁰⁶ Turkey was one of the six original member countries of ILO-IPEC. Since 1992, there have been 101 action programs launched by ILO-IPEC in cooperation with the government in an effort to combat child labor. See ILO, *Country Program: Turkey*, [online] February 11, 2002 [cited June 6, 2003]; available from <http://www.ilo.org/public/english/region/eurpro/ankara/programme/>. In 2002-2003, seven action programs are ongoing with an approximate budget of USD 1 million. See ILO-IPEC, *International Labor Organization (ILO) International Program on the Elimination of Child Labor (IPEC) Activities in Turkey*, 2003.

⁴⁴⁰⁷ The government will need to address the following matters related to child labor: amending the Labor Law No. 1475 to strictly prohibit the employment of children under the age of 15 years; completing studies on defining light work and the sectors in which children 15 to 18 years old may work; and continued implementation of the ILO-IPEC project begun in 2000. See Republic of Turkey Ministry of Foreign Affairs, *Executive Summary of the Turkish National Program for the Adoption of the Acquis*, [online] 2003 [cited July 21, 2003]; available from <http://www.mfa.gov.tr/grupa/ad/ad/executive.summ.htm>.

⁴⁴⁰⁸ Embassy of Turkey, *The Implemented Programs and Measures Taken Against Child Labor in Turkey*, Washington, D.C., November 9, 2001, 5-7.

⁴⁴⁰⁹ Ibid. See also ILO-IPEC, *IPEC in Action: Turkey*, [online] 2000 [cited June 6, 2003]; available from <http://www.ilo.org/public/english/standards/ipecc/publ/field/europe/index.htm>.

⁴⁴¹⁰ The child labor policy directives that are part of the Eighth Five-Year Development Plan include eliminating the causes forcing children to work and the constraints that prevent children from attending school, and to harmonize national legislation with international conventions. See ILO-IPEC, *International Program for Elimination of Child Labor (IPEC) Turkey*, [online] 2003 [cited June 6, 2003], 1-2; available from <http://www.ilo.org/public/english/region/eurpro/ankara/programme/ipecc.htm>. See also Embassy of Turkey, *The Implemented Programs and Measures Taken Against Child Labor*, 5.

⁴⁴¹¹ The government has committed itself to making a significant contribution (USD 6.2 million) to support the ILO-IPEC project 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. The program will include activities in 11 provinces based on the prevalence of priority sectors selected by in-country stakeholders (street work, informal urban economy, and seasonal commercial agriculture). See 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 (draft version 8/8/03), TUR/03/P50/USA, Geneva, 2003, cover, 1.

⁴⁴¹² Representation on the task force includes authorities from the Ministry of Foreign Affairs, Health, Interior, Justice, and Labor, and the Directorate General for Social Services and Child Protection, the Directorate on the Status and Problems of Women, and from Marmara University. The task force has begun to develop a National Action Plan and establish a database. The IOM, ILO, and UNHCR are cooperating with the Government of Turkey. See U.S. Department of State, *Country Reports on Human Rights Practices-2002: Turkey*, March 31, 2003; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18396.htm>. The Government of Turkey is a member of the Southeast European Cooperative Initiative, and has participated in regional anti-trafficking efforts through the initiative's Regional Center for Combating Transborder Crime. See SECI Regional Center for Combating Transborder Crime, *SECI States*, [online] December 12, 2003 [cited January 6, 2004]; available from <http://www.secicenter.org/html/index.htm>. See also SECI Regional Center for Combating Transborder Crime, *Operation Mirage: Evaluation Report*, Bucharest, January 21, 2003; available from <http://www.secicenter.org/html/index.htm>.

Two nationwide surveys on child labor were carried out by the State Institute of Statistics in 1994 and 1999 as part of the Household Labor Force Survey with technical assistance from ILO-IPEC.⁴⁴¹³

Various regional child labor elimination programs are underway throughout the country, supported by the national or local level authorities in Turkey. The government operates 28 centers to aid working street children.⁴⁴¹⁴ The Ministry began a project in Izmir, to stop children under 15 years old from working in the footwear industry, textiles, and auto repair.⁴⁴¹⁵ The Ministry and the Province of Yalova have established a center where education, psycho-social, and other services are provided to approximately 500 children who work or are at risk of entering child labor. The Southeastern Anatolia Development Project Regional Development Administration and the Directorate of Social Services and Child Protection jointly established a center for working children in Diyarbakir to provide social and psychological support to children and raise awareness among local organizations about child labor issues. The Directorate also provides education, psycho-social and other services at 2 centers in Golcuk and Adapazari to an estimated 1,000 children.⁴⁴¹⁶

To support basic education reform, the EU provided funding in 2002 to improve access and the retention of children in basic and non-formal education in 12 provinces and 5 urban and suburban areas.⁴⁴¹⁷ In 2002, the World Bank approved a loan to support the Second Basic Education Project that will improve education through a number of measures, including the construction of new classrooms, provision of education materials, and teacher training.⁴⁴¹⁸ In 2001, the World Bank approved the Social Risk Mitigation Project to alleviate economic hardship on poor households that finances the expansion of education and health grants for the poorest 6 percent of families to support keeping children in school.⁴⁴¹⁹ In June 2003, the Ministry of National Education and UNICEF launched the Advocacy Campaign for Girls' Education to have every girl in school by the year 2005.⁴⁴²⁰

⁴⁴¹³ As part of ILO-IPEC activities in Turkey, the 1994 survey provided information on the economic activities and household chores children in the 6-14 year age group were engaged in; the 1999 survey widened the age range to include children 5 to 17 years old. See ILO-IPEC, *Combating the Worst Forms of Child Labor*, 17. By comparing the two surveys, a decrease in the percentage of working children in the 6-14 age group was determined, from 8.5 percent in 1994 to 4.2 percent in 1999.

⁴⁴¹⁴ U.S. Department of State, *Country Reports-2002: Turkey*, Section 6c.

⁴⁴¹⁵ The project also aims to improve the working conditions of older children, ages 15 to 18, and to offer social support to the families of children involved in the project. The Ministry of Education, General Directorate of Social Services and Child Protection, Province of Izmir, Greater Municipality of Izmir, Ege University, and local NGOs are involved in the project. See ILO-IPEC, *International Program for Elimination of Child Labor (IPEC) Turkey*, 5.

⁴⁴¹⁶ The specific years and the length of these child labor elimination projects is not stated in the source cited. See *Ibid.*, 4-5.

⁴⁴¹⁷ The EU provided 100 million Euro for this project. The provinces include Adiyaman, Agri, Ardahan, Bayburt, Bingol, Diyarbakir, Erzurum, Kars, Mus, Sakarya, Sanliurfa and Siirt, and the urban/suburban areas of Istanbul, Antalya, Bursa, Mersin and Adara. See European Commission Representation to Turkey, *EU Funded Programs in Turkey*, January 2003, 55; available from <http://www.deltur.cec.eu.int/english/ab-ing.pdf>.

⁴⁴¹⁸ The second phase of the Basic Education Project continues to support improving the quality of basic education, in addition to the development of preschool education as an integral part of basic education. The Government of Turkey's goals for its Basic Education Program are for all eligible children to enroll in and complete basic education, pre-school enrollment for eligible children to reach 25 percent, improved student performance, and for 40 percent of children in basic education to be utilizing information and communication technologies (i.e. computers). See World Bank, *Project Appraisal Document on a Proposed Loan in the Amount of US\$300 Million to the Republic of Turkey for a Second Basic Education Project in Support of the Second Phase of the Basic Education Program*, June 12, 2002 [cited July 21, 2003], 3-7; available from http://www-wds.worldbank.org/servlet/WDSContentServer/WDSP/IB/2002/07/09/000094946_0206260400300/Rendered/PDF/multi0page.pdf. See also World Bank, *Basic Education Project (02)*, November 3, 2003 [cited November 3, 2003]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P059872>.

⁴⁴¹⁹ World Bank, *Project Appraisal Document on a Proposed Investment/Adjustment Loan in the Amount of US\$500 Million to the Republic of Turkey for a Social Risk Mitigation Project/Loan*, August 17, 2001 [cited July 21, 2003]; available from http://www-wds.worldbank.org/servlet/WDSContentServer/WDSP/IB/2001/10/18/000094946_01082504044864/Rendered/PDF/multi0page.pdf. See also World Bank, *Social Risk Mitigation Project*, November 3, 2003 [cited November 3, 2003]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P074408>.

⁴⁴²⁰ The program was launched in ten provinces and will expand to 40 more by late 2005. See UNICEF, *One in Every Eight Girls Out of School in Turkey*, [online press release] July 19 2003 [cited July 21, 2003]; available from http://www.unicef.org/media/media_10946.html.

Incidence and Nature of Child Labor

In 2001, the ILO estimated that 7.2 percent of children between the ages of 10 and 14 years in Turkey were working.⁴⁴²¹ Children work in agriculture, metal work, woodworking, clothing industries, textiles, leather goods, personal and domestic services,⁴⁴²² automobile repair, furniture making, hotel and catering, and footwear.⁴⁴²³ During certain seasons, heavy agricultural workloads prevent children from regularly attending classes.⁴⁴²⁴ According to the MLSS, an estimated 10,000 children work on the streets in Istanbul, and 3,000 work in Gaziantep.⁴⁴²⁵ A rapid assessment on working street children in 2001⁴⁴²⁶ found that street children in the cities of Diyarbakır, Adana and Istanbul pick through garbage at dumpsites, shine shoes, and sell various goods, among other activities.⁴⁴²⁷ Turkey is also a destination and transit country for girls who are trafficked for the purpose of commercial sexual exploitation from Azerbaijan, Georgia, Armenia, Russia, Ukraine, Moldova,⁴⁴²⁸ Romania, and Uzbekistan.⁴⁴²⁹

Primary education is compulsory for 8 years for children between the ages of 6 and 14 under the Basic Education Act.⁴⁴³⁰ Expenses for school, however, such as uniforms, books, and voluntary contributions, negatively affect low-income families.⁴⁴³¹ In 2000, the gross primary enrollment rate was 100.6 percent.⁴⁴³² While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.⁴⁴³³ There

⁴⁴²¹ World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003. According to the 1999 survey conducted by the State Institute of Statistics, 4.2 percent of children ages 6–14 were economically active (511,000) while 27.6 percent (3,329,000) were working at home. Approximately 87.2 percent of children working at home were also attending school. See ILO-IPEC, *Combating the Worst Forms of Child Labor*, 18, 25.

⁴⁴²² This data is based on a 1994 joint Ministry of Labor and Social Security–IPEC survey as well as a second joint IPEC–Turkish Development Foundation survey. See Government of Turkey and UNICEF, *The Situation of Children and Women in Turkey: An Executive Summary*, [online] 1998 [cited July 21, 2003]; available from <http://www.die.gov.tr/CIN/Sa98.pdf>. See also Ministry of Labor and Social Security Labor Inspection Board, *Report on the Implementation of Labor Inspection Policy on Child Labor in Turkey*, Ankara, June 2000, 3, 26.

⁴⁴²³ Government of Turkey and UNICEF, *Situation of Children and Women*. See also Ministry of Labor and Social Security Labor Inspection Board, *Report on the Implementation of Labor Inspection Policy*, 26.

⁴⁴²⁴ UNICEF, *State of Turkey's Children: Preliminary Report*, December 1999 [cited June 6, 2003]; available from <http://www.die.gov.tr/CIN/got-unicef/sotc/sotc.htm>.

⁴⁴²⁵ U.S. Department of State, *Country Reports-2002: Turkey*, Section 6c.

⁴⁴²⁶ This assessment was funded by USDOL with technical assistance from ILO-IPEC's SIMPOC as part of a project that conducted 38 rapid assessments of the worst forms of child labor in 19 countries and one border area. See Bahattin Aksit, Nuray Karanci, and Ayse Gunduz-Hosgor, *Turkey Working Street Children in Three Metropolitan Cities: A Rapid Assessment*, ILO, Geneva, November 2001; available from <http://www.ilo.org/public/english/standards/ipec/simpoc/turkey/ra/street.pdf>.

⁴⁴²⁷ *Ibid.*, 41–42.

⁴⁴²⁸ U.S. State Department, *Trafficking in Persons Report-2003: Turkey*, June 2003; available from <http://www.state.gov/g/tip/rls/tiprpt/2003/21277.htm#turkey>.

⁴⁴²⁹ U.S. Department of State, *Country Reports-2002: Turkey*, Section 6f.

⁴⁴³⁰ Embassy of Turkey, *The Implemented Programs and Measures Taken Against Child Labor*, 5. See also U.S. Department of State, *Country Reports-2002: Turkey*, Section 5.

⁴⁴³¹ UNICEF, *State of Turkey's Children*.

⁴⁴³² The gross primary school enrollment rates are higher for boys than for girls. In 2000, those rates were 104.7 percent and 96.3 percent respectively. There are no recent statistics on net primary school enrollment rates. However, in 1996, the net primary school enrollment rate was 99.3 percent and the gross primary school enrollment rate was 107.4 percent. See World Bank, *World Development Indicators 2003*. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.

⁴⁴³³ For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

are no recent data on primary school attendance. In 1993, the gross attendance rate was 97.5 percent and the net attendance rate was 72.8 percent.⁴⁴³⁴ Approximately 99 percent of those children enrolled reach grade five.⁴⁴³⁵

Child Labor Laws and Enforcement

A new Labor Law became effective in June 2003 that establishes the minimum age for employment at 15 years, but allows children 14 years of age to perform light work that does not interfere with their education.⁴⁴³⁶ Children aged 15 years old who have completed their education and do not attend school may work up to 7 hours a day, not to exceed 35 hours a week and 16 year olds may work up to 8 hours a day and up to 40 hours per week.⁴⁴³⁷ The new law calls for the Ministry to develop a list of prohibited jobs within six months.⁴⁴³⁸ The Labor Law prohibits underground and underwater work for boys under the age of 18 and precludes children under 17 years old from working in heavy and hazardous work.⁴⁴³⁹ The minimum age for industrial night work is 18 years.⁴⁴⁴⁰ Before beginning a job, children who are 15 to 18 years of age must undergo a physical examination, which is to be repeated every 6 months.⁴⁴⁴¹ Children under 18 years are not permitted to work in bars, coffee houses, dance halls, cabarets, casinos, or public baths.⁴⁴⁴²

The Apprenticeship and Vocational Training Act No. 3308 allows children ages 14 to 18 who have completed the mandatory 8 years of education to be employed as apprentices. One day per week is dedicated to training and education, and the annual vacation for children is one month.⁴⁴⁴³ Criminal law forbids the sexual exploitation of children.⁴⁴⁴⁴ In August 2002, parliament amended the Criminal Code making the trafficking of persons a crime; those convicted face 5 to 10 years in prison and a fine approximately USD 730,000 or more.⁴⁴⁴⁵

⁴⁴³⁴ In 1993, the primary gross attendance rate was 91.7 percent for girls and 103 percent for boys. In that same year the net attendance rate was 70.0 percent for girls and 74.5 percent for boys. See USAID, "Global Education Database," (2003).

⁴⁴³⁵ UNICEF, *The State of the World's Children 2003*, [online] 2003 [cited July 21, 2003]; available from <http://www.unicef.org/sowc03/tables/table4.html>.

⁴⁴³⁶ An exception in the law allows governors in provinces where agriculture is the main economic activity to determine the minimal age for work in agriculture. See U.S. Embassy- Ankara, *unclassified telegram no. 5326*, August 22, 2003.

⁴⁴³⁷ Ibid.

⁴⁴³⁸ Ibid.

⁴⁴³⁹ Women of any age are not allowed to work underground or underwater. Ibid.

⁴⁴⁴⁰ Ibid.

⁴⁴⁴¹ Ibid.

⁴⁴⁴² See Article 176 of the 1930 General Health Care Act 1593 as cited in Turkish Confederation of Employer Associations and ILO Ankara, *Child Labor in Turkey*, ILO Publications Bureau, Geneva, 1997, 31.

⁴⁴⁴³ Apprenticeship and Vocational Training Act 3308 as quoted in Ibid., 29-30. See also Fisek Institute Science and Action Foundation for Child Labor, *Turkish Laws on Working Children*, [online] [cited July 21, 2003]; available from <http://www.fisek.org.tr/e020.php>. See also ILO-IPEC, *Turkey Working Street Children in Three Metropolitan Cities: A Rapid Assessment*, ILO, Geneva, November 2001, 26.

⁴⁴⁴⁴ UNICEF, *State of Turkey's Children*.

⁴⁴⁴⁵ The Code calls for a fine not less than one billion Turkish lira. See U.S. Embassy- Ankara, *unclassified telegram no. 5326*. See also U.S. Department of State, *Country Reports-2002: Turkey*, Section 6f. As of April 2003, six cases were opened under the new trafficking law, against 17 suspects. In two cases, courts ruled for acquittal after determining that two alleged victims had not been trafficked. In the remaining cases, fourteen suspects will go on trial with complaints filed against them. See also U.S. State Department, *Trafficking in Persons-2003*. For currency conversion, see FXConverter, [online] [cited October 10, 2003]; available from <http://www.oanda.com/convert/classic>.

The Ministry Labor Inspection Board is the government agency responsible for enforcing child labor laws in Turkey.⁴⁴⁴⁶ The Ministry has been unable to effectively enforce many of the child labor laws for a variety of reasons, including inadequate legislation, traditional attitudes, socio-economic factors, and the predominantly informal nature of child labor in Turkey.⁴⁴⁴⁷ Therefore, the Board has focused on protecting working children by improving their working conditions.⁴⁴⁴⁸

The Government of Turkey ratified ILO Convention 138 on October 30, 1998, and ILO Convention 182 on August 2, 2001.⁴⁴⁴⁹

⁴⁴⁴⁶ Ministry of Labor and Social Security Labor Inspection Board, *Report on the Implementation of Labor Inspection Policy*, 5. See also Embassy of Turkey, *The Implemented Programs and Measures Taken Against Child Labor*.

⁴⁴⁴⁷ Ministry of Labor and Social Security Labor Inspection Board, *Report on the Implementation of Labor Inspection Policy*, 3-5. Out of 700 MLSS labor inspectors, approximately 100 are trained to review compliance with child labor regulations in nearly 4 million establishments. See U.S. Embassy- Ankara, *unclassified telegram no. 5326*.

⁴⁴⁴⁸ Embassy of Turkey, *The Implemented Programs and Measures Taken Against Child Labor*. See also Embassy of Turkey, *Policies, Programs, and Measures Against Child Labor in Turkey*, Washington, D.C., September 6, 2002, 10, 11, 14.

⁴⁴⁴⁹ ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited July 21, 2003]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.