

Sexual Exploitation of Children in Turkey
Submission

for the Universal Periodic Review of the human rights situation in Turkey

Submitted by

Network Against Commercial Sexual Exploitation of Children/ECPAT Turkey and ECPAT International

Bangkok, Thailand on 18th July 2019

to the **Human Rights Council**

35th session (January 2020)

UPR third cycle 2017 – 2021



Network Against Commercial Sexual Exploitation of Children/ECPAT Turkey

Head of Organisation: Mr. Şahin Antakyalıođlu
Address: International Children's Center Association (ICC), Bilkent University, Main Library Building, 06800 Ankara, Turkey
Phone: +90 312 290 2714
Email: sahinantakyalioglu@hotmail.com
Website: www.ctcs-mucadele.net

Network Against Commercial Sexual Exploitation of Children/ECPAT Turkey is a network of civil society organizations, which is working to end all forms of commercial sexual exploitation and abuse against children in Turkey. Led by the International Children's Center Association, the Network works to fight against the sale of children, child prostitution, child pornography, and to provide for the elimination of all kinds of commercial sexual exploitation. Included in the Network is the individual volunteer youth Youth Network working in groups formed and executed by themselves. Currently groups are active in Ankara, Istanbul, Izmir and Kocaeli.

ECPAT International

Special consultative status

Executive Director: Mr. Robbert van den Berg
Address: 328/1 Phayathai Road, Ratchathewi, Bangkok 10400, Thailand
Phone: +66 2 215 3388
Email: info@ecpat.org
Website: www.ecpat.org

ECPAT International is a global network of civil society organisations working for the eradication of all forms of sexual exploitation of children. For the past 29 years, ECPAT has acted as the international watchdog, monitoring States' response to sexual exploitation of children, and advocating for robust international measures to protect children from sexual exploitation. ECPAT International currently has 109 network members operating in 96 countries.

Justification for submission

1. The present submission is an update to review the progress that has been made by the Government of Turkey (GoT) to end sexual exploitation of children (SEC) and assess the level of implementation of the UPR recommendations on children's rights made in 2015.¹ Specific recommendations to end SEC in Turkey will be made. Recommendations made in this report are in line with the commitment made by the GoT to eliminate all forms of violence against children, including sexual abuse and exploitation with the adoption of the 2030 agenda for Sustainable Development in 2015.²
2. The content of this submission is based on Network Against Commercial Sexual Exploitation of Children/ECPAT Turkey and ECPAT International's work experiences and desk research. Consultation meetings among the members of the Network Against Commercial Sexual Exploitation of Children/ECPAT Turkey were held to inform the preparation of this report.
3. Its scope is limited to SEC and its different manifestations, including exploitation of children in prostitution,³ online child sexual exploitation (OCSE), child sexual abuse materials (CSAM),⁴ trafficking of children for sexual purposes, sexual exploitation of children in the context of travel and tourism (SECTT)⁵ and child, early and forced marriage (CEFM).

Status and developments of sexual exploitation of children in Turkey

4. Turkey occupies a unique geographical position between Asia, the Middle East and Europe, which makes it a transit route from migrants.⁶ It is classified in the Eastern Europe and Central Asia region.⁷ Its population reached almost 80 million in 2016, out of which over 30% are children.⁸
5. According to UNHCR's data, in 2018, Turkey had the world's largest refugee population with almost 4 million refugees. Approximately one million were aged between 15 and 24, whose 60% were male.⁹ In 2017, a report on "Syrians under temporary protection in Turkey and sex work" highlighted evidence of sexual exploitation of Syrian children.¹⁰ It has been specifically noted in another report that Syrian refugee youth, aged 18 or younger,¹¹ especially adolescent girls,¹² were at risk of sexual exploitation in Şanlıurfa, a city in south-eastern Turkey. However, Syrian refugee boys are also vulnerable to sexual exploitation due in particular to lack of effective protection mechanisms and precarious economic and social situation that they may face, in refugee camps, orphanages, or public spaces.¹³ Especially unaccompanied and separated young boys were selling their bodies in order to return for money to pay the cost of being smuggled from Turkey to Greece.¹⁴
6. **Exploitation of children in prostitution** - Turkish law specifically prohibits exploitation of children in prostitution under its Penal Code.¹⁵ However, media reported that in Istanbul girls from low income families are sent to brothels after being employed in massage salons.¹⁶ There were also cases of Syrian girls between 16 to 17 years being exploited into prostitution in refugee camps. Reportedly, camps officials were aware of this phenomenon and were permitting it.¹⁷

7. With over 64% of the population using Internet as of 2018,¹⁸ 44 million Facebook subscribers as of 31 December 2017,¹⁹ and 97.3 mobile phones per 100 population as of 2018,²⁰ Turkey is a highly connected country. As would be expected, young people are highly represented and as in most countries, **OCSE** and **CSAM** are growing issues. In 2018, several cases occurred, as reported by media. For instance, a 34 years old male prosecutor has been detained for having more than 1000 child sexual abuse images on his computer,²¹ and a 24 years old medicine student man has been arrested for downloading, saving and sharing CSAM. The IP address was identified by an American NGO, which notified the Turkish authorities. The cybercrime police units did proceed to the investigation and found thousands of images.²²
8. **Trafficking of children for sexual purposes** – Trafficking for sexual purposes constitutes the main form of trafficking in Turkey,²³ which is a destination and a transit country for child victims of trafficking for sexual exploitation. It has been noted that it is a lesser extent a source country.²⁴ In 2018, the Director general of the Turkish Migration management stated that about 70% of human trafficking in Turkey were victims of sexual abuse. He noted a change in the profile of trafficking victims and that Syrians were the majority of victims. However, he reported that the general profile of sexual exploitation victims were citizens of the former Soviet Union, the Eastern Bloc who faced economic issues. In 2017, the Special Representative and Co-ordinator for Combating Trafficking in Human Beings of the Organization for Security and Co-operation in Europe’s report noted that internal trafficking is increasing but has been underestimated and often not recognized as trafficking. It has also been noted that victims are not recognized as such and therefore are deprived of protection and assistance. It has been recommended that measures should be provided for trafficking for sexual exploitation.²⁵ In 2015, the Ministry of the Interior reported 87 victims of trafficking for sexual purposes, without specifying the age and the sex of the victims; and reported 17 boys and nine girls victims of trafficking without mentioning the form of exploitation.²⁶ There have been reports of disappearances of migrants in, or transiting through, Turkey, including reports of children disappearing in trafficking networks when being trafficked from the Syrian Arab Republic to Turkey.²⁷ Turkey should conduct a nationwide survey to monitor the changes in situations and numbers in child trafficking. During the country’s last UPR, Honduras and Ukraine recommended the GoT to continue taking steps to combat trafficking against children, as well as redoubling its effort to protect child victims of trafficking.²⁸ Although the GoT supported these recommendations, the implementation of preventing trafficking is limited and no progress was noted regarding its effort to combat trafficking and protect child victims.²⁹
9. As the Global Study on Sexual Exploitation in Travel and Tourism found, no country is immune to **SECTT**.³⁰ Turkey counted more than 37 million of international arrivals in 2017,³¹ which makes it lead results in arrivals and receipts in the Southern Mediterranean region.³² Such numbers may be worrying from a SEC perspective. However, apparently there is no recent information on the scope and extent of SECTT in Turkey.
10. ECPAT is of the view that **CEFM** can be considered as a form of SEC where the marriage is conducted in exchange for goods, payment in kind or a ‘bride price’ between families and the child is used for sexual purposes. Child marriage can also increase the likelihood of subsequent sexual exploitation, due to risks of abandonment, poverty and girls resulting to the sex trade to survive.³³ Turkey has one of the highest rates of child marriage in Europe and available data may not be representative of the scale of the issue since many child marriages are unregistered and take place as unofficial religious

ceremonies.³⁴ Indeed, marriages below the age of 16 generally take the form of unofficial religious marriages.³⁵ According to UNICEF's latest available estimates from 2016, in Turkey, 1% of girls were married by 15 years of age and 15% of girls by 18 years of age.³⁶ Regarding the Turkish Statistical Institute (TurkStat) figures, 28,956 children between the ages of 16-17 were legally married in 2017, whose 23,906 were girls.³⁷ In 2017, the Special Representative and Co-ordinator for Combating Trafficking in Human Beings of the Organization for Security and Co-operation in Europe's report noted that challenges of child marriage remain in Turkey.³⁸ Syrian girls are specifically vulnerable to sexual exploitation and child marriage because of their living conditions, overwhelming poverty and inadequate housing.³⁹ Single Syrian women tend to feel distant from the host community, they prefer to live in neighbourhoods where Syrians' density population is high. Unfortunately, child marriage risks are high and hard to address in crowded arrangements.⁴⁰ To address the situation of Syrian women, a protection, social support and a comprehensive approach is needed,⁴¹ however the GoT did not engage any serious efforts for the protection of vulnerable individuals from CEFM.^{42,43} Moreover, if the GoT supported recommendations from country's last UPR, to establish legislation and take political measures to end CEFM,⁴⁴ no progress was noted regarding its effort to apply the law or take further measures to prevent children from early and forced marriage.⁴⁵ Syrian child refugees are also vulnerable to unofficial religious marriage.⁴⁶ However, statistics are difficult to gather due to religious ceremonies being unregistered.⁴⁷ According to the Diyanet, the state body that administers religious institutions and education in Turkey, adolescent have the right to marry. According to Islamic law, adolescence starts at 12 years old for boys and nine for girls.⁴⁸ In 2015, a Court judgment allowed citizens to be religiously married without a legally binding civil marriage.⁴⁹ In 2016, Committee on the Elimination of Discrimination against Women (CEDAW) noted that this might provoke an increase of child marriage.⁵⁰ It also showed its concerns on the practice of giving girls as brides in certain regions of Turkey, family honour practice with girls being forced to marry to their rapist perpetrators, the number of child marriages in rural areas and the insufficient efforts made by the GoT to prevent children from being married.

11. During the country's last UPR in 2015, the report of the Working Group formulated 40 recommendations related to children's rights, two of them were related to trafficking of children and eight of them were related to CEFM.⁵¹
12. If the GoT has made some progress in some of the supported last UPR recommendations on child rights (first and second cycle) including ratification of number of international human rights instruments, the GoT has so far fell short of honouring many of the promises made before the United Nations Human Rights Council, especially on violence against children. UPR recommendations supported by Turkey on such areas of concerns, as corporal punishment, child marriage, and juvenile justice are all left unattended or retrogressed.⁵²
13. To date, the GoT did not submit its national report to the UPR. The GoT did not submit a mid-term progress report after its last UPR process and it did not held discussion meetings at any level about results of the UPR process, neither share a plan to address the supported UPR recommendations.⁵³

Legislative framework

14. The GoT has acceded to key legal instruments to protect children from SEC, such as the Convention on the Rights of the Child, Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children and the Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse, also known as 'the Lanzarote Convention'. In 2017, the GoT ratified the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, following Portugal's recommendation during the last UPR.⁵⁴ Despite the GoT ratified numerous international conventions protecting children's rights, there is no provision in Turkish legislation, which protects child victims of sexual exploitation from being prosecuted. Children involved in sexual exploitation should never be treated as offenders, but should be protected and always consider as victims.
15. In 2018, the GoT submitted a new draft law in the Parliament to regulate sexual abuse against children, increasing imprisonment terms to 40 years and increasing punishment for sexual crime committed on children under 12 to 40 years.⁵⁵ It seems that the draft law has not been adopted yet by the Parliament.
16. **Exploitation of children in prostitution** - Article 227(1) of the Turkish Penal Code states that any person who encourages a child to be involved in prostitution, or facilitates prostitution, or acts as an intermediary for the exploitation in prostitution of the child, can be punished with imprisonment from four to 10 years, and with a punitive fine of up to five thousand days.⁵⁶ Article 227(2) of the Penal Code further states that fully or partially making a living off the earnings of the person incited into prostitution is considered as encouraging another person to enter prostitution.⁵⁷ Therefore, engaging prostitution and facilitating prostitution are both illegal but Turkish legislation does not provided specific protection of children of being criminalised for prostitution.
17. **Trafficking in persons** – Article 80 of the Penal Code punishes human trafficking and specifically the exploitation of prostitution.⁵⁸ Article 80 (3) of the Penal Code provides that when the victim of trafficking is a child, the offender shall be sentenced notwithstanding the fact that no act instrumental to the offence has been resorted to.⁵⁹ Turkey also became a party of the Council of Europe Convention on Action against Trafficking in Human Beings in 2016, but did not ratify it.⁶⁰ Nonetheless, the Regulation on Combatting Human Trafficking and Protection of Victim entered into force in March 2016.⁶¹
18. Some conducts related to **CSAM** are taken into account through the Internet Law. In 2015, was introduced in the Internet Law no. 5651 the Article 8 (a) which expanded the power of the Telecommunications and Communication Presidency (which has now been incorporated into the Communication Technologies Authority) to ordering the blocking of websites on vaguely defined grounds and without prior court approval.⁶² Article 8 concerns blocking with respect to encouragement of and incitement to especially sexual exploitation and abuse of children and obscenity. The Internet law also regulates the blocking of websites, allowing the Government to restrict access to network services. Article 8 provides for the blocking of websites and posts in order

to protect children from harmful content.⁶³ Article 5(2) states that once having been noticed they are hosting illegal content, Internet hosting providers are obliged to take down illegal content. Article 226 of the Penal Code prohibits the act of giving, making read, making listening to a child obscene written or audio-visual material, displaying such materials in public, offering for sale or rent such materials or giving and distributing such materials. However, Turkish legislation does not give any definition of what is “obscene”.⁶⁴

19. The Turkish law does not have specific legislation to counter **SECTT**.
20. **CEFM** – During the country’s last UPR, Sierra Leone recommended to the GoT to criminalise child marriage.⁶⁵ However, CEFM is not defined in the Penal Code and there is no sanction for adult persons facilitating it. The Turkish Civil Code sets the legal age of marriage at 18 years old for both men and women.⁶⁶ However, Article 124 of the Civil Code states that a boy or a girl of 17 years old can marry if he or she has the consent of his or her parents and that the judge can allow the marriage of boys and girls aged of 16 years old in case of extraordinary circumstances and for very important reasons.⁶⁷ However, those circumstances and reasons are not defined. Article 126 states that minors cannot marry without the permission of their legal representative.⁶⁸ According to Article 128, the judge has the right to allow the marriage of minors, even if the legal representative did not give consent.⁶⁹
21. **Extraterritoriality** - Article 11(1) and Article 12(1) of the Penal Code states that Turkish citizens and others who commit offences abroad that would amount to an offence under Turkish law punishable by greater than 1 year, and are present in Turkey, are subject to penalty under Turkish law.⁷⁰ Article 11(1) of the Penal Code adds that if a Turkish citizen commits an offence in a foreign country that would amount to an offence under Turkish law and that offence is subject to a penalty of imprisonment where the minimum limit is greater than one year, and he is present in Turkey, and upon satisfying the conditions that he has not been convicted for the same offence in a foreign country and a prosecution is possible in Turkey, he shall be subject to a penalty under Turkish law.⁷¹ Article 12(2) adds that if the offence is committed to the detriment of a Turkish citizen and the offender is present in Turkey and there has been no conviction in a foreign country for the same offence, then the offender is subject to penalty under Turkish law.⁷² Regarding exploitation of children in prostitution, Article 13 states that Turkish law shall apply if the offence was committed in a foreign country whether or not committed by a Turkish citizen or non-citizen.⁷³
22. **Extradition** – Article 18 of the Penal Code outlines extradition of non-Turkish citizens. Article 18(1)(a) states that the offence must constitute a criminal offence in Turkish law.⁷⁴ Extradition is therefore only possible in cases of double criminality.

Recommendations to the GoT

- Adopt legal provisions to criminalise all forms of sexual exploitation of children in compliance with international legal standards, specifically on sexual exploitation of children in prostitution, online child sexual exploitation, sexual exploitation of children in travel and tourism and child marriage;
- Specifically, amend legal provision allowing children under 18 years old to marry and prohibit child early and forced marriage;

- Ensure that child victims of sexual exploitation are not criminalized or punished for their acts directly related to their exploitation, but are given the status of victim and are treated accordingly;
- Abolish the requirement of double criminality for extradition.

General measures of implementation

23. Although the number of child victim of sexual abuse has increased in Turkey from 2014 to 2016 according to a 2018 study on child abuse,⁷⁵ Turkey does not have publicly available data on the prevalence of child sexual abuse and exploitation and does not mandate the reporting of sexual crimes against children, and there is no national registry of sex offenders.⁷⁶ Some data are available on human trafficking but are not disaggregated by age, neither by forms of exploitation.⁷⁷ The need for a serious and systematic data collection system is widely recognised by all child protection professionals. The GoT should set up a comprehensive data collection system with the support of all relevant stakeholders on all manifestations of SEC, and should be disaggregated by, inter alia, age, sex, disability, geographic location, ethnic origin and socioeconomic background in order to facilitate analysis of the situation of all children.
24. The GoT did not adopt specific National Action Plans to tackle SEC.
25. Reportedly, a National Plan of Action on Violence Against Children is currently in development.⁷⁸
26. A National Programme on the Elimination of Child Labour 2017-2023 has been adopted in 2017 by the Ministry of Labour and Social Security.⁷⁹ However it does not include any measure on SEC.
27. In addition, a National Strategy Document and Action Plan for Combatting Early and Forced Marriages has been developed by the GoT with technical support of UNICEF. In 2017, a Guideline for Service Providers on the Prevention of Child Marriage has been disseminated to 1,900 service providers from Government institutions and NGOs. UNICEF also initiated a UN Joint Programme on the Elimination of Child, Early and Forced Marriage with the participation of UN Women, the United Nations Population Fund (UNFPA), the United Nations High Commission for Refugees (UNHCR) and the International Organization for Migration (IOM). 1,000 service providers, including government staff, NGOs and teacher have been reached with capacity building programmes.⁸⁰ However, no strategy to combat traditional practices such as CEFM and polygamy has been created.⁸¹
28. The National Task Force on Fight against Human Trafficking developed two National Action Plan in Fight against Human Trafficking. The National Task Force met for the last time in 2014.⁸² The Coordination Committee on Combating Human Trafficking aims to prevent human trafficking and to determine the policy and strategy to fight against human trafficking in Turkey. The Committee met for the first time on 1st March 2017 and decided to establish a national action plan and a sub-working group especially for children.⁸³ No information is available regarding the existence of the sub-working group and the drafting of the national action plan.
29. The GoT does not have any monitoring body and does not provide any evaluation and monitoring reports on human rights issues.⁸⁴

Recommendations to the GoT

- Collect data on the sexual exploitation of children annually disaggregated by manifestation, age and gender of the victim;
- Adopt a specific national action plan addressing the sexual exploitation of children in all its manifestations;
- Increase efforts in the fight of sexual exploitation of children and take further legal and political measures to prevent sexual exploitation of children and specifically child early and forced marriage;
- Invite professionals who are working in the field of child trafficking to the National Task Force on Trafficking or establish a Task Force specifically for Children;
- Conduct monitoring and evaluation reports monitor on sexual exploitation of children.

Coordination and cooperation

30. The GoT does not have a dedicated body that coordinates efforts against SEC.
31. The Regulation on Combatting Human Trafficking and Protection of Victim ensure coordination in order to fight against human trafficking. The Coordination Committee for Combating Trafficking in Human Beings shall ensure the coordination between public institutions and international organizations and NGOs,⁸⁵ and discuss the coordination issues between the relevant ministries.⁸⁶ Provincial Coordination Committee for Combating Trafficking in Human Beings exist to coordinate works and procedures related to the fight against human trafficking and protection of victims in the provinces.⁸⁷
32. Regarding the GoT, it cooperates with civil society and with the International Organization for Migration (IOM) to help and protect and assist the victims of trafficking in persons. Bi-lateral cooperation agreements between Turkey and Belarus, Georgia, Ukraine, Moldova and Kyrgyzstan, in order to fight against human trafficking, exist.⁸⁸
33. In 2018, the GoT also cooperated for the United Nations Joint Program on the Elimination of Child, Early, and Forced Marriage, which has been implemented in 12 different regions of Turkey. UNICEF is implementing the programme with the participation of UNFPA, IOM, UN Women, and the UNHCR.⁸⁹

Recommendations to the GoT

- Create a body dedicated to the sexual exploitation of children with a specific mandate and the necessary authority to coordinate, monitor and evaluate sexual exploitation of children's cases;
- Ensure that law enforcement agencies have the funds, resources and skills to identify, investigate and respond to the sexual exploitation of children, and are able to use adapted protocols when dealing with child victims;
- Strengthen the coordination and cooperation between child protection stakeholders to address the sexual exploitation of children in all its manifestations;

- Strengthen the cooperation with neighbouring countries to tackle all forms of sexual exploitation of children with a cross-border element.

Prevention

34. During the country's last UPR, Lithuania recommended the GoT to design a long-term strategy and awareness-raising programmes to eliminate harmful practices such as domestic violence and early marriages in particular.⁹⁰ Although available data from other sources do not seem to match this, in 2019, the Head of Women's Policies at the Ministry of Family, Labour and Social Services stated that the GoT's awareness-raising efforts contributed to the decrease in early marriage rates. He also reported that awareness-raising training were delivered in 47 villages to 1886 civil servants and 141 Provincial Directors of the Ministry of Family, Labour and Social Services.⁹¹ In 2017, the Ministry of Family and Social Policy announced it led a plan to reduce the ratio of child and forced marriage from 5% to 1%, and launched a counter-strategy to raise awareness on the physical and psychological consequences of child marriage in the most affected regions.⁹² Civil society also take steps against child marriage. The NGO Yaka-Koop conducted surveys and put in place awareness-meetings in the province Van on early marriage.⁹³ In 2017, UNICEF conducted in collaboration with Gaziantep authorities a training on the prevention of child marriage, giving information on child marriage legislation and techniques on how to identify and respond to individual child marriage cases to 369 service providers, including teachers, NGOs, municipality officials, religious and community leaders.⁹⁴ In 2018, UNICEF continued to contribute to enhance the capacity of local administrations in developing guidelines and training materials to increase the capacity of municipalities in the prevention of child marriage.⁹⁵ In Kilis and Gaziantep, the Union of Municipalities of Turkey have identified child marriage as a key priority. NGOs and service providers were trained on positive social norms' changes with the help of UNICEF. Gaziantep Municipality and UNICEF coordinated a participatory process and local authorities implemented the Guidelines for Service Providers on the Prevention of Child Marriage.⁹⁶ In 2018, UNHCR concentrates its efforts on the dissemination of leaflets on early and forced marriage and identify individual cases in order to refer them to specialized services.⁹⁷ It also supported networks of active refugee and Turkish youth in activities on prevention of child marriage.⁹⁸ In 2018, refugee women and youth committees with UNHCR, UNICEF and the Turkish Red Crescent organized awareness raisin sessions in temporary accommodations centres on early marriage.⁹⁹
35. During its country visit in 2016, the Special Representative and Co-ordinator for Combating Trafficking in Human Beings of the Organization for Security and Co-operation in Europe (OSCE) noted that the GoT and the civil society were demonstrating significant awareness raising efforts on human trafficking.¹⁰⁰ In 2018, Turkish Red Crescent and International Federation of Red Cross and Red Crescent Societies (IFRC) organized a workshop to raise awareness and prevention on human trafficking of migrants for National Societies' staff in order to standardize and to disseminate the efforts on combatting human trafficking. Staff who participated to this workshop, will spread the methods they learned.¹⁰¹

36. The GoT focuses mainly on CEFM and human trafficking. It seems that there is a huge lack of awareness and understanding of other manifestations of SEC.

Recommendations to the GoT

- Launch public information campaigns addressing root causes of sexual exploitation of children, with research, information and mass media and social and economic initiatives to prevent and combat all manifestations of sexual exploitation of children;
- Determine and implement a long-term strategy to end child, early end forced marriage;
- Train law enforcement officials, judges, prosecutors, labour inspectors, teachers, health-care workers and the staff of its embassies and consulates and disseminate more widely information on sexual exploitation of children;
- Provide sexual education in schools in order to prevent child sexual abuse and exploitation.

Protection of the rights of the child

37. Since 2019, the Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse is available in Turkish language.¹⁰² In order to protect and implement the rights of the child, it is important that all stakeholders use terms and concepts that are appropriate and respectful of the child.

38. In 2018, the GoT indicated that the Ministry of Health will establish special centres for children victims of sexual abuse.¹⁰³ However, these centres have not been created yet and it is reported that the personnel of Child Support and Rehabilitation Centers (ÇODEM) is not always graduated of social service and psychology and is not trained on the impact of sexual abuse and violence and psycho-trauma.¹⁰⁴ Moreover, children victims of sexual abuse are not always being rehabilitated immediately and are not placed sufficiently in foster families.¹⁰⁵

39. In 2018, the European Committee of Social Rights reported that children who are considered as victims of sexual exploitation are guided to the relevant units of the Ministry of Family and Social Policy and that the Turkish Child Police, which is in charge of all judicial and administrative actions concerning delinquent children or child victims of crime, in order to protect child victims of sexual exploitation, was involved in trainings in the fields of child abuse and investigation.¹⁰⁶

40. In 2018, Turkish Red Crescent has been active in supporting Syrian migrants and displaced people. When a child marriage is planned but still has not taken place, Turkish Red Crescent meets with the family and gives information on child marriages' negative impacts and offer alternative solutions, as conditional cash transfer programme for education. In case of child marriage, Turkish Red Crescent focus on protecting girls' health and safety and any children she may have and refers cases to the local authorities.¹⁰⁷

Recommendations to the GoT

- Increase the efforts towards the protection of victims of sexual exploitation both for the Turkish citizens and non-citizen victims;
- Establish shelters for child victims of human trafficking and provide protection and rehabilitation services in these shelters;
- Provide extensive psychosocial support and legal counselling to child victims of sexual exploitation;
- Train personnel of Child Support and Rehabilitation Centers and personnel of shelters to the impact of sexual abuse and exploitation on child victims;
- Develop the system of foster families for child victims of sexual abuse;
- Provide systematic psychosocial support programmes for foster children and families.

¹ Human Rights Council. (2015), "[Report of the Working Group on the Universal Periodic Review – Turkey](#)", [A/HRC/29/15](#), 13 April 2015.

² Sustainable Development Goal Targets 5.2, 8.7, and 16.2.

³ ECPAT prefers the term 'exploitation of children in prostitution' instead of 'child prostitution' in line with the recently widely adopted Terminology Guidelines. ECPAT International (2016), "[Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse, adopted by the Interagency Working Group in Luxembourg, 28 January 2016](#)", Bangkok: ECPAT, 29.

⁴ ECPAT prefers the term 'child sexual exploitation material' or 'child sexual abuse material' over the often in legal context still used 'child pornography' in line with the recently widely adopted Terminology Guidelines. *Ibid.*, 39.

⁵ *Ibid.*, 54.

⁶ Daily Sabah. (2019). [Turkish-Greece land border remains top route for migrants](#).

⁷ UNICEF. (2017, December). [The State of The World's Children 2017](#), 150. New York: UNICEF.

⁸ *Ibid.*, Table 6. Demographic indicators.

⁹ UNHCR. (2018). [Turkey Fact Sheet](#), 1.

¹⁰ Norwegian Organisation for Asylum Seekers. (2018). [Seeking Asylum in Turkey](#), 35.

¹¹ International Crisis Group. (2019). [Mitigating Risks for Syrian Refugee Youth in Turkey's Şanlıurfa](#), 4.

¹² *Ibid.*, 6.

¹³ All Survivors Project. (2018). [Destroyed from within – Sexual violence against men and boys in Syria and Turkey](#), 6.

¹⁴ *Ibid.*, Phone interviews with confidential source, 21 and 26 September 2017, 22.

¹⁵ [Penal Code](#), Article 227.

¹⁶ Hurriyet Daily News. (2016). [Tourism's dark side: Child sexual abuse in Turkey](#).

¹⁷ Stockholm Center for Freedom. (2017). [Report: Syrian women in Turkey's refugee camps forced into prostitution](#).

¹⁸ ITU. (2018). [Turkey Profile](#).

¹⁹ Internet World Stats. (2019), "[Turkey, data as December 2017](#)".

²⁰ ITU. (2018). [Turkey Profile](#).

²¹ Hurriyet Daily News. (2018). [Turkish prosecutor detained over child pornography](#).

²² *Ibid.*, [Armenian exchange student arrested in Istanbul on child pornography charges](#).

²³ Daily Sabah. (2018). [Majority of human trafficking victims suffer sexual abuse](#).

²⁴ European Commission. (2019). Commission staff working document – Turkey 2019 Report - [Accompanying the document, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 2019 Communication on EU Enlargement Policy](#).

²⁵ OSCE. (2017). [Report by OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, Madina Jarbussynova, following her official visit to Turkey – 2016](#), 7.

²⁶ UNODC. (2018). [Global report on trafficking in Persons](#), 61.

²⁷ *Ibid.*

²⁸ Human Rights Council. (2015), "[Report of the Working Group on the Universal Periodic Review – Turkey](#)", [A/HRC/29/15](#), 13 April 2015, 148.89 and 148.92.

²⁹ Network Against Commercial Sexual Exploitation of Children/ECPAT Turkey. (June, 2019). Personal communication.

³⁰ ECPAT. (2016). "[Global Study on Sexual Exploitation of Children in Travel and Tourism](#)", Finding #4.

³¹ UNWTO. (2018). [UNWTO Tourism Highlights 2018 Edition](#), 15.

³² *Ibid.*, 9.

³³ ECPAT International. (2015). "[Thematic Report: Unrecognised Sexual Abuse and Exploitation of Children in Child, Early and Forced Marriage](#)", Bangkok: ECPAT.

-
- ³⁴ Girls not brides. (n.d.). [Turkey](#).
- ³⁵ Uluslararası Çocuk Merkezi. (2018). [Summary note on violence against children in Turkey](#), 10.
- ³⁶ UNICEF. (2017, December). [The State of The World's Children 2017](#), Table 8. Child Protection. New York: UNICEF.
- ³⁷ Uluslararası Çocuk Merkezi. (2018). [Summary note on violence against children in Turkey](#), 9.
- ³⁸ OSCE. (2017). [Report by OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, Madina Jarbussynova, following her official visit to Turkey – 2016](#), 7.
- ³⁹ UN Women. (2018). [Needs assessment of Syrian women and girls under temporary protection status in Turkey](#), 26.
- ⁴⁰ *Ibid.*
- ⁴¹ *Ibid.*
- ⁴² Freedom in the World. (2019). [Country profile – Turkey](#).
- ⁴³ Norwegian Organisation for Asylum Seekers. (2018). [Seeking Asylum in Turkey](#), 35.
- ⁴⁴ Human Rights Council. (2015), "[Report of the Working Group on the Universal Periodic Review – Turkey](#)", [A/HRC/29/15](#), 13 April 2015, 148.99 and 149.20.
- ⁴⁵ Network Against Commercial Sexual Exploitation of Children/ECPAT Turkey. (June, 2019). Personal communication.
- ⁴⁶ Freedom in the World. (2019). [Country profile – Turkey](#).
- ⁴⁷ CEDAW. (2016). [Concluding Observations on the seventh periodic report of Turkey](#), CEDAW/C/TUR/CO/7, 50.
- ⁴⁸ BBC. (2018). [Turkish child marriage religious document sparks anger](#).
- ⁴⁹ Al Jazeera. (2015). [Turkey court ruling on religious marriages spurs uproar](#).
- ⁵⁰ CEDAW. (2016). [Concluding Observations on the seventh periodic report of Turkey](#), CEDAW/C/TUR/CO/7, 53.
- ⁵¹ Human Rights Council. (2015), "[Report of the Working Group on the Universal Periodic Review – Turkey](#)", [A/HRC/29/15](#), 13 April 2015.
- ⁵² Network Against Commercial Sexual Exploitation of Children/ECPAT Turkey. (June, 2019). Personal communication.
- ⁵³ *Ibid.*
- ⁵⁴ Human Rights Council. (2015), "[Report of the Working Group on the Universal Periodic Review – Turkey](#)", [A/HRC/29/15](#), 13 April 2015, 148.3.
- ⁵⁵ AA. (2018). [Turkey proposes new draft law on child sexual abuse](#).
- ⁵⁶ [Penal Code](#), Article 227 (1).
- ⁵⁷ *Ibid.*, Article 227 (2).
- ⁵⁸ [Penal Code](#), Article 80.
- ⁵⁹ *Ibid.*, Article 80 (3).
- ⁶⁰ Council of Europe. (n.d). [Chart of signatures and ratifications of Treaty 197](#).
- ⁶¹ Republic of Turkey – Ministry of Interior – Directorate General of Migration Management. (2017). [The Coordination Committee of Combating Human Trafficking gathered for the first time](#).
- ⁶² Human Rights Council. (2017). [Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression on his mission to Turkey](#), 21 June 2017, A/HRC/35/22/Add.3, 20.
- ⁶³ [Law No. 5651 on Regulating Broadcasting in the Internet and Fighting Against Crimes Committed through Internet Broadcasting](#), Article 8. [Translated from Turkish].
- ⁶⁴ [Penal Code](#), Article 226.
- ⁶⁵ Human Rights Council. (2015), "[Report of the Working Group on the Universal Periodic Review – Turkey](#)", [A/HRC/29/15](#), 13 April 2015, 149.19.
- ⁶⁶ [Civil Code](#), Article 11.
- ⁶⁷ [Civil Code](#), Article 124. [Translated from Turkish].
- ⁶⁸ *Ibid.*, Article 126. [Translated from Turkish].
- ⁶⁹ *Ibid.*, Article 128. [Translated from Turkish].
- ⁷⁰ [Penal Code](#), Articles 11 and 12.
- ⁷¹ *Ibid.*, Article 11(1).
- ⁷² *Ibid.*, Article 12(2).
- ⁷³ *Ibid.*, Article 13.
- ⁷⁴ *Ibid.*, Article 18.
- ⁷⁵ ASUMA and IMDAT. (2018). [Türkiye’de Çocuk İstismarı Raporu -2](#), 10. [Translated from Turkish].
- ⁷⁶ The Economist intelligence unit. (2019). [Turkey – Out of the shadows: Shining light on the response to child sexual abuse and exploitation](#), 2.
- ⁷⁷ Republic of Turkey – Ministry of Interior – Directorate General of Migration Management. (2019). [Victims of Human Trafficking](#).
- ⁷⁸ Girls not brides. (n.d.). [Turkey](#).
- ⁷⁹ Ministry of Labour and Social Security. (2017). [National Programme on the elimination of child labour](#).

-
- ⁸⁰ UNICEF. (2018). [Country Office Annual Report 2018 – Turkey](#), 6.
- ⁸¹ Network Against Commercial Sexual Exploitation of Children/ECPAT Turkey. (June, 2019). Personal communication.
- ⁸² Republic of Turkey – Ministry of Foreign Affairs. (n.d.). [Turkey on Trafficking in Human Beings](#).
- ⁸³ Republic of Turkey – Ministry of Interior – Directorate General of Migration Management. (2017). [The Coordination Committee of Combating Human Trafficking gathered for the first time](#).
- ⁸⁴ Network Against Commercial Sexual Exploitation of Children/ECPAT Turkey. (June, 2019). Personal communication.
- ⁸⁵ [Regulation on Combatting Human Trafficking and Protection of Victim](#), Article 5. [Translated from Turkish].
- ⁸⁶ *Ibid.*, Article 7.
- ⁸⁷ *Ibid.*, Article 9.
- ⁸⁸ Republic of Turkey – Ministry of Foreign Affairs. (n.d.). [Turkey on Trafficking in Human Beings](#).
- ⁸⁹ UNFPA Turkey. (2019). [United Nations Joint Program is Working to Eliminate Child, Early, and Forced Marriage](#).
- ⁹⁰ Human Rights Council. (2015), “[Report of the Working Group on the Universal Periodic Review – Turkey](#)”, [A/HRC/29/15](#), 13 April 2015, 148.98.
- ⁹¹ UNFPA Turkey. (2019). [United Nations Joint Program is Working to Eliminate Child, Early, and Forced Marriage](#)
- ⁹² Heinrich Böll Stiftung. (2017). [Lost childhoods – Turkey still has one of the highest rates of early marriages](#).
- ⁹³ *Ibid.*
- ⁹⁴ UNICEF. (2017). [Turkey Humanitarian Situation Report](#), 3.
- ⁹⁵ UNICEF. (2018). [Country Office Annual Report 2018 - Turkey](#),
- ⁹⁶ *Ibid.*, 16.
- ⁹⁷ UNHCR. (2018). [Turkey fact sheet](#), 3.
- ⁹⁸ *Ibid.*
- ⁹⁹ *Ibid.*, 4.
- ¹⁰⁰ OSCE. (2017). [Report by OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, Madina Jarbussynova, following her official visit to Turkey – 2016](#), 6.
- ¹⁰¹ Turk Kizilay. (2018). [Corporate News](#).
- ¹⁰² ECPAT International and ECPAT Türkiye. (2019). [Uluslararası Çocuk Merkezi](#).
- ¹⁰³ AA. (2018). [Turkey proposes new draft law on child sexual abuse](#).
- ¹⁰⁴ Network Against Commercial Sexual Exploitation of Children/ECPAT Turkey. (June, 2019). Personal communication.
- ¹⁰⁵ *Ibid.*
- ¹⁰⁶ Council of Europe. (2018). [European Committee of Social Rights Conclusions 2017](#), 1174.
- ¹⁰⁷ International Federation of Red Cross and Red Crescent Societies. (2018). [Turkish Red Crescent: stepping up against child marriage among displaced people](#).