

## **Global Alliance against Child Sexual Abuse Online**

### **Turkey**

**Policy target No. 1: Enhancing efforts to identify victims and ensuring that they receive the necessary assistance, support and protection**

<b>Operational Goal:</b>	Increase the number of identified victims in the International Child Sexual Exploitation images database (ICSE database) managed by INTERPOL by at least 10% yearly
<b>Actions ALREADY UNDERTAKEN</b>	
<i>Description of the actions already undertaken</i>	<p>There are provisions in the 1982 Constitution –Articles 41, 42, 50, 56, 58, 61 and 62- that particularly protect the child rights:</p> <p><b>1. Protection of the Family and Child Rights</b></p> <p><i>Article 41:</i></p> <ul style="list-style-type: none"> <li>• The family is the foundation of the Turkish society(Annex phrase 03.10.2001-4709 Art. 17) and based on the equality between the spouses. The state shall take the necessary measures and establish the necessary organisation to ensure the peace and welfare of the family, especially where the protection of the mother and children is involved, and recognizing the need for education in the practical application of family planning.</li> <li>• (Annex Paragraph: 7/5/2010-5982/ Art 4) Every child enjoys the right of protection and care, the right to have a direct contact with his/her parents and maintain this relationship, unless this is against his/her interest.</li> <li>• (Annex Paragraph: 7/5/2010-5982/ Art 4) The state takes the necessary protective measures for the children against all kinds of exploitation and violence</li> </ul> <p>II. Right and Duty of Training and Education</p> <p><i>Article 42:</i></p> <ul style="list-style-type: none"> <li>• No one shall be deprived of the right of learning and education.</li> <li>• The scope of the right to education shall be defined and regulated by law.</li> <li>• Training and education shall be conducted along the lines of the principles and reforms of Atatürk, on the basis of contemporary science and educational methods, under the supervision and control of the state. Institutions of training and education contravening these provisions shall not be established.</li> <li>• The freedom of training and education does not relieve the individual from loyalty to the Constitution.</li> <li>• Primary education is compulsory for all citizens of both sexes and is free of charge in state schools.</li> <li>• The principles governing the functioning of private primary and</li> </ul>

secondary schools shall be regulated by law in keeping with the standards set for state schools.

- The state shall provide scholarships and other means of assistance to enable students of merit lacking financial means to continue their education. The state shall take necessary measures to rehabilitate those in need of special training so as to render such people useful to society.

- Training, education, research, and study are the only activities that shall be pursued at institutions of training and education. These activities shall not be obstructed in any way.

- No language other than Turkish shall be taught as a mother tongue to Turkish citizens at any institutions of training or education. Foreign languages to be taught in institutions of training and education and the rules to be followed by schools conducting training and education in a foreign language shall be determined by law.

- The provisions of international treaties are reserved.

### ***B. Working Conditions and Right to Rest and Leisure***

#### *Article 50:*

- No one shall be required to perform work unsuited to his age, sex, and capacity.

- Minors, women and persons with physical or mental disabilities, shall enjoy special protection with regard to working conditions.

- All workers have the right to rest and leisure.

- Rights and conditions relating to paid weekends and holidays, together with paid annual leave, shall be regulated by law.

### ***A. Health Services and Conservation of the Environment***

#### *Article 56:*

- Everyone has the right to live in a healthy, balanced environment.

- It is the duty of the state and citizens to improve the natural environment, and to prevent environmental pollution.

- To ensure that everyone leads their lives in conditions of physical and mental health and to secure cooperation in terms of human and material resources through economy and increased productivity, the state shall regulate central planning and functioning of the health services.

- The state shall fulfil this task by utilizing and supervising the health and social assistance institutions, in both the public and private sectors.

- In order to establish widespread health services general health insurance may be introduced by law.

### ***A. Protection of the Youth***

#### *Article 58:*

- The state shall take measures to ensure the training and development of the youth into whose keeping our state, independence, and our Republic are entrusted, in the light of contemporary science, in line with the principles and reforms of Atatürk, and in opposition to ideas aiming

at the destruction of the indivisible integrity of the state with its territory and nation.

- The state shall take necessary measures to protect the youth from addiction to alcohol, drug addiction, crime, gambling, and similar vices, and ignorance.

***B. Persons Requiring Special Protection in the Field of Social Security***

*Article 61:*

- The state shall protect the widows and orphans of those killed in war and in the line of duty, together with the disabled and war veterans, and ensure that they enjoy a decent standard of living.
- The state shall take measures to protect the disabled and secure their integration into community life.
- The aged shall be protected by the state. State assistance to the aged, and other rights and benefits shall be regulated by law.
- The state shall take all kinds of measures for social resettlement of children in need of protection.
- To achieve these aims the state shall establish the necessary organisations or facilities, or arrange for their establishment by other bodies.

***C. Turkish Nationals Working Abroad***

*Article 62:*

- The state shall take the necessary measures to ensure family unity, the education of the children, the cultural needs, and the social security of Turkish nationals working abroad, and shall take the necessary measures to safeguard their ties with the home country and to help them on their return home.”

Other than these articles, children also benefit from the rights included in the personal rights and duties section of the Constitution.

Rules regarding the protection of children’s rights are regulated under the Civil Code in terms of fundamentals. Second chapter of the “Family Law” book of the Civil Code is titled “Relationship” (art. 282-371). In these articles, relationship between the child and parents, rights are regulated in detail. These rules which constitute the subject of the child law in a narrow meaning are completed by the other provisions in the “law of persons”, “marriage law”, “guardianship law”, “inheritance law” and “law of obligations”.

Victims, accused and sentenced individuals who are children are protected by Criminal Code and Criminal Procedure Code. In addition to criminal codes, children are protected against inconvenient sites, objects and publications with some specific laws (Law on Powers and Duties of the Police, Law on Protecting Minors from Obscene Publication, Law on Establishment and Broadcasting of Radio and Televisions, Law on Public Health)

Services to be provided to children in need of protection are included under Law No. 2828 on Social Services and Child Protection Agency.

- The aim of Law No. 2828 is to regulate rules and procedures for social services provided to families, children, disabled and others who are in need of protection and help and procedures for establishment, duties, responsibilities, activities and income of the agency established with the aim of carrying out such services.

- Law No 5395 on Child Protection entered into force on 15/7/2005 (Articles.5,7,9) contains comprehensive arrangements with regard to measures to be taken concerning children in need of protection and safety measures to be implemented concerning children who got into offence. The said law on child protection is annexed to the report hereby. Protective and supportive measures in the law, making the decision to take protective and supportive measures, making the decision to provide urgent protection, prosecution and judicial control procedures are explained in detail. This law also includes rules regarding establishment, duties and powers of children's courts.

- The Law numbered 6284 on Protection of the Family and Prevention of the Violence against Women was accepted in General Assembly of National Grand Assembly of Turkey on 08/03/2012 and it entered into force on 20/03/2012 after publication on Official Gazette. Within the scope of the Law numbered 6284, the followings are aimed taking into account the international instruments to which we are a party: effective protection of the children, persons and family members who have been exposed or are possibly to be exposed to violence, following a fair, effective and expeditious procedure which is based on the human rights in the provision of the services on this subject, providing services to the persons about whom the order for protective measures is given in a way compatible with human dignity, not making any discrimination between the persons during the process of providing services because of nationality, language, religion, cult, race, colour, political and other ideas and opinions, philosophic belief, national or social origin, social situations of birth, economic and other, taking special care to the persons about whom order for protective measure is taken taking into account of their situations during the process of ordering and executing protective measure, cooperation between public organizations and institutions, public occupational organizations, universities, local administrations, foundations, associations and other non-governmental organizations, voluntary real and third persons and private sector, ensuring the share of the social responsibility on this issue and providing the services within the scope of this Law equally and balanced around the country.

- In accordance with the Decree Law numbered 633 on Organization and Functions of the Ministry of Family and Social Policies, the Ministry of Family and Social Policies is given, in order to ensure the healthy development of the children by protecting them from any kind of negligence and exploitation, the functions of coordinating the definition of the national policies and strategies, conducting the social services and support activities intended for the children, ensuring cooperation and

coordination among relevant public institutions and organizations in this field, carrying out and coordinating measures stipulated in Law No. 5395 on Child Protection.

Turkish Penal Code No. 5237 Under article 77 titled "Offences against humanity", it is accepted that the systematic performance an act, described below, against a part of society and in accordance with a plan with a political, philosophical, racial or religious motive shall constitute a crime against humanity.

- Under article 80 titled "Human Trafficking" the code stipulates that (1) any person who procures, kidnaps, harbours or transports a person from one place to another or brings a person into the country or takes a person out of the country, by the use of threat, pressure, force or violence, employing deceit, abusing his influence, or obtaining a consent by exploiting control over another or the desperation of such other, for the purpose of forcing them into prostitution or to work, provide a service, harvest their organs or to subject them to slavery or any similar practice shall be sentenced to a penalty of imprisonment for a term of eight to twelve years and to a judicial fine of up to ten thousand days. (2) Where an act is undertaken for the purposes referred to in section one and such act constitutes an offence, the consent of the victim shall be presumed to be invalid. (3) Where a person under eighteen years of age is procured, kidnapped, harboured or transported from one place to another for the purposes described in section one, the offender shall be sentenced to a penalty described section one, notwithstanding the fact that no act instrumental to the offence has been resorted to. (4) Security measures shall be imposed upon legal entities in respect of the aforementioned offences.

- Under article 103 titled "Sexual abuse of children", it is stated that any person who sexually abuses a minor shall be sentenced to a penalty of imprisonment for a term starting from three years to aggravated lifelong imprisonment according to the way of committing.

- Under article 104 titled "Sexual Intercourse with a minor", it is stated that any person who enters, without any force, threat or deceit, into sexual intercourse with a minor who has completed fifteen years of age shall be sentenced to a penalty of imprisonment for a term of six months to two years, upon complaint

- Under article 109 titled "Deprivation of Liberty" paragraph 5 (5) stipulates that "where the offence is committed with a sexual purpose, the penalty to be imposed in accordance with the above sections shall be increased by one half".

- Under article 226 titled "Obscenity", it is stated that anyone who gives to a child obscene written or audio-visual material; or who reads or induces another to read such material to a child or makes a child watch or listen to such material; makes public the content of such material in a place accessible or visible to a child, or who exhibits such material in a visible manner; uses children in the production of obscene written or audio-visual materials shall be sentenced.

	<ul style="list-style-type: none"> <li>• Under article 227 titled “Prostitution”, it is stated that any person who encourages a child to become a prostitute, facilitates a child becoming such or supplies or accommodates a child for such purpose, or acts as an intermediary for the prostitution of a child shall be sentenced.</li> </ul>
<b>Actions that WILL BE UNDERTAKEN</b>	
<p><b><i>Description of the actions that will be undertaken and timeframe</i></b></p>	<p>Ministry of Family and Social Policies has prepared with the contributions of all sectors the “Strategy for the Rights of the Child and Action Plan” with the aim of defining our targets and vision in national level in order to protect, defend and protect the rights of the child in Turkey more effectively and to plan the works to be carried out in 2013 – 2017. This action plan has started to be implemented in 2013. The strategy includes various strategic targets and activities intended for the problems encountered in the construction of the mechanisms of monitoring and assessment in order to establish respect culture in the child, to implement the fundamental civil rights and to follow-up the violation of the rights in an effective way.</p>

**Policy target No. 2: Enhancing efforts to investigate cases of child sexual abuse online and to identify and prosecute offenders**

<p><b>Operational Goal:</b></p>	<p>Establish the necessary framework for the criminalization of child sexual abuse online and the effective prosecution of offenders, with the objective of enhancing efforts to investigate and prosecute offenders</p>
<p><b>Operational Goal:</b></p>	<p>Improve the joint efforts of law enforcement authorities across Global Alliance countries to investigate and prosecute child sexual abuse online</p>
<p><b>Actions ALREADY UNDERTAKEN</b></p>	
<p><b><i>Description of the actions already undertaken</i></b></p>	<p><b><i>The International Instruments Approved by Our Country on the Protection of Child and Prevention of Child Abuse:</i></b></p> <ul style="list-style-type: none"> <li>• United Nations Convention on the Right of the Child,</li> <li>• Hague Convention on the Civil Aspects of International Child Abduction,</li> <li>• European Convention on Recognition and Enforcement of Decisions Concerning Custody of Children and on Restoration of Custody of Children</li> <li>• European Convention on the Exercise of Children’s Rights,</li> <li>• Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography to the Convention on Child Rights,</li> <li>• Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime,</li> <li>• Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse</li> <li>• Convention of 5 October 1961 Concerning the Powers of Authorities and the Law Applicable in Respect of the Protection of Minors, done in the Hague</li> </ul> <p><b><i>There are provisions in our domestic legislation:</i></b></p> <p>Moreover, the offence of sexual abuse of children is accepted among the catalogue offences in scope of the article 100 of Criminal Procedure Code titled “Grounds for arrest” and the ground for arrest is accepted to be available and the arrest warrant may be issued against the suspect. Likewise, according to article 135 of Criminal Procedure Code No. 5271 titled “Location, listening and recording of correspondence”, in the event that the sexual abuse of children is committed, the provisions related to listening, recording and evaluating the information about the signals may be applied.</p> <p>According to article 150 of Criminal Procedure Code No. 5271, if the suspect or accused child has no defence counsel, a defence counsel shall be appointed without his request.</p> <p>If the child is a victim or complainant, an attorney shall be appointed without</p>

his request. (CPC A.234-39)

Hearings of children shall be conducted close to the public and the judgment shall be announced in a closed session as well. (CPC A.185)

According to article 236 of Criminal Procedure Code No. 5271, During the hearing as a witness of a child victim or other victim who has suffered psychological damages in relation to the committed crime, there shall be an expert present who has expertise in the fields of psychology, psychiatry, medicine or education.

***The practices concerning the protection of the children from the harmful publications on the press***

In order to ensure that the press respects the private life of the child and in the meantime the press makes responsible publications on the subjects related to abuse, family problems and child criminality, and to govern the guideline principles and securities, Supreme Board of Radio and Television (RTÜK) was established. RTÜK is an autonomous and impartial public legal entity. Among the broadcasting principles of the institution the provision that “the programs which may damage the physical, mental and moral development of the youth and children are not to be broadcasted in the times and hours in which they may watch” is available. Supreme Board of Radio and Television has the authority to implement sanctions to the establishments which broadcast the contrary to the principles of broadcasting services.

Symbol System of intelligent indications which is developed by RTÜK and supported by the television establishments has been applied since April 2006 in order to protect the children from the harmful effects of the television. Intelligent symbols is a self-control mechanism and also a visual – audio warning system which protects the children and youth from the harmful broadcasting contents such as sexuality, violence, attitudes which may constitute negative samples (tempting for using bad language, cigarettes, alcohol, gambling and drug addiction, broadcasting any kind of discrimination and suicide scenes).

The Law on Regulating the Broadcasting on the Internet and Fight against the Offences Committed by these Broadcasts governs the responsibility and liabilities of the content providers, place providers, access provider and multithreading providers and the principles and procedures on fight against the certain offences committed on the internet through place and access providers. If there is sufficient suspicion that the offence of sexual abuse of children and included under article 103 of Turkish Penal Code is committed on the internet, the court decides on prohibition of the access to the suspected broadcasts (Art. 8).

“Secure Internet” application has been initiated by Information and Communications Technologies Authority so as to ensure the access to the information in a secure way by protecting the children from the harmful contents on the internet. The application is optional and free of charge and has a feature to be accessed on the internet easily. Different profile packages with different contents intended for children and the families are established in scope of the application and the advertisement campaign across the

country is still on progress.

The published works which has been understood to have a side effect on the minors are subjected to limitations within the Law on Protection of Minors from Sexuality Explicit Materials. Therefore, a board is being established under the structure of Prime Ministry. This Board not only may ex-officio examine the works indicated under the Law but also may examine and decide on the applications of official authorities and the associations, women associations or press associations and institutions which includes protection of the children and the youth among their aims.

Various educational programs which aim raising awareness of the children and the parents in Turkey are applied. Family education programs intended for the parents and the education programs varying from peer to peer intended for the children include some special issues aiming the protection of the children and families from various risks and besides protection of the children from sexual abuse. Especially the awareness is raised among the families within the scope of this programs and the information related to prevention, definition of the mentioned abuse and the institutions to be applied is given. Some of the information concerning the mentioned preventive – protective activities and educational programs applied by all of the related institutions in national level as follows:

Through peer educators raised within the scope of “Life Skills Education Program”, the children and adolescents between 10 – 19 ages have been reached and educated by the Ministry of National Education. The program is the peer to peer educational model and it consists of six sessions. Until today, 230 peer educators and 115 peer educator consultants have been trained. Our trained peer educators have given education to about 9.449 children and adolescents. This work has been assessed as a study to strengthen the participation of the children.

In order to reduce and to prevent the proportion of the risky behaviours of the children and adolescents by reducing the domestic risks, Family Education Program between 7 – 19 ages has been prepared with the help of UNICEF, the Ministry of National Education and other relevant institutions and this education has been given to the parents. 6135 guide teacher has received practitioner education in this mentioned program since 2006 and our practitioners have given this education to about 255,000 parents.

Between 2010-2012, with the help of UNICEF, the Ministry of National Education and the Ministry of Family and Social Policies within the Family Education Course Program among 0-18 Ages, 156,288 families were reached by the 0-3, 3-6 ages Early Childhood Course Program, 104,130 families were reached by the 7-11, 12-18 ages Adolescent Course Program, 9,770 fathers and children were reached by the 3-6 and 6-11 ages Father Support Education Program and in total 270,188 family were reached. 1,123,587 families were given education from 1993 to April 2012.

With the help of UNICEF, the Ministry of National Education and the Ministry of Family and Social Policies, for the implementation and extension of the rights of child, 0-6 Ages, My Family Program was reduced from 16 weeks to 6 weeks within the projects of “Early Childhood Care and Learning” and “Baby

and Child Development and Effective Parents” and “Fundamental Education Program for the Family” was developed to reach many more families. This project aims raising awareness among the parents on their responsibilities and providing a better family environment with the help of the experts of UNICEF. 18,450 families have been educated within this program.

In the meantime, “the Circular on Prevention and Reducing the Violence in Educational Environment” was issued in 2009 and various measures were envisaged. In this framework, the Ministry of National Education planned trainings intended for its own in-house personnel. Until today, 1053 education managers, inspectors and teachers have been trained. Moreover, in local level, trainings intended for education managers, teachers and families have been given related to this subject by the Provincial Directorates of National Education.

A training program has been developed in cooperation with the Ministry of Health and International Child Center so as to increase the awareness and the knowledge of the health personnel concerning the convention on rights of the child. In addition to these, all of the services rendered by the Ministry of Health are monitored in regional level and the health statics are published yearly.

Family Education Program has been conducted by General Directorate of Family and Society Services. Family Education Program has been developed taking into account all of the fundamental needs of the family education. Within the scope of the mentioned education, the scientific information and explanations on “domestic violence” and “abuse” intended for the related individuals and families are available. The education program has started being applied this year and 1050 persons have received educator training so far.

Various public institutions and organizations are available in our country intended for any kind of negligence and abuse of the children. The applications which support, prevent and protect the family are given the priority based on our current legislation and the Convention on the Rights of the Child and other international conventions we have signed. In the event of any incident of sexual abuse and negligence, the children may apply securely to Provincial Directorate of the Ministry of Family and Social Policies in our 81 provinces.

Moreover, 183 Family, Women, Child and Disabled Social Services Hotline is available and it renders services across the country 7 days and 24 hours free of charge. Professionals (social workers, psychologists) work on the mentioned hotlines. The calls made any place in Turkey are answered in Ankara by General Directorate of Social Services and Child Protection Agency.

“Science Commission” under the structure of the Ministry of Justice has been established in order to revise the child legislation in line with the needs.

Science Commission assesses the application results of “the Child Protection System” and determines whether there are any difficulty especially in the application of the titles “Adoption, Custody” of Turkish Civil Law, “Sexual Abuse and Sexual Exploitation” of Turkish Penal Code and “Measures” of Child Protection Act and if there are, reveals those difficulties as well as conducts the works concerning the amendments on the legislation.

Representatives of higher judiciary, practitioner judges, public prosecutors, scholars and representatives from bar associations and the ministries participated in those works.

Science Commission gathered on 23 March 2012 and 3 May 2012 will gather on 4 April 2013 in order to work on “Sexual Abuse and Sexual Exploitation” and “Illegal abortion and Abortion” of Turkish Penal Code.

***The works conducted under the structure of General Directorate of Security of the Ministry of Internal Affairs:***

Branch Office of Cyber Crimes which fights distinctively against online child abuse was established and increased to the level of Department so as to increase the effectiveness of crime investigation. Discussions were held with the authorities of Interpol ISCE database and the General Secretariat in Lyon to activate the database in our country. After the discussions in Lyon, it is planned to receive specialist team from Interpol and activate the ISCE database in 2013.

***The activities carried out in Grand National Assembly of Turkey (GNAT):***

Monitoring Committee of GNAT on the Rights of the Child:

- Turkey is one of the leading States which signed the Convention of the Rights of the Child adopted by the General Assembly of United Nations in 1989. The Convention was adopted by Grand National Assembly of Turkey by the Law dated 09/12/1994 and numbered 4058 and it entered into force by publication on the Official Gazette on 27 January 1995.
- Grand National Assembly of Turkey, not only through the Laws adopted but also through the research commissions established, executes the legislation and supervision functions and it protects its sensibility for the implementation of the Convention on the Rights of the Child, protection and development of the rights. In order to establish a structure for the works carried out concerning the Rights of the Child, another step was taken under the structure of Grand National Assembly of Turkey and Monitoring Committee on the Rights of the Child was established by the participation of the representatives of all of the political party groups.
- Monitoring Committee on the Rights of the Child will increase the sensibility on the matters conveyed by the children or children defenders or brought to the agenda of the public through the parliamentarians who are members of the Committee.
- The communication is established between the children and the persons and institutions working on the area of the children and directly the members of the legislative organ through the web site established for the introduction of the Committee and the opportunity is provided to convey their problems and opinions. Thus, it is aimed to reach the children and their problems in a wide range.
- Particularly the Ministry of Family and Social Policies which is the responsible institution for the monitoring of the implementation of the United Nations Convention on the Rights of the Child and other national and

	<p>international institutions and organizations contribute to the works of the Monitoring Committee on the Rights of the Child.</p> <ul style="list-style-type: none"> <li>• Monitoring Committee which was established under the leadership of Ankara Parliamentarian Prof. Dr. Cevdet Erdöl who is the Chair of the Commission on Health, Family, Labor and Social Affairs continues its works under the Chairmanship of Istanbul Parliamentarian Prof. Dr. Türkan Dağoğlu.</li> <li>• With its short name the Research Commission on Informatics and the Internet started its functions on 15 March 2012 under the Chairmanship of Adana Parliamentarian Prof. Dr. Necdet Ünüvar and aims “the research on the development of the informatics sector on the way to the information society and the social effects of the internet usage on the children”. In respect of this, the Commission heard the opinions and suggestions of various public institutions and organizations, the non-governmental organization and experts of the issue and submitted those opinions and suggestions as a report to the Presidency of GNAT at the end of the working. The Report of the Research Commission on Informatics and the Internet was published and distributed. Sequence number: 381 <a href="http://www.tbmm.gov.tr/arastirma_komisionlari/bilisim_internet/index.htm">http://www.tbmm.gov.tr/arastirma_komisionlari/bilisim_internet/index.htm</a></li> </ul> <p>The report: <a href="http://www.tbmm.gov.tr/sirasayi/donem24/yil01/ss381.pdf">http://www.tbmm.gov.tr/sirasayi/donem24/yil01/ss381.pdf</a></p>
<b>Actions that WILL BE UNDERTAKEN</b>	
<p><b><i>Description of the actions that will be undertaken and timeframe</i></b></p>	<ul style="list-style-type: none"> <li>• It is planned to continue the actions intended for raising the public awareness. Coordination Strategy Instrument on Child Protection Services was prepared, within the scope of Child Protection Act numbered 5395, in order to strengthen the cooperation among all of the institutions and organizations active in this area and to ensure that they work in coordination for the purpose of planning and providing the services intended for the child effectively. Under this instrument the followings are governed: early warning system area for the coordination in the child protection services (raising sensitivity, risk screening, pre-assessment); development and extension of the preventive services; regulating the introduction area of the child protection system; the area of protective and preventive measures (the area decided for the measure – the area in which the measure is implemented and supervised); the coordination area of the child protection system in provincial district level; general structure of the child protection system; strategic targets on the implementation of the strategic plan and monitoring the implementation and the action plans prepared in line with those targets. It is considered that those works to be carried out in the framework of constituting early warning system, recognizing the risks concerning children early and protection of the children against those risks effectively will contribute to the protection of the children against the online sexual abuse.</li> <li>• Discussions were held with the authorities of Interpol ICSE database and the General Secretariat in Lyon to activate the database in our country. After the discussions in Lyon, it is planned to receive specialist team from Interpol and activate the ICSE database in 2013.</li> </ul>

**Policy target No. 3: Enhancing efforts to increase public awareness of the risks posed by children's activities online, including grooming and self-production of images that results in the production of new child pornography that may be distributed online**

<p><b>Operational Goal:</b></p>	<p>Develop, improve, or support appropriate public awareness campaigns or other measures which educate parents, children, and others responsible for children regarding the risks that children's online conduct poses and the steps they can take to minimize those risks</p>
<p><b>Operational Goal:</b></p>	<p>Share best practices among Global Alliance countries for effective strategies to inform the public about the risks posed by online, self-exploitative conduct in order to reduce the production of new child pornography</p>
<p><b>Actions ALREADY UNDERTAKEN</b></p>	
<p><b><i>Description of the actions already undertaken</i></b></p>	<ul style="list-style-type: none"> <li>• The services of rehabilitation and reintegration to the society of the children and youths living on the streets and forced to work on the streets who face the social dangers are rendered by “<b>child and youth centers</b>”. In 39 Child and Youth Centers in 30 provinces and 4 Monitoring houses connected to General Directorate of Child Services of the Ministry of Family and Social Policies, various services are rendered, intended for the children living on the streets and/or forced to work on the streets, such as care, accommodation, health, reintegration to education system, support on the education system, providing professional skills, support to their psycho –social developments and the leading the children using drugs to the treatment. The activities of psycho-social support and awareness rising intended for their families, activities of providing profession, social aiding to the families determined to be in an economic poverty, harmonization activities related to the cohabitation of the family and the child in the event that the return of the child to the family is possible are carried out.</li> <li>• If the family insists on leaving the child on the streets despite the social supports provided to the family and the child, the protective and supportive measures are taken concerning the child in accordance with the Law of 5395 on Child Protection and the criminal complaint is made against the family.</li> <li>• In order to standardize the services related to the children living on the street and/or forced to work on the streets and to ensure that the responsibility and the functions of all of the institutions are defined and the service is rendered in coordination, “<b>the service model related to the children living on the street and/or forced to work on the streets</b>” was put into practice in 2005 by the Circular of Prime Ministry. By the implementation of the model, all of the services intended for the children living/forced to work on the streets are carried out with the cooperation of all of the relevant public institutions and organization and local administrations, universities and non-governmental organization.</li> </ul>

- **“The Conference on Information and Communication Technologies in Turkey and the Internet and Communication Technologies Usage of the Children and Youth”** was held as a part of XII. National Children Forum organized on 21 – 23 November 2011 in Ankara. In the mentioned conference, the issues such as the internet and communication technologies usage of the children securely, examples across the world and from Turkey, psycho – social developments of the children and youths, current policy situation in our country were shared by the experts with the participants of the conference. Within the scope of the conference, final declarations of the children and adult workshops were shared with parliamentarians and the authorities in the Grand National Assembly of Turkey. After the presentations of the declarations, Research Commission in the Grand National Assembly of Turkey was established concerning this issue by the President of the Assembly. The mentioned Commission aims “the research on the development of the informatics sector on the way to the information society and the social effects of the internet usage on especially the youths and the families” and the report prepared as a result of the works conducted was submitted to the Presidency of the GNAT and can be accessed on <http://www.tbmm.gov.tr/sirasayi/donem24/yil01/ss381.pdf>.
- Additionally, the preparatory work for “National Action Plan on the Prevention of the Violence against the Child” has been carried out by the General Directorate of Child Services of the Ministry of Family and Social Policies. In the drafting of the Action Plan, the child is dealt in six fundamental areas and it is aimed to improve those fundamental areas by the practices of this action plan. In this respect, the following activities are included under the title of “Press” in the Action Plan. The actions aimed to be undertaken are specified under the aims part of the form.
- Besides, it is envisaged in the other parts of the Action Plan that the trainings are to be conducted intended for parents, the personnel working with and for children in various areas and the children in order to increase the awareness on the violence against the child and current protection mechanisms. In this framework, it is considered that the issue of online sexual abuse may be included in the educational programs.
- **Coordination Strategy Instrument on Child Protection Services** was prepared, within the scope of Child Protection Act numbered 5395, in order to strengthen the cooperation among all of the institutions and organizations active in this area and to ensure that they work in coordination for the purpose of planning and providing the services intended for the child effectively. Under this instrument the followings are governed: early warning system area for the coordination in the child protection services (raising sensitivity, risk screening, pre-assessment); development and extension of the preventive services; regulating the introduction area of the child protection system; the area of protective and preventive measures (the area decided for the measure – the area in which the measure is implemented and supervised); the coordination area of the child

	<p>protection system in provincial district level; general structure of the child protection system; strategic targets on the implementation of the strategic plan and monitoring the implementation and the action plans prepared in line with those targets. It is considered that those works to be carried out in the framework of constituting early warning system, recognizing the risks concerning children early and protection of the children against those risks effectively will contribute to the protection of the children against the online sexual abuse.</p> <ul style="list-style-type: none"> <li>• <b>“1<sup>st</sup> Turkey Child and Press Congress”</b> will be held on <b>14 – 15 November 2013</b> in Istanbul. It is aimed that <b>“1<sup>st</sup> Turkey Child and Media Strategy and Instrument of Implementation Plan 2014 – 2018”</b> and <b>“Child and Press Declaration”</b> will be prepared during the Congress. Steering Committee of 1<sup>st</sup> Child and Press Congress including high level representative from General Directorate of Law of the Ministry of Justice held its first meeting on 14/03/2013. Moreover, Steering Committee meeting will be held on 13/04/2013 in Istanbul for defining the fundamental principles and vision of the Strategic Plan as well as determining the strategic target, aim, indications of the Strategic Plan and the responsible institutions and organizations.</li> </ul>
<b>Actions that WILL BE UNDERTAKEN</b>	
<p><b><i>Description of the actions that will be undertaken and timeframe</i></b></p>	<ul style="list-style-type: none"> <li>• Protection of our children and prevention of their abuse is the center of policies. It is aimed that the projects conducted for this purpose will be carried out with a broader participation.</li> <li>• “1st Turkey Child and Press Congress” will be held on 14 – 15 November 2013 in Istanbul where social, cultural, psychological and physical effects of the press on the children are discussed in a scientific environment by the experts in the coordination of the Ministry of Justice and with cooperation of General Directorate of Press and Information of the Prime Ministry and the Supreme Board of Radio and Television and Child Foundation. It is aimed that “1st Turkey Child and Media Strategy and Instrument of Implementation Plan 2014 – 2018” and “Child and Press Declaration” will be prepared during the Congress.</li> <li>• Steering Committee of 1st Child and Press Congress including high level representative from General Directorate of Law of the Ministry of Justice held its first meeting on 14/03/2013. Moreover, Steering Committee meeting will be held on 13/04/2013 in Istanbul for defining the fundamental principles and vision of the Strategic Plan as well as determining the strategic target, aim, indications of the Strategic Plan and the responsible institutions and organizations.</li> <li>• The preparatory work for “National Action Plan on the Prevention of the Violence against the Child” has been carried out by the General Directorate of Child Services of the Ministry of Family and Social Policies. In the drafting of the Action Plan, the child is dealt in six fundamental areas and it is aimed to improve those fundamental areas by the practices of this action plan. In this respect, the</li> </ul>

	<p>following activities are included under the title of “Press” in the Action Plan. The actions aimed to be undertaken are specified as follows:</p> <ul style="list-style-type: none"><li>• Training the parents, children and the persons working for the children concerning the internet usage,</li><li>• Making the required legal regulations for preparing informative, increasing awareness, spot movies on violence against children intended distinctively for the adults and the children and having those films appeared in the press,</li><li>• Preparing programs (such as competitions, documentaries, movies, educatory games and cartoons) including affirmative messages and attitudes intended for the children and in conformity with their ages and development stages and having those programs appeared in the press,</li><li>• Extension of the child friendly application, establishing supervisory mechanisms in the public and private areas where the internet is accessible to the children.</li></ul>
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**Policy target No. 4: Reducing as much as possible the availability of child pornography online and reducing as much as possible the re-victimization of children whose sexual abuse is depicted**

<p><b>Operational Goal:</b></p>	<p>Encourage participation by the private sector in identifying and removing known child pornography material located in the relevant State, including increasing as much as possible the volume of system data examined for child pornography images.</p>
<p><b>Operational Goal:</b></p>	<p>Increase the speed of notice and takedown procedures as much as possible without jeopardizing criminal investigation</p>
<p><b>Actions ALREADY UNDERTAKEN</b></p>	
<p><b><i>Description of the actions <u>already undertaken</u></i></b></p>	<ul style="list-style-type: none"> <li>• <b>In the Law numbered 5651 on Regulation of Publications on the Internet and Combating Crimes Committed by Means of Such Publications</b>, under article 8 titled “Decision on Blocking the Access and Its Enforcement”, it is stipulated in the case where there reasons for sufficient suspicion on “offences which are published on the Internet and which contain encouragement of suicide, sexual abuse of children, facilitating use of drugs or stimulants, supplying hazardous substances for health, obscenity, prostitution, providing a venue and possibility for gambling, and offences stipulated in the Law No. 5816 on the Crimes Committed against Atatürk”, the decision on blocking the access shall be made by the judge during the investigation stage and by the court during the prosecution stage; in the case where failure to do so might result in delay, by the Public Prosecutor. Under article 10/4-e titled “Administrative Structure and Duties”, the duty and authority to identify minimum criteria regarding production of hardware or software based on the filtering, screening and monitoring principles to be realised for various services made available to public on the Internet is assigned to the Telecommunication Communication Presidency.</li> <li>• In any victimisation of children in Turkey, the polis can be called through “Polis İmdat 155” (free help line) or reached through sending e-mail to <a href="mailto:asayiscocuk@egm.gov.tr">asayiscocuk@egm.gov.tr</a>. Again, in the case of victimisation, children may apply to the nearest police station. Upon receiving application, child police and professionals carry out all the proceedings.</li> <li>• <b>Work for Establishment of Child Monitoring Centres:</b> It is necessary to minimise secondary trauma of the children who are victims of sexual abuse and to prevent them from given statement repeatedly before the investigating and prosecuting authorities with regard to the act they were subjected to.</li> <li>• Within the scope of a project initiated between the Ministry of Justice and the Ministry of Health, a centre where the statements of the children who are victims of the offence of sexual abuse can be taken through experts by technical means is established. In the centre in question, the statements taken by the Public Prosecutors through experts are audio and video recorded and decisions are</li> </ul>

rendered by the investigating or prosecuting authorities by watching these records. Hence, statement of the victimised child is not taken repeatedly and the child does not experience the same trauma again. On the other hand, as the statements are taken by experts trained on this issue, the child is subjected to minimum trauma due to the committed offence, and offence committed against the child or other offences are being able to be revealed.

- On the other hand, it is stipulated to carry out physical examination and taking body samples from the children who are victims of the offences committed against sexual immunity in these centres. Thus, it is aim to lessen the trauma of the children who are subjected to these offences. In comparative law, for example in Sweden, Norway, Iceland, Croatia, Spain and the United States of America, there are many centres established for this purpose.
- Within the scope of the project, it is planned to open such centres initially in 29 centres. Up to day, such centres have been opened in Ankara, Kayseri, Samsun, Diyarbakır and Gaziantep.
- The Circular of the Prime Ministry regarding the operation of Child Monitoring centres numbered 2012/20 was promulgated in the Official Gazette dated 04/10/2012.

***Draft Law on Help to Victims of Crime:***

- As a result of the work carried out in the Council of Europe, European Convention on the Compensation of Victims of Violent Crimes was opened to signature on 24/11/1983 and was signed by Turkey on 24/04/1985. However, Turkey has not approved the Convention yet. In the European Convention on the Compensation of Victims of Violent Crimes, it is stipulated to institute a regulation including anyone without separation of child and adult.
- In the “Political Criteria” section of the Turkish National Program for the Adoption of the Union Acquis promulgated in the Official Gazette dated 31/12/2008, it was stipulated to draft the “Law on Helping the Children Who are Victims of Violent Crime” and to refer it to the Turkish Grand National Assembly.
- By taking into consideration the National Program and Convention in question, the “Draft Law on Help to the Victims of Crime” was prepared by the Ministry of Justice for the purpose of regulating the principles and procedures of provision of the help by the State, in line with the “principle of social state” under article 2 of the Constitution, to the persons who are victims of offences committed in Turkey and constituting attack to physical, spiritual or sexual integrity directly or to his/her dependants in the case of the death of the person, including both children and adults. The Draft in question has been presented for opinions of the relevant institutions and organisations, and it is in the stage of compiling and evaluation of the opinions. It is aimed to refer the Draft to the Turkish Grand National Assembly for its enactment.
- Pursuant to the Child Protection Law No. 5395, “Care and Social

Rehabilitation Centres (BSRM)” within the Ministry of Family and Social Policies serve for the social adaptation, reintegration to society and rehabilitation of the children who are victims of the offence. As the states of the children who receive service from these centres are special, the provided services are required to be qualified and eligible. To this end, the Ministry of Family and Social Policies is undertaking a work for restructuring such centres and modelling rehabilitation programs for providing qualified services to such children who have traumatic history. It is aimed to apply this new system throughout country without any deficiency until the end of 2014. Reintegration of the children who are victims of crime by rehabilitation is one of the most important tasks.

***Activities realised by the Institute of Information and Communication Technologies:***

*Our Membership to the International Association of Internet Hotlines (INHOPE):*

- Within the scope of the “Law No. 5651 on Regulation of Publications on the Internet and Combating Crimes Committed by Means of Such Publications”, the Telecommunication Communication Presidency Information and Denunciation Centre (<http://www.ihbarweb.org.tr>) that enables the citizens to denounce any illegal content published through internet has been active since 23/11/2007.
- INHOPE, which is based in Ireland and the headquarter of which is in Amsterdam, is an association of information denunciation centre established in 1999 within the framework of “EC Safer Internet Action Plan” of the Council of Europe for combating illegal content on the internet through establishing hotlines and for ensuring coordination among these hotlines. Members of the association consist of 43 denunciation centres in 39 countries.
- The Telecommunication Communication Presidency Information and Denunciation Centre became a member of the INHOPE in 2011 to enhance international cooperation in the fight against illegal content on the internet.
- There are many works underway to picture the state of all the internet users, including children and youth, in Turkey against the risks that might come over the internet. Two of these are:
- Research of “Internet Perception and Inclinations of Families” carried out by an independent research institution in 2010 on behalf of the Ministry of Transportation Internet Development Board and Telecommunication Communication Presidency Institute of Information and Communication Technologies,
- Research of “Children’s Habit of Using Social Sharing Sites” of the Ministry of Transportation Internet Development Board, Telecommunication Communication Presidency Institute of Information and Communication Technologies and Middle East Technical University in 2011.
- Based on the results of these works, Telecommunication

Communication Presidency Institute of Information and Communication Technologies (TİB) focused on awareness raising activities, as is the case in many European Union countries, considering that “Safe Internet” can only be possible by conscious use. In this content, it concluded protocols with the Ministry of Education and the Police Academy; and continues its activities for conscious, safe and effective use of internet in cooperation with other relevant institutions and all internet sharers and NGOs. In this scope, some of the works carried out by the Telecommunication Communication Presidency Institute of Information and Communication Technologies are as follows:

- The brochure “Recommendations for Safe Use of the Internet” had been prepared in Turkish and English, printed in 12 million copies and was sent to all the state and private primary schools in the 2009-2010 education year.
- In 2010, the brochure “Suggestions to Parents for Safe Use of the Internet” was prepared, printed and distributed.
- For the first time in Turkey, in 2010, celebrations of “Safe Internet Days” supported within the scope of EU Safe Internet program (EU INSAFE) was initiated; national and international participants from Academicians and NGOs were brought together for this purpose and Conscious and Safe Use of the Internet was brought to the public agenda. These activities were maintained by the support of Internet Development Board in the following years.
- This year, the Safe Internet Day was celebrated on 7 February 2013 under the theme “Digital rights and Responsibilities” in the coordination of Happy Children Association by the support of the Internet Development Board and the Gazi University. Additional information on the Safe Internet Use Turkey activities and Awareness Raising activities can be found at <http://www.saferinternetday.org/web/turkey/home>.
- Brochures for awareness raising for families and children for the risks of internet and means of protection were prepared and sent to requesting schools.
- Preparation of the report of Parliamentary Research Commission established to Research the Improvements in the Information Sector on the Way to Become Information Society and Social Effects of Internet Use Particularly on Children, Youth and Family Structure was contributed, and concrete opinions and proposals were given.
- In 2012, approximately 300 seminars were organised in about 30 provinces of Turkey for students, educators, administrators and parents for conscious, safe and effective use of the internet. By these seminars, about 40 thousand people were informed on the benefits of the internet, risks it posed and measures to be taken against these risks.
- Within the scope of conscious, safe and effective use of the internet, 7 programs in cooperation of the Police Radio, 1 program with the

	<p>TRT Anadolu TV, 1 program with the TRT Türkiye'nin Sesi Radio, 4 programs with the TRT Trabzon Radio, 1 program with the TRT 6 TV were organised.</p> <ul style="list-style-type: none"> <li>• Panels were held in cooperation with some universities and to encourage academic works to be carried out on conscious and safe use of the internet, and information was shared. The social responsibility projects on this issue were shared without observing any interest. One of the project is "Conscious Information, Clean Society" prepared by the Uşak Security Directorate, Branch Office of Fight against Information Offences.</li> <li>• In order to ensure conscious use of the internet and to create awareness, internet portal of <a href="http://guvenliweb.org.tr">guvenliweb.org.tr</a> for all the internet users and <a href="http://guvenlicocukweb.org.tr">guvenlicocukweb.org.tr</a> for children were created and put into service.</li> <li>• On 21-22 May 2012, the training seminar on "Safe Use of the Internet and Safe Internet Service" was organised in Ankara by participation of 2 trainers from provincial governorates which continued for 2 days.</li> </ul> <p>The "Safe Internet Service" which is an alternative and which filters harmful internet contents has been presented as a free consumer right to all the individual and institutional internet users as of 22 November 2011.</p>
<b>Actions that WILL BE UNDERTAKEN</b>	
<p><b><i>Description of the actions that will be undertaken and timeframe</i></b></p>	<ul style="list-style-type: none"> <li>• It is planned to increase the number of Child Monitoring Centres. Within the scope of the project, it is planned to open such centres in 29 more centres.</li> <li>• The Draft "Law on Help to the Victims of Crime" was prepared by the Ministry of Justice. The Draft in question was presented for opinion of the relevant institutions and organisations, and it is in the stage of compiling and evaluation of the opinions. It is aimed to refer the Draft to the Turkish Grand National Assembly for its enactment.</li> <li>• Until the end of 2014, it is aimed to implement the restructuring system of the "Care and Social Rehabilitation Centres (BSRM)" within the Ministry of Family and Social Policies throughout the country. Reintegration of the children who are victims of crime by rehabilitation is one of the most important tasks.</li> <li>• Furthermore, it is also planned to take the necessary steps for realisation of the following targets:</li> <li>• It is planned to take the longest but lasting measures for conscious, safe and effective use of the internet, as well as continuing with the awareness raising activities.</li> <li>• NGOs need to take more responsibility on this issue. To this end, it is aimed to ensure State support to the NOGs in social responsibility projects they will be developing.</li> <li>• It is aimed to insert the notions of digital access, digital</li> </ul>

	<p>trade/shopping, digital communication, digital literacy, digital identity, digital laws, digital rights, digital health, digital security in the educational system in formation of the conscious, safe and effective use of the internet.</p> <ul style="list-style-type: none"> <li>• These subjects should be thought in the education institutions in a systematic and conscious way.</li> <li>• In order to create digital citizenship consciousness, education is needed to be brought into forefront and education of the educators is needed to be given importance to.</li> <li>• Publications, news, educational programs to be carried out to create the culture for conscious, safe and effective use of the internet should be supported publicly. It is aimed to minimize the digital differences among regions and to spread conscious, safe and effective use of the internet throughout the country by organising various training and awareness raising seminars.</li> <li>• So settle the notion of the conscious, safe and effective use of the internet in the society, it is vital for the traditional press and media organs to take responsibility. It is aimed to encourage the new media for active participation in this matter. It is obvious that effective introduction activities by use of the means like the internet, social media, mobile technologies etc. would have an effect of raising awareness. It is necessary to introduce the activities to be carried out to this end in both the traditional and new media, to inform through newspapers, to prepare spot films for awareness raising and to broadcast them through television channels. It is also necessary to prepare informing programs for all the internet users, particularly children, publications for children, to broadcast introductory programs on the national radios, and to use publicly open advertising broadly effectively.</li> <li>• It is aimed to shoot videos and spot films stressing the importance of the conscious, safe and effective use of the internet in our country, and to organise national/international symposiums in cooperation with universities, relevant institutions and organisations, and NGOs for the conscious, safe and effective use of the internet on the topic of positive and negative contents arising from the internet.</li> </ul>
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