

STAKEHOLDER REPORT ON CHILD LABOUR in TÜRKİYE

Methodology for the Report:

- 1- The methodology used in this report combines both qualitative and quantitative research techniques in order to provide a comprehensive analysis of the state of implementation of the recommendations supported by the Government of the Republic of Türkiye at the 3rd universal periodic review (UPR) within the framework of the 4th UPR.
- 2- **Quantitative Research:** The dataset used in this report was obtained from child labor rights violation reports collected by the association's Information Center on Combating Child Labor between March 2018 and 2024. This dataset incorporates findings obtained through indicator sets of child labor accidents in Türkiye. It also includes information based on one-on-one interviews conducted between 2020 and 2024 in Çukurova Region on the risks and consequences of child labor murders in seasonal agricultural areas where the worst forms of child labor are prevalent. This study was conducted with the participation of 100 child laborers or children at risk, 20 agricultural intermediaries and 5 mukhtars.
- 3- **Qualitative Research:** The report adopts a doctrinal and analytical approach to qualitative research. This approach incorporates an assessment of the existing legal framework and a comprehensive review of various reports addressing the situation of combating child labor at both national and regional levels.

Introduction:

- 4- This report has been prepared in line with the list of recommendations endorsed by the Government of Türkiye at the UPR session in 2020. This structure allows for a systematic and comprehensive review of the implementation status of each recommendation. This facilitates a clear understanding of progress towards ending the worst forms of child labor and areas that require further attention.
- 5- In the 2nd Cycle, recommendations to Türkiye included issues such as child labor, children's access to education and the situation of refugee children.^{1 2} In the 3rd Cycle, the need to take more concrete steps to combat child labor was emphasized and the implementation of more comprehensive protective policies for children's rights was recommended.³ Türkiye received recommendations to continue to take further steps to prevent violence against children and eliminate child labor. It was also recommended to review the minimum working age and address the issue of the inclusion of migrant children in the informal labor force. It was emphasized that legislation should be adopted to prohibit all forms of corporal punishment against children and additional measures should be taken to protect children's welfare.⁴
- 6- **Minimum Working Age:** ILO Convention No. 138 sets the minimum age for admission to employment at 15 years (with a flexibility of 14 years for developing countries). In Türkiye's labor laws, the age of employment for children is taken down to 14 in some fields, and this is especially true for children working in agriculture.

¹ 2010 recommendation on the prevention of child labor (Recommendation No. 100.30 by Egypt).

² 2015 recommendations nos. 148.86 (Montenegro), 148.137 (Japan), 148.87 (Sweden), 148.88 (Togo), 148.89 (Ukraine) and 148.94 (Sri Lanka).

³ 2020 recommendations nos. 45.254 (Ukraine), 45.256 (Bahrain), 45.259 (Malaysia), 45.260 (Namibia) and 45.261 (Sultanate of Oman).

⁴ A/HRC/44/14/Add.1

Children working in seasonal agricultural labor in Türkiye fall outside this regulation and are forced to work at much younger ages in practice. Such fact reveals that Türkiye does not fully comply with ILO standards.

- 7- **Shortcomings in Implementation:** Although legislation passed to combat child labor in Türkiye are in line with international norms, there are shortcomings in terms of supervision and implementation. Especially in rural and agricultural areas, supervision mechanisms to prevent child labor are not sturdy enough. Although the National Programme on the Elimination of Child Labor (2017-2023) is Türkiye's strategy document to combat child labor, it has faced some criticism. There are many local and rights-based CSOs active in the field of combating child labor in Türkiye. These organizations have experience and know-how on issues such as protecting the rights of the child, preventing child labor and ensuring children's access to education but the participation of these organizations in the preparation and implementation of the national programme is limited. The knowledge and experience of local CSOs are important for the implementation of the program in accordance with local needs. It was, however, observed in the focus group discussions that the suggestions of these organizations were not taken into consideration. Rights-based CSOs state that a participatory approach was not adopted during the preparation of the program. It was emphasized that active participation of civil society was necessary to solve a comprehensive problem such as child labor. Yet, the fact that the program was planned at the central level and local CSOs were not included in the processes led to shortcomings in the implementation stages. Local CSOs state that the national program does not offer flexible solutions to local needs and that the imposition of central policy strategies is ineffective in the field. Rights-based CSOs criticize that the program does not adopt a rights-based approach to combating child labor. Criticism was also raised as the country moved away from a rights-based approach that focused on the protection of children's basic rights such as education, health and housing. This is considered a major shortcoming in achieving the goals of preventing child labor.
- 8- **The situation of migrant and refugee children:** International Refugee Law and the United Nations Convention on the Rights of the Child (CRC) guarantee the protection of refugee and migrant children. However, Syrian refugees and migrant children in Türkiye are often employed in the illegal and informal sectors, leading to a lack of effective implementation of the legislation. Although Türkiye has enacted laws to protect refugee children, compliance issues remain regarding working conditions and age limits, particularly for migrant children working in seasonal agriculture. The latest Child Labor Force Survey⁵ does not include data on refugee or migrant children. Refugee and migrant child labor is a major problem as it prevents children from accessing education and forces them to work in poor working conditions. As part of 20 June World Refugee Day, the association prepared a dossier on Refugee and Migrant Child Labor Accidents in Türkiye. According to the results of this study, 104 refugee and migrant child laborers were subjected to rights violations between 2018 and 2023. 75 of the refugee and migrant child laborers lost their lives in the agricultural sector. Of these children, 94 were from Syria, 7 were from Afghanistan and 3 were from Iraq.⁶
- 9- **Worst Forms of Child Labor:** ILO Convention No. 182 mandates the elimination of the worst forms of child labor. Although Türkiye has signed this convention, in

⁵ <https://data.tuik.gov.tr/Bulten/Index?p=Child-Labour-Force-Survey-2019-33807>

⁶ <https://www.istedegilokulda.org/haber/turkiyedeki-multeci-cocuk-isciligi-durumu-bilgi-notu/eyJpdil6InlZUFNKQjhIK1E1NFZITUUVJVThyVFE9PSIsInZhbHVIljoiWU02dENpeHVndDliMU5FQW40K2hYQT09IiwibWFjLjoiZTliYmFhODhmMjc0NzA1YTlwMjYxZjY5YzNkYmQyYU03YWE1OWI0Yjc1ZTQyYjM0MDU0ZjgwNjFhM2IyN2M4MyIsInRhZyI6IiJ9>

practice, children are still employed in hazardous conditions, especially in sectors such as agriculture, construction and industry. Seasonal agricultural work reveals the situation of children working long hours under harsh conditions, and this falls within the scope of the worst forms of child labor. The most recent comprehensive statistical study on child labor in Türkiye is the Child Labor Force Survey. It was found that there are approximately 720 thousand child laborers in the 5-17 age group in Türkiye.⁷ The majority of these children work in the agricultural sector. The proportion of boys among child laborers is higher with 70% boys and 30% girls. More than 30% of child laborers work in the agricultural sector. Especially seasonal agricultural work is a child labor intensive field. According to the child work accidents collected by the association between January 2018 and December 2023, 441 children were involved in work accidents, 308 of them lost their lives and 123 were seriously injured. Of the 441 child laborers, 300 were boys and 141 were girls. It was found that 247 child laborers were subjected to rights violations in the agricultural sector and 76 in the construction sector.

10- Shortcomings in Implementation: Although the laws enacted in Turkey to combat child labour are in line with international norms, there are significant deficiencies in terms of supervision and implementation.

11- Climate change impacts: The Information Centre on Combating Child Labor prepared a report titled “The Relationship of the Worst Forms of Child Labor with Climate Change”⁸ by bringing together data on child work accidents collected between 2018 and 2023 and field research reports conducted in tent settlements where seasonal agricultural production is carried out in Adana and Mersin. According to the results of the report, 85 child laborers drowned in the agricultural sector, 57 children lost their lives and 29 children were injured. Boys constitute 59.30% of the drowning cases and are at high risk. The majority of these cases are children between the ages of 11 and 14. It was observed that tent settlements where seasonal agricultural production is carried out are dangerous in terms of child safety. Since the tent settlements are built on the edges of agricultural irrigation canals, it was determined that the rate of drowning by falling was high. The highest drowning rates were found in Adana (45), Mersin (38) and Şanlıurfa (32). These cities have the highest seasonal agriculture work. The results of field research on the causes of drowning revealed that most of the cases occurred on weekends. This situation shows the tendency to socialize in irrigation canals due to extreme heat. It was observed that girls mostly drowned by falling during washing, bathing and sibling care.

12- Access to language and cultural rights: Türkiye has made reservations to Articles 17, 29 and 30 of the CRC and this restricts the language, cultural and educational rights of children belonging to minority groups. In particular, children whose mother tongues are Kurdish, Arabic, Laz and Armenian are excluded from the education system and forced to enter the labor market at an early age due to these reservations. Lack of access to education is one of the main factors leading to an increase in child labor. Internal migration, especially from Eastern and Southeastern Anatolia regions to Çukurova region, increases seasonal agricultural labor in Türkiye. Due to economic difficulties, migrant families put their children to work in the fields instead of sending them to school. These children have difficulties in accessing language and cultural rights, and their education is interrupted due to seasonal agricultural labor. Syrian

⁷ TurkStat, Statistics on Child, 2023. <https://data.tuik.gov.tr/Bulten/Index?p=Statistics-on-Child-2023-53679&dil=2#:~:text=Child%20population%20constituted%2026.0%25%20of,constituted%20by%20the%20child%20population.>

⁸ Information Centre on Combating Child Labor, “The Relationship of the Worst Forms of Child Labor with Climate Change,” 4 June 2024.

refugee children are often employed informally and cannot attend school due to language barriers, pushing them into the labor force at an early age. The integration of refugee children into the education system is weak and this problem increases child labor rates.

13- Addressing the gender-specific needs of girls: Addressing the gender-specific needs of girls means understanding the social, economic and cultural problems girls face on a gendered basis and developing solutions accordingly. The situation of girls living in tent settlements established in seasonal agricultural labor areas has been identified with various challenges and needs based on the field research of the association. Observations in such areas show that girls in particular have severely limited access to education, health, safety and gender-specific needs. Girls are more at risk of being excluded from education than boys. Especially in rural areas, girls are forced to take on domestic and care responsibilities within the family, which reduces their school attendance rates. According to field research, a large proportion of girls living in these settlements either drop out of school or have very low attendance rates. In a study conducted in Çukurova Region,⁹ it was found that 60% of girls living in tent settlements do not attend school regularly and that education is secondary to the seasonal work cycle. Skin infections, parasites and other health problems have been identified in about 70% of girls in tent settlements due to poor hygiene conditions. Lack of access to appropriate hygiene materials, especially during menstrual periods, stands out as an important problem. It was observed that 25% of girls were forced into marriage before the age of 15 and 40% were subjected to domestic violence or abuse. Girls are not adequately protected against both physical and sexual violence. Fieldwork in Adana and Mersin revealed that 80% of girls between the ages of 12 and 16 were responsible for household chores such as cooking, caring for siblings and cleaning the house.

14- Conclusion: Although significant progress has been made at the legislative plane in fulfilling the recommendations on child labor, there are still serious challenges in practice. The field studies of the Association for Monitoring and Preventing Child Labor reveal that combatting child labor should not be limited to legal regulations, but stronger measures should be taken at the local level.

15- Recommendations

1. Full schooling of children working in seasonal agricultural labor and at risk should be ensured in accordance with international conventions. Disaggregated data on the current situation of children living in these regions should be kept regularly and shared with the public.
2. Independent and impartial mechanisms should be established for effective investigations into child labor accidents. It is important that investigations are carried out in a transparent, fast and fair manner and that all relevant stakeholders (workers' representatives, civil society organizations and families) are included in the processes.
3. Measures taken to combat migrant and refugee labor should be effectively implemented and the protection of these children should be prioritized.
4. Ensure the implementation of the following in line with the recommendations of the Committee on the Rights of the Child in 2023:
5. Conduct an impact analysis of the National Program on Combating Child Labor (2017-2023) completed in 2023 and share the results with civil society organizations,

⁹ Information Centre on Combating Child Labor, "Intersection of Child Labor and Gender." 29 May 2023.

6. Strengthen labor inspection to detect and prosecute work accidents, especially among children.
7. Improve monitoring of intermediaries regulating agricultural production and seasonal employment.
8. Ensure that labor laws apply to all workplaces, including agricultural and forestry workplaces and establishments with less than 50 employees.
9. Increase the participation of the private sector, consumers, trade unions and the public in awareness campaigns on the exploitative nature and consequences of child labor.