**Contribution of the Republic of Turkey to the OHCHR Report to be Prepared In Accordance With Resolution 34/16 on the rights of the child**

1. **Please provide information on the main challenges that your country is facing in protecting the rights of the child in humanitarian situations.**

The difficulties we face in protection of children’s rights in the Syrian crises:

* Having different mother tongue,
* Inadequacy of infrastructure resulting from immigration surpassing school and hospital capacities,
* Increase in unaccompanied children.
1. **Please indicate the current status of your country’s legal framework with regard to the protection of the rights of the child in humanitarian situations. Please include information on legal provisions (including Constitutional provisions) which explicitly deal with regard to their physical and mental health, protection from exploitation and education.**

Protection of children and young people is guaranteed under the Constitution.

Republic of Turkey is party to Convention on Protection of Children Against Sexual Exploitation and Sexual Abuse (Lanzarote Convention) dated 25.10.2007.

The legal framework for children with regard to the protection of the rights and wellbeing of the children in need of protection is stated below.

● Social Services Law No:2828

● Juvenile Protection Law No: 5395

● The Basic Law of National Education No: 1739

● Human Rights and Equality Institution of Turkey Law No: 6701

● Protection of Family and Prevention of Violence Against Women Law No:6284

● Turkish Criminal Code No: 5237

● Protection of Children from Obscenity Law No: 1117

● Press Law No: 5187

● Regulating Broadcasting in the Internet and Fighting Against Crimes Committed through Internet Broadcasting Law No: 5651

● Protection of Personal Data Law No: 6698

● Foreigners and International Protection Law No: 6548

Under Temporary Protection Regulation:

Health services:

ARTICLE 27 - (1) The following health services shall be provided or have provided inside and outside of the temporary accommodation centers under the control and responsibility of the Ministry of Health.

h) All measures with respect to conduct of necessary vaccination for children shall be taken

Education services:

ARTICLE 28 – (1) Education activities for foreigners under this Regulation shall be conducted inside and outside temporary accommodation centers under the control and the responsibility of the Ministry of National Education. In that regard:

a)Pre-school education services may be provided to children who are 36-66 months old, where the children who are 54-66 months old are prioritized.

b) Education activities for those at the age of primary and secondary education shall be carried out in line with the relevant legislation of the Ministry of National Education.

c) Language education, vocational courses, skills training and hobby courses addressing all age groups may be organized depending on the demand.

(2) Procedures and principles related to associate, undergraduate, masters and doctorate degrees shall be determined by the Presidency of Council of Higher Education.

(3) A document indicating the content and duration of the education shall be issued for foreigners receiving education in our country within the scope of this Regulation. If the foreigner has received education under a different curriculum, which was documented, these documents shall be evaluated by relevant units of the Ministry of National Education or Presidency of Council of Higher Education and equivalence proceedings shall be conducted for the grades deemed appropriate.

(4) Other relevant procedures and principles regarding the education activities for foreigners under this Regulation shall be regulated by the Ministry of National Education.

Persons with special needs:

ARTICLE 48 – (1) Health services, psycho-social support, rehabilitation and all other assistance and support to be provided to those with special needs among the foreigners under this Regulation shall be prioritized and provided free of charge within the capacity.

(2) The best interest of the child shall be observed in all proceedings related to children and provisions of the relevant legislation shall be implemented.

Family reunification:

ARTICLE 49 – (1) Foreigners under this Regulation may apply for family reunification in Turkey to reunify with his or her spouse, children who have not attained maturity and dependent children who have attained maturity, who are in another country. These applications shall be evaluated by the Directorate General and necessary actions may be carried out in cooperation with relevant public institutions and organizations, international organizations, and civil society organizations.

(2) Family reunification procedures for children who are identified to be unaccompanied shall be immediately initiated without waiting for the request of the child.

1. **Please provide information on national policies, strategies and plans of action relating to rights of the children in humanitarian situations.**

Various strategy papers and action plans are prepared by related state institutions in order to improve and protect child rights in Turkey. Within this context, in order to implement child rights in an effective way and to coordinate “Turkey Strategy Paper and Plan of Action on Child Rights 2013-2017” was prepared. Monitoring and assessment of implementation is done by “Monitoring and Assessment Board on Child Rights” Ministry of Family and Social Policy-led.

National Programme of Combatting Child Labour (2017-2023) was prepared within the coordination of Ministry of Labour and Social Security with participation of related stakeholders.

Strategy Paper on Coordination of Child Protection Services (2014-2019) was prepared to ensure coordination and cooperation between related institutions, to implement preventive and supportive measures taken as per Juvenile Protection Law No: 5395. Follow up and assessment is done by Central Coordination Council Undersecretary of Ministry of Family and Social Policy-led.

1. **Please provide examples of good practices undertaken by your Government to protect the rights of the child in humanitarian situations, both with your State and internationally.**

Foreigners and International Protection Law No: 6548 was enacted in 2014. Temporary protection regime was enacted first time with this Law. As per Article 91 of the Law, Temporary Protection Directive dated 22 October 2014 and numbered 2014/6883 was issued. It regulates the procedures and principles on temporary protection of foreigners, who were forced to leave their country, cannot return to the country they left, arrived at or crossed our borders in masses or individually during a period of mass influx, to seek emergency and temporary protection. Syrians were granted Temporary Protection Status as per this Directive. Within this scope Syrian children have been granted with the rights and services that are entitled to Turkish children.

Ministry of Family and Social Policy General Directorate of Child Services Directive on Unaccompanied Children was issued on 20.10.2015 in order to ensure coordination between institutions/organizations that render services for unaccompanied children and also to increase the efficiency and effectivity of these services.

 “Social Cohesion and Education Programme for Syrian children living outside the camps ” has been formed for social integration of Syrian children with technical cooperation of UNICEF and Ministry of Family and Social Policy. The purposes of this programme are minimizing the social cohesion problems of Syrian children, raising awareness on current risks and resources and also developing mutual understanding and tolerance between two cultures.

Under the cooperation of Ministry of Family and Social Policy and UNICEF Turkey Office, 19 units of Family Education Programme, that is thought to be useful for Syrians who stays in shelters, have been translated into Arabic and started to be implemented in order to empower the families with a focus to child’s best interest. Also Education on Child Protection has been included into the programme. 105 graduate educators have been trained as trainers. These trainers educated 15.000 Syrians by public education in 12 shelters. The trainers are rendered incentive payments by UNICEF in return for public education. This facilitates the integration and favorable communication of Syrians by making them realize their potentials and empowering them. The child friendly areas for Syrian children were opened in order to evaluate leisure time in all the temporary protection centers. Cultural and sportive activities are carried out in these areas.

Child Support Centers have been established for care, protection and psycho-social support of children who are victims of crime, children at risk and at streets and children who are pushed into crime. In these 72 centers, the children are rendered specialized services according to their necessities.

ANKA Child Support Program is implemented in these centers for both children and their families. A professional consultant (social worker, psychologist, teacher, child development specialist) is assigned for every ten children, the consultant fills a form of individual needs and risk assessment of the child (BİRDEF) and studies are considered in line with the application plan as part of ANKA Child Support Program.

1. **Please specifically indicate how your Government involves children in decision-making process relating to humanitarian situations-both in terms of planning and implementation.**

With an aim to put into practice the principles and provisions of Convention on the Rights of the Child, in order to ensure coordination between Provincial Committees on Child Rights and to plan national and international activities; Child Advisory Boards which includes a more active core representatives were established with “Directive on Establishing Child Advisory Boards and Working Procedures and Principles”.

Child Advisory Boards consist of 9 girls, 9 boys and 2 Turkey Child Coordinators a total of 20 children elected from the members of Provincial Committees on Child Rights and every two years during Child Forums. Syrian children take part in the Boards.

Child Advisory Boards were assigned to express opinions for policies and legal regulations, to study for publicity and awareness raising about child rights both nationally and internationally, prepare plans of action every year, share this plan with other stakeholders and Provincial Committees on Child Rights and also monitor the implementation of this, make recommendations to related authorities.