

TURKEY (2019)
THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY LABOUR
Protocol of 2014 (P029) to the Forced Labour Convention

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| REPORTING | Fulfillment of Government's reporting obligations | Yes. | |
| | Involvement of Employers' and Workers' organizations in the reporting process | 2019 AR: Copies of the report were sent to: the Turkish Confederation of Employer Associations (TISK), the Confederation of Turkish Trade Unions (TÜRK-IS), the Confederation of Real Trade Unions of Turkey (HAK-IS), the Confederation of Progressive Trade Unions of Turkey (DISK), the Confederation of Public Servants' Unions (MEMUR-SEN), the Confederation of Turkish Public Employees' Union (TÜRKIYE KAMU-SEN), and the Confederation of Public Employees' Unions (KESK). | |
| OBSERVATIONS BY THE SOCIAL PARTNERS | Employers' organizations | No. | |
| | Workers' organizations | No. | |
| EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL | Ratification | Ratification status | Turkey has not yet ratified the Protocol of 2014 (P029) to the Forced Labour Convention. |
| | | Ratification intention | |
| | Existence of a policy and / or plan of action for the suppression of forced or compulsory labour | 2019 AR: The main measure within the Turkish legal system is the Article 18 of the Constitution which bans every type of forced labour. Articles 80 and 117 of the Turkish Penal Code (as amended on 6.12.2006 by the Act No.5560) also punish forced labour. The Labour Act provisions are and in cases outside of its scope, provisions of the Code of Obligations apply. The key authority for the effective and sustained suppression of all forms of forced or compulsory labour is the General Directorate of Labour under the Ministry of Family, Labour and Social Services. Furthermore, the General Directorate of Migration Management under the Ministry of Interior is responsible for combatting human trafficking and providing protection to the victims of forced or compulsory labour within the human trafficking process. | |
| | Measures taken or envisaged for systematic and coordinated action | 2019 AR: A National Task Force was established under the Ministry of Foreign Affairs in October 2002 to coordinate the activities of the public authorities and institutions in combatting human trafficking. Furthermore, "Regulation Concerning Combatting Human Trafficking and Protection of Victims" was put into effect by its publication in the Official Gazette on 17.03.2016. The Regulation sets forth the procedures and principles for the prevention of the crime of human trafficking and combatting human trafficking and protection of the victims without regard to their nationality and issuing residence permit to the foreign victims and providing support services to the victims. A Committee on the Coordination of Combatting Human Trafficking and affiliated provincial committees are key tools that the Regulation has introduced. The Department of Fighting Against Migrant Smuggling and Trafficking in Persons was established under the General Commandership of Gendarmerie, for both the crimes of migrant smuggling and trafficking have become a global security threat and Turkey became the target of mass migration due to the Syrian crisis. The Department of Fighting Against Migrant Smuggling and Trafficking in Persons, which became operational since 27 July 2016, continues its activities under the Department of Public Order. The Department of Victims' Rights has been established within the General Directorate of | |

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| | | <p>Criminal Affairs, Ministry of Justice. The main objectives of the Department are to inform all victims of crime about their rights and the assistance and support services that can be provided to them, and to support victims who belong to vulnerable groups effectively in the judicial process and to facilitate their access to justice. Individual action plans are prepared for each victim admitted to the shelter. In this context, support programs offered to victims vary. The content of the support program offered to victims staying in shelters in 2018 was as follows:</p> <ul style="list-style-type: none"> - Monthly cash support is provided to all victims in the shelter within the scope of the project carried out in cooperation with IOM and Red Crescent. If the person has children, an increase of 200 TL is made according to the number of children. - The children of the victims continue their education. - Within the scope of the Accelerated Vaccination Program, all vaccinations for children staying in the shelter are provided. - Women and children were provided hygiene training. - Access to relevant departments of state hospitals in relation to the health problems experienced by women and children, appointment schedules were arranged and treatments were made. - Women in the shelters participate regularly in Women's Health Seminars held every week by the Ankara Community Center, affiliated to the Turkish Red Crescent. - Meetings were held with the Directorate of Public Health Center of Ankara Provincial Health Director |
| | Measures taken or envisaged to prevent forms of forced labour | 2019 AR: The measures taken include: information, education and awareness raising activities targeting especially people in vulnerable situation and employers. |
| | Measures taken or envisaged to protect victims of forced labour | 2019 AR: The measures taken include: a) Training of relevant actors for identification of forced labour practices; b) Legal protection of victims; c) Material assistance for victims; d) Medical and psychological assistance for victims; e) Measures for the rehabilitation and social and professional reintegration of victims; and f) Appropriate accommodation. |
| | Measures taken or envisaged to facilitate access to remedies | 2019 AR: The measures taken include: a) Information and counselling for victims regarding their rights; b) Free legal assistance; and c) Capacity building and enhanced resources for the competent authorities, such as labour inspection, law enforcement, prosecution services and judges. |
| | Non-prosecution of victims for unlawful acts that they would have been forced to carry out | |
| | Cooperation with other Member States, international / regional organizations or NGOs | 2019 AR: The Government cooperates with other states, international and regional organizations, or nongovernmental organizations to combat human trafficking, including trafficking in persons with the purposes of forced or compulsory labour. As a result of cooperation with regional or international institutions such as Council of Europe, ILO, IOM, several fundamental international agreements have been ratified by Turkey. The "United Nations Convention against Transnational Organized Crime" and its supplementing "Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (Palermo Protocol)" were approved by Turkish Parliament with the Laws No. 4800 and 4804 of 30.01.2003. A memorandum between Belarus and Turkey was signed on 28 July 2004, denoting understanding between their ministries of interior with respect to "Combating Human Trafficking And Illegal Migration". A protocol between the Ministries of Foreign Affairs of Georgia and the Republic of Turkey was signed on 10 March 2005 on the implementation of Article 9 to the "Agreement between the Republic of Azerbaijan, Georgia and the Republic of Turkey on cooperation in the fight against terrorism, organized crime and other serious crimes". A supplementary protocol between the Ministries of Interior of Ukraine and the Republic of Turkey was signed on 7 July 2005 on the implementation of Article 1 of the "Agreement between the Governments of Ukraine and the Republic of Turkey on Cooperation in the Fight against Crime". A protocol between the Ministries of Interior of Moldova and the Republic of Turkey was signed on 8 February 2005 and put into implementation on "Cooperation in Fight |

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| | | against Human Trafficking within the Framework of Agreement on Cooperation in Fight against Drug Smuggling, International Terrorism and Other Organized Crimes". "Bilateral Cooperation Protocol" was signed with Kyrgyzstan on 5 September 2006. In combatting human trafficking the relevant public authorities are implementing projects, such as "the Project for the Protection of the Victims of Human Trafficking". | |
| | Promotional activities | | |
| | Special initiatives/Progress | 2019 AR: With the collaboration of the Ministry of Justice, UNDP and UNHCR, the Project on Facilitating Access of Refugees to Justice was launched in September 2018 with the aim of strengthening the access of refugees to justice and increasing the capacity of justice institutions. | |
| CHALLENGES IN REALIZING MEASURES TARGETED BY THE PROTOCOL | According to the social partners | Employers' organizations | |
| | | Workers' organizations | |
| | According to the Government | 2019 AR: The main difficulties are: Lack of awareness; b) Lack of information and data; and c) Challenges linked to migration policies. | |
| TECHNICAL COOPERATION NEEDS | Request | 2019 AR: No. | |
| | Offer | | |