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CONSEIL DE L'EUROPE

FACTSHEET – **TÜRKİYE**

Lanzarote Committee Implementation Report on:

"The protection of children against sexual exploitation and sexual abuse facilitated by information and communication technologies (ICTs): addressing the challenges raised by child self-generated sexual images and/or videos (CSGSIV)"

This factsheet was prepared by the Secretariat in March 2023.

It has been updated with information submitted by the Government of Türkiye in March 2025 displayed in orange and blue text boxes.

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I. Introduction

One of the main functions of the Lanzarote Committee ("the Committee") is to monitor the effective implementation of the Lanzarote Convention ("the Convention"). The monitoring procedure is divided into rounds, each concerning a specific thematic area and involving all State Parties ("the Parties") simultaneously. The monitoring rounds start with the launch of a thematic questionnaire, to which the national authorities are asked to respond, and which other relevant stakeholders can comment on. After carrying out its evaluation procedure, consisting of the analysis of such replies, the Committee adopts an implementation report where it draws conclusions about the different national frameworks, strategies and policies in place, makes recommendations to Parties, and highlights promising practices as well as some challenges. Sometime after the adoption of the implementation report, the Committee conducts a compliance procedure with the aim of assessing whether Parties comply with the recommendations made by the Committee as part of the evaluation procedure.

The compliance procedure seeks to assess the follow-up given by Parties to the recommendations made by the Committee in the evaluation procedure. In the implementation report of its 2nd monitoring round concerning the challenges raised by child self-generated sexual images and/or videos, the Committee made three types of recommendations:

- "Require": when the steps the Committee recommends Parties to take correspond to obligations arising from the Convention, as clarified by its explanatory report.
- "Request": when the steps the Committee recommends Parties to take correspond to obligations arising from the Convention, as clarified by documents adopted by the Committee (such as previous monitoring round findings, opinions or other documents).
- "Invite": when the steps the Committee recommends Parties to take correspond to promising practices or other measures to enhance protection of children against sexual violence even beyond specific requirements of the Convention.

At its 41st meeting (13-15 February 2024), the Lanzarote Committee agreed on a new methodology for the assessment of State Parties' compliance with the 2nd monitoring round recommendations (see point 4 of the Appendix to the List of decisions). It entrusted the Secretariat to insert boxes in the 2nd monitoring round country factsheets to highlight where information on follow-up measures taken or changes occurred may be inserted. It is recalled that these factsheets are a synthesis of the Committee's implementation report findings with respect to specific Parties. The factsheets are structured along the lines of the implementation report and the footnotes in this document refer to the specific paragraphs of the implementation report.

The orange boxes contain information submitted by the State Party regarding progress made towards the implementation of the recommendation.

The blue boxes contain examples of national promising practices that respond to "invite" recommendations made by the Committee.

II. Legal frameworks

Interpreting the Convention, in conjunction with its Opinion on child sexually suggestive or explicit images and/or videos generated, shared and received by children (6 June 2019), the Committee identifies what Parties ought to have in place as well as what they are encouraged to do to better protect children against the exploitation of their self-generated sexual images and/or videos (CSGSIV).

Observations and recommendations of the Committee on the legal framework specific to Türkiye

Interplay of the age of criminal responsibility and the age of sexual consent with the criminalisation of conduct related to the production and possession of child sexual abuse material (CSAM) and CSGSIV

The Committee observes that children who are below the age of criminal responsibility, which is the age of 12 in Türkiye, and above the legal age for sexual activities cannot be held criminally liable for production and possession of CSGSIV.[1] However, the Committee notes that relying on the age of sexual consent, to exclude criminal responsibility for the scenarios listed in paragraphs 3-6 of the 2019 Opinion, is insufficient as, in such case, younger children may not be covered from the exemption of criminal responsibility.[2] The Committee highlights that particular attention must be paid where there is a gap between the age of criminal responsibility and the age of consent (particularly where the age of criminal responsibility is relatively low, or the age of sexual consent relatively high).[3]

- The Committee requests that Türkiye ensures in its legal framework[4] that a child will not be prosecuted when he/she possesses:
  - their own self-generated sexually suggestive or explicit images and/or videos;
  - self-generated sexually suggestive or explicit images and/or videos of another child with the informed consent of the child depicted on them;
  - the self-generated sexually suggestive or explicit images and/or videos of another child as a result of receiving them passively without actively asking for them.[5]

Follow-up actions:

There are following provisions in the Turkish Criminal Code No. 5237:

Article 6 – Definitions
''(1) In the application of the criminal law, the terms used herein shall have the following meaning:
...
b) Minor: any person who has not reached the age of 18;
..."

Article 31 - Minors
''(1) Minors who are under the age of twelve at the time of an offence are exempt from criminal responsibility. While such minors cannot be prosecuted, security measures specific to minors may be imposed.
(2) Where a minor is older than twelve but younger than fifteen years at the time of an offence, and he is either incapable of comprehending the legal meaning and consequences of his act or his capability to control his behaviour is underdeveloped, then he shall be exempt from criminal responsibility. However, such minors may be subject to security measures specific to minors. Where the minor has the capability to comprehend the legal meaning and result of the act and to control his behaviours in respective of his act, for offences requiring a penalty of aggravated life imprisonment, a term of twelve to fifteen years of imprisonment shall be imposed and for offences that require a penalty of life imprisonment, a term of nine to eleven years imprisonment shall be imposed. Otherwise, the penalty to be imposed shall be reduced by one-half, and in such cases, the penalty for each act shall not exceed seven years.

(3) Where a minor is older than fifteen but younger than eighteen years at the time of the

[1] Paras. 71, 73.
[2] Para. 73.
[3] Para. 74.
[4] The expression "legal framework" is not limited to legislation but should be understood in a broader way, e.g., through prosecutorial guidance or practice.
[5] Recommendation II-6.

offence, then for offences that require a penalty of aggravated life imprisonment, a term of eighteen to twenty four years of imprisonment shall be imposed and for offences that require a penalty of life imprisonment twelve to fifteen years of imprisonment shall be imposed. Otherwise, the penalty to be imposed shall be reduced by one-third, and in such cases, the penalty for each act shall not exceed twelve years."

Article 134 - Violation of privacy

''(1) Any person who violates the privacy of another person's personal life shall be sentenced to a penalty of imprisonment for a term of one to three years. Where the violation of privacy occurs as a result of recording images or sounds, the penalty to be imposed shall be doubled.

(2) Any person who unlawfully discloses the images or sounds of another person's private life shall be sentenced to a penalty of imprisonment from a term of two to five years. Where such data is published in the press or broadcasted, the penalty to be imposed shall be the same."

Article 135 - Recording of personal data

''(1) Any person who illegally records personal data shall be sentenced to a penalty of imprisonment for a term of one to three years.

(2) Where the personal data relate to another person's political, philosophical or religious opinions, their racial origins; their illegal moral tendencies, sex lives, health or relations to trade unions, the penalty to be imposed in accordance with paragraph one shall be increased by one-half."

Article 226 - Obscenity

''(1) Any person who:

a) gives to a child obscene written or audio-visual materials; or who shows or reads such materials to a child or makes a child read or listen to such materials;

b) shows the content of such materials in a place accessible or visible to a child, or in public, or who exhibits such materials in a visible manner or who reads or talks about such materials, or who induces another to read or talk about such materials to a child;

c) offers such materials for sale or rent in such a manner as to reveal the content of that material;

d) offers for sale, sells or rents such materials in any place other than a specified point of sale;

e) gives or distributes such materials along with the sale of other products or services as a free supplement; or

f) advertises such products;

shall be sentenced to a penalty of imprisonment for a term of six months to two years and a judicial fine.

(2) Any person who broadcasts or publishes obscene written or audio-visual materials or who acts as an intermediary for this purpose shall be sentenced to a penalty of imprisonment for a term of six months to three years and a judicial fine of up to five thousand days.

(3) Any person who uses children, representative images of children or persons looking like a child in the production of obscene written or audio-visual materials shall be sentenced to a penalty of imprisonment for a term of five to ten years and a judicial fine of up to five thousand days. Any person who conveys such materials into the country, who copies or offers for sale such materials or who sells, transports, stores, exports, retains possession of such materials or offers such materials for the use of others shall be sentenced to a penalty of imprisonment for a term of two to five years and a judicial fine of up to five thousand days.

(4) Any person who produces, conveys into the country, offers for sale, sells, transports, stores, offers for the use of others or retains possession of written or audio-visual materials of sexual acts performed by use of force, with animals, on a human corpse, or in any other unnatural manner shall be sentenced to a penalty of imprisonment for a term of one to four years and a judicial fine of up to five thousand days.

(5) Any person who broadcasts or publishes the materials described in paragraphs three and four or who acts as an intermediary for this purpose or who ensures that children see, hear or read such materials shall be sentenced to a penalty of imprisonment for a term of six to ten years and a judicial fine of up to five thousand days.

(6) Legal entities shall be subject to security measures specific to them for involvement in these offences.

(7) The provisions of this Article shall not apply to academic works and, except for paragraph three

and on condition that children are prevented from accessing such, to artistic and literary works."

According to Article 31 of the Turkish Criminal Code, which regulates the provisions on minors; the minors, who are under the age of twelve at the time of an offence, are exempt from criminal responsibility. Therefore, children in this age group shall not be criminally prosecuted. However, by considering the best interests of the child, the security measures specific to minors may be imposed.

Where a minor is older than twelve but younger than fifteen years at the time of an offence, and s/he is either incapable of comprehending the legal meaning and consequences of his/her act or his/her capability to control his/her behaviour is underdeveloped, then s/he shall be exempt from criminal responsibility.

Where a minor is older than twelve but younger than fifteen years at the time of an offence, and the minor has the capability to comprehend the legal meaning and result of his/her act and to control his/her behaviours in respective of his/her act; and where a minor is older than fifteen but younger than eighteen years at the time of the offence; separate provisions on reduction of penalties are included.

In our criminal law system, the consent is regulated in two ways. The first one is the consent of the person concerned, which is regulated in the Article 26 of the Turkish Criminal Code as a general reason for compliance with the law. The second is the consent, which is the material element of the offence and eliminates typicality. If the expressions such as "without consent" and "contrary to consent" are included in the definition of the offence regulated in the law; the consent of the person concerned shall no longer be accepted as a reason for compliance with the law, but as a material element of the offence that eliminates the typicality.

Based on the assumption that the children under the age of fifteen are not able to comprehend the meaning and gravity of sexual behaviours directed towards them due to their lack of sufficient psychological and physical maturity; it is ruled that their consent to sexual behaviours, directed towards them, is absolutely invalid. There are no exceptions to this rule.

In terms of children who have completed the age of fifteen, the consent of those, who have not developed the ability to perceive the legal meaning and consequences of the act of sexual behaviour committed against them, is still considered invalid; and the act constitutes the offence of sexual abuse.

In addition, in our criminal law system, it is accepted that there is no valid consent in the presence of situations affecting the will, such as force, threat and fraud. Again, the consent obtained by taking advantage of the fact that the person is under the influence of alcohol or drugs, is unconscious or asleep, or is under another temporary cause affecting the will, is not accepted as a valid consent.

- The Committee also invites Türkiye to introduce explicit references in its legal framework to conduct concerning CSGSIV, identifying the circumstances when children should not be held criminally liable and when they should be prosecuted only as a last resort.[6]

<u>Criminalisation of conduct related to "offering or making available" CSAM and its relationship with the sharing of their own CSGSIV and of other children</u>

The Committee observes that Türkiye has rules that lead to the criminalisation of the distribution/transmission of their own CSGSIV under special circumstances.[7] It also has rules that lead to the criminalisation of the distribution by children of CSGSIV of *other* children.[8]

The Committee requests Türkiye to ensure that:

- a child will not be prosecuted for sharing his/her sexual images and/or videos

[6] Recommendation II-2.
[7] Para. 78.
[8] Para. 82.

with another child when such sharing is voluntary, consensual, and intended solely for their own private use.[9]

Follow-up actions:

The above explanations also apply here.

- the distribution or transmission by children of self-generated sexually explicit images and/or videos of other children is prosecuted as a last resort when such images and/or videos qualify as "child pornography" in accordance with Article 20(2) of the Lanzarote Convention.[10]

Follow-up actions:

The above explanations also apply here.

<u>On the prosecution of conduct amounting to "sexual extortion of children"</u>

Regarding prosecution of cases of sexual extortion of children involving CSGSIV, Türkiye stated that it could not provide data or details about any such cases.[11]

The Committee observes that in cases of "sexual extortion of children" for the objective of obtaining additional sexual images or videos of the child, prosecutions would only be brought for offences related to child pornography, the presence of a threat not being taken into account.[12] Türkiye also referred to the offence of corruption of children which may be established in recognition of the constituent elements of coercion/extortion.[13]

In cases where the objective of the perpetrator is to obtain other sexual favours from the child depicted on the images/videos or from another child, Türkiye would prosecute for sexual abuse of a child in accordance with Article 18, child prostitution, participation of children in pornographic performances and corruption of children.[14] In addition, the majority of Parties, including Türkiye, would prosecute conduct relating to the possession of the initial child sexual image or video as an offence related to "child pornography" under Article 20.[15]

In cases where the objective of the perpetrator is a financial gain, Türkiye would prosecute for offences related to child pornography and did not refer to extortion or any similar offences.[16]

[9] Recommendation II-8.
[10] Recommendation II-9.
[11] Para. 95.
[12] Para. 99.
[13] Para. 100.
[14] Para. 102.
[15] Para. 103.
[16] Para. 106.

The Committee invites all Parties, including Türkiye:

- Acknowledging that the term "child pornography" can be misleading and undermine the gravity of the crimes it refers to, to rather use the term "CSAM" for material depicting acts of sexual abuse of children and/or focusing on the genitalia of the child following the guidance set out in the "Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse"[17] in the development of future national, regional and international legal instruments and policies addressing the prevention of and protection from sexual exploitation and sexual abuse of children.[18]
- To introduce a definition of "CSAM" in its legal framework, in line with the "Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse".[19]
- to contemplate appropriate legal responses to conduct involving non-visual self-generated sexual material produced by children in the context of offences covered by the Convention.[20]
- to adopt legislative or other measures which promote as a priority educational and other measures that will aim to support children in safely exploring their sexual development while understanding and avoiding risks deriving from the production and possession of self-generated sexual images and/or videos.[21]
- to consider criminalising the offence of "grooming" (solicitation of children for sexual purposes), even when it does not lead to a face-to-face meeting or producing child sexual abuse material.[22]
- to take into account the situation where CSGSIV are used to force, coerce or threaten the child to give additional self-generated sexual images and/or videos, other sexual favours, a financial gain or other gain to the offenders by:
  - either creating a specific incrimination to address this situation,
  - or prosecuting both the initial detention of CSGSIV and the act of extortion.[23]
- to ensure that sexual extortion of children involving CSGSIV is investigated and prosecuted.[24]

[17] The Terminology Guidelines also refer to the term "child sexual exploitation material", indicating that this term can be used in a broader sense, see "Luxembourg Terminology Guidelines", pages 38-40 in particular.
[18] Recommendation II-1.
[19] Recommendation II-3.
[20] Recommendation II-4.
[21] Recommendation II-7.
[22] Recommendation II-10.
[23] Recommendation II-11.
[24] Recommendation II-12.

Promising practices:

III. Investigations and prosecution

In its Interpretative Opinion on the applicability of the Lanzarote Convention to sexual offences against children facilitated through the use of information and communication technologies (ICTs) (12 May 2017), the Committee called on Parties to ensure effective investigation and prosecution of ICT facilitated sexual exploitation and sexual abuse by providing resources and training to responsible authorities.

Observations and recommendations of the Committee on Investigations and Prosecution specific to Türkiye

The Committee observes that Türkiye's investigation, prosecution, and court services are already in line with some of its recommendations as Türkiye has:

- specialised units dealing with ICT-facilitated offences against children within law enforcement, with sections/departments dedicated exclusively to cyber or sexual crimes against children.[25]
- A special bureau for online child abuse crimes operating within the national Cybercrimes Unit, and Cybercrime units operating in every province within police forces.[26]
- prosecution offices dedicated to combating cybercrime that manage cases concerning sexual abuse or exploitation of children facilitated by ICTs.[27]
- specialised sections within the court system which handle ICT facilitated sexual offences committed by children.[28]
- training programmes provided by State authorities for law enforcement agents related to aspects of child sexual exploitation and sexual abuse.[29] The cyber-crimes unit provides training both nationally and internationally.[30] The content of training contains: children's rights and international law, sexual offences and violence against children, combating online child sexual abuse and exploitation, investigative processes, interviewing techniques where a child victim is involved, juvenile delinquency, and international cooperation in cybercrime investigations.[31]
- training programmes provided by State authorities on aspects of child sexual exploitation and sexual abuse for prosecutors,[32] organised by national judicial academies.[33] In Türkiye, the prosecutors' training is rather practical; aspiring prosecutors visit Child Monitoring Centres (ÇİM) for a total of 8 hours, in order to follow investigatory and examination activities in crimes where the victim is a child.[34] The training content includes interviewing children and other procedures, as well as sexual violence against children.[35]
- relevant training programmes provided by State authorities for judges.[36]
- joint training opportunities for judges and prosecutors,[37] involving not only theoretical but also practical elements.[38]
- victim identification units within law enforcement for cases of ICT facilitated sexual offences against children, located within cybercrime or high-tech crime departments.[39]

The Committee also observes that Türkiye makes an active contribution to the INTERPOL's ICSE database through units specialised in cybercrime or high-tech crimes.[40]

On the other hand, Türkiye indicated that a key challenge for a successful prosecution phase is to obtain electronic evidence that can be validly used before courts.[41]

To improve the effective implementation of

[25] Paras. 115, 116.
[26] Para. 119.
[27] Para. 125.
[28] Para. 139.
[29] Paras. 145, 146.
[30] Para. 151.
[31] Para. 152.
[32] Paras. 156, 157.
[33] Para. 159.
[34] Para. 162.
[35] Para. 164.
[36] Para. 167.
[37] Ibid.
[38] Para. 174.
[39] Para. 180.
[40] Para. 186.
[41] Para. 203.

the Convention, the Committee requests Türkiye:

- to ensure that training on ICT facilitated sexual offences against children is available for prosecutors who are or will be working on these issues.[42]

Follow-up actions:

On 31 March 2023, the United Nations Children's Fund (UNICEF) and the Justice Academy of Türkiye signed the "2023 - 2024 Two-Year Work Plan". The aim of this cooperation is to increase the awareness of judges, prosecutors and candidates/assistants on juvenile justice and to create training resources on current needs. In this context, the "Juvenile Justice System Handbook for Judges and Public Prosecutors" prepared within the scope of the "Justice for Children 2011-2015 Project" was revised and a guide was prepared for judges, prosecutors and candidate/assistant judges/prosecutors. The prepared materials and training contents were disseminated through a training of trainers on 30 May-1 June 2022 and 18-20 September 2022 with the participation of 64 people in total, a training on 04-05 December 2023 with the participation of 42 people and a training on 29 February-01 March 2024 with the participation of 67 people. On 23 December 2024, it was deemed appropriate to extend the work plan between UNICEF and Academy until the end of 2025.

Within the scope of the project "Protective and Restorative Approaches for Children in Judicial Processes", of which Academy is the main beneficiary, it is planned to provide training to 1000 judges and public prosecutors in the field of child law.

The subject "Sexual Offenses against Children Facilitated by Information Technologies" is a topic that is frequently exemplified in the aforementioned training contents.

On the other hand, Anti-Cybercrime Workshops or Cybercrime Meetings are held in Türkiye to inform and consult with IT Prosecutors on online child abuse crimes and other IT crimes by Justice Academy.

- to ensure that training on ICT facilitated sexual offences against children is available for judges who are or will be working on these issues.[43]

Follow-up actions:

Within the scope of the Law No. 5651 dated 04.05.2007 on the Regulation of Publications on the Internet and Combating Crimes Committed through these Publications, the Information and Communication Technologies Authority provides regular trainings to those concerned, particularly members of the judiciary.

- to take the necessary legislative or other measures, in conformity with the fundamental principles of their internal law, to ensure an effective investigation and prosecution of ICT facilitated sexual offences against children, allowing, where appropriate, for the possibility of covert operations.[44]

Follow-up actions:

The relevant article of the Criminal Procedure Code is as follows:
Location, listening and recording of correspondence
Article 135- ''(1) The high criminal court or, in cases of peril in delay, the public prosecutor, may decide to locate, listen to or record the correspondence through telecommunication or to evaluate the information about the signals of the suspect or the accused, if during an investigation or prosecution conducted in relation to a crime there are strong grounds of suspicion based on concrete evidence indicating that the crime has been committed and there is no other possibility to obtain evidence. The public prosecutor shall submit his decision immediately to the court for the approval and the court shall make a decision within 24 hours. In cases where the duration expires or the court decides the opposite way, the measure shall be lifted by the public

[42] Recommendation III-16.

[43] Recommendation III-18.

[44] Recommendation III-28.

prosecutor immediately. High criminal court shall decide on the measure to be taken in accordance with this paragraph unanimously. Unanimous vote shall be required in order to decide on this measure upon objection.

(2) The document or report indicating the owner, or if known, the user of the line or communication device about which the injunction is to be taken in accordance with this article shall be added to the request.

(3) The correspondence of the suspect or the accused with individuals who enjoy the privilege of refraining from testimony as a witness shall not be recorded. In cases where this circumstance has been revealed after the recording has been conducted, the conducted recordings shall be destroyed immediately. (As amended by Act 2005-5353)

(4)The decision that shall be rendered according to the provisions of subsection 1 shall include the nature of the charged crime, the identity of the individual, upon whom the measure is going to be applied, the nature of the tool of communication, the number of the telephone, or the code that makes it possible to identify the connection of the communication, the nature of the measure, its extent and its duration. The decision of the measure may be given for maximum duration of 2 months; this duration may be extended for one month. However, for crimes committed within the activities of a crime organization, the judge may decide to extend the duration several times, the judge may decide to extend the duration in addition to the periods above, each time for no longer than one month and not exceeding total three months. (As amended by Act 2005-5353)

(5)The location of a mobile phone may be established upon the decision of the judge, or in cases of delay, by the decision of the public prosecutor, in order to be able to apprehend the suspect or the accused. The decision related to this matter shall include the number of the mobile phone and the duration of the interaction of the establishment. The interaction of establishment shall be conducted for maximum of two months; this duration may be extended for one month.

(6)Decisions rendered and interactions conducted according to the provisions of this article shall be kept confidential while the measure is pending.

(7)The provisions contained in this article related to listening, recording and evaluating the information about the signals shall only be applicable for the crimes as listed below:

a) The following crimes in the Turkish Criminal Code;

1. Smuggling with migrants and human trafficking (Arts. 79, 80),
2. Killing with intent (Arts. 81, 82, 83),
3. Torture (Arts. 94,95),
4. Sexual assault (Art. 102, except for subsection 1),
5. Sexual abuse of children (Art. 103),
6. Qualified robbery (Art. 142) and robbery (Arts. 148, 149)
7 Producing and trading with narcotic or stimulating substances (Art. 188),
8. Forgery in money (Art. 197),
9. Repealed (21/2/2014 – 6526/12),
10. Prostitution (Art. 227, subsection 3) (as amended by Act No. 5353),
11. Cheating in bidding (Art. 235),
12. Bribery (Art. 252),
13. Laundering of values emanating from crime (Art. 282),
14. Armed criminal organization (Art. 314) or supplying such organizations with weapons (Art. 315),
15. Crimes against the secrets of the state and spying (Arts. 328, 329, 330, 331, 333, 334, 335, 336, 337).

b)Smuggling with guns, as defined in Act on Guns and Knifes and other Tools, dated 10.7.1953, No. 6136, (Art. 12),

c)The crime of embezzlement as defined in Act on Banks, Art. 22, subsections (3) and (4),

d)Crimes as defined in Combating Smuggling Act, which carry imprisonment as punishment,

e)Crimes as defined in Act on Protection of Cultural and Natural Substances, Arts. 68 and 74.

(8) No one may listen and record the communication through telecommunication of another person except under the principles and procedures as determined in this Article.''

The Committee also invites Türkiye:

- to ensure that training on the challenges raised by CSGSIV and ICT- facilitated coercion or extortion of children[45] is available to prosecutors and judges.[46]
- to offer joint (or "joined-up") training for professionals, and particularly law enforcement, prosecutors and judges, involved in legal proceedings involving ICT-facilitated child sexual exploitation and sexual abuse, in order to ensure consistency at all stages.[47]

[45] Such trainings can also be part of broader training programmes.
[46] Recommendations III-17 and III-19.
[47] Recommendation III-20.

Generic recommendations of the Committee on investigation and prosecution

On the specialisation and training of authorities

- Mindful of the different contexts in the Parties as recalled in para. 235 of the Explanatory Report, the Committee requests those Parties that are not already doing so to ensure that law enforcement and prosecution units, services or persons specialised in ICT facilitated sexual offences against children are adequately financed to ensure sufficient resources, including staff, equipment and training.[48]

Follow-up actions:

Special units for children were established in judicial authorities and law enforcement units and continue to work.

Within the scope of the training on Judicial Interview Rooms, the Ministry of Justice provided training to Social Workers, Pedagogues and Psychologists working in the Ministry, 577 in 2017 and 572 in 2024, for a total of 1149 officials.

On the other hand, the personnel of the Ministry of Interior, working in the Sexual Crimes against Children unit, participate in in-service trainings in Türkiye and in trainings organized by INTERPOL, EUROPOL, CEPOL, etc. abroad, thus ensuring that the personnel specialize in their field and follow current developments.

The Committee invites all Parties, including Türkiye:

- to ensure that the capacities of any investigative unit specialised in ICT-facilitated sexual offences against children take into account evolving technologies and online behaviours and reflect current practices used by perpetrators. Additionally, the Committee invites all Parties to exchange best practices between the relevant investigative units.[49]
- to ensure that law enforcement units, services or persons specialised in ICT facilitated sexual offences against children adequately cover and/or are specialised in offences against children involving CSGSIV.[50]
- to ensure that units, services or persons within courts responsible for ICT-facilitated sexual offences against children have the necessary specialisation in the intersecting areas of children's rights, sexual abuse and sexual exploitation of children, and ICT technical knowledge.[51]
- to ensure that units, services or persons within courts responsible for ICT-facilitated sexual offences against children have sufficient specialisation in offences involving CSGSIV.[52]

On measures to ensure the effective investigation and prosecution

- The Committee requires all Parties to ensure that investigations and criminal proceedings in ICT facilitated sexual offences against children are treated as priority and carried out without any unjustified delay.[53]

Follow-up actions:

The Department of Combating Cyber Crimes and Provincial Anti-Cyber Crimes Branch Directorates work on a 24/7 basis to address online child obscenity and harassment.

In addition, as a result of cooperation and information sharing with international stakeholders (NCMEC, CPS, INTERPOL, etc.), necessary investigations are urgently carried out against suspicious persons identified.

The Committee also invites all Parties, including Türkiye:

- to ensure that measures, services and technology available to those in charge of identifying child victims of ICT-facilitated sexual

[48] Recommendations III-3 and III-7.
[49] Recommendation III-4.
[50] Recommendation III-5.
[51] Recommendation III-9.
[52] Recommendation III-10.
[53] Recommendation III-30.

offences are up to date, reflect current practices across Parties, including establishing and using national child abuse material databases, and that resources are sufficiently allocated.[54]

- to engage in and strengthen inter-Party cooperation for the purpose of identifying child victims and perpetrators of ICT facilitated sexual offences, including, where appropriate, by providing access to each other's databases or shared databases, including those containing information on such perpetrators.[55]
- to take the necessary legislative or other measures to ensure that preservation of specified stored computer data in connection with a specific criminal investigation or proceedings is made possible, fully upholding the rights of the parties involved.[56]
- to take the necessary legislative or other measures to ensure that the investment in human, financial and physical resources is sufficient to have data generated by ICTs analysed in a timely manner so that investigations are carried out without any unjustified delay.[57]

[54] Recommendation III-24.
[55] Recommendations III-25, III-29.
[56] Recommendation III-31.
[57] Recommendation III-32.

Promising practices:

İhbarWeb operates in Türkiye with the aim of identifying and removing child sexual abuse materials on the internet and is integrated into the INHOPE (Association of Internet Hotline Providers) network. Denunciations made by citizens via ihbarweb.org.tr are evaluated by the Information and Communication Technologies Authority-BTK and necessary actions are taken within the scope of the relevant legislation. For illegal content hosted in Türkiye, access blocking or content removal measures are applied; while content hosted outside Türkiye is forwarded to the competent authorities of the relevant country through INHOPE's international reporting mechanism and necessary actions are initiated. Thanks to INHOPE membership, data can be shared with hotlines operating in different countries within the framework of international cooperation; operational processes are accelerated and best practices that increase effectiveness in combating illegal content are followed. This structure enables the rapid detection and elimination of abuse content that children may be exposed to online and the reporting of perpetrators to judicial authorities.

IV. Jurisdiction rules

Due to their online component, offences related to conducts involving CSGSIV have an inherently international aspect. As the prosecution of offences related to this material may involve more than one jurisdiction, the report analyses the jurisdictional rules in place in the Parties, enabling the determination of which Party may prosecute a particular case and under what conditions.

Observations and recommendations of the Committee on jurisdiction rules specific to Türkiye

Jurisdiction in cases of child sexual exploitation and abuse facilitated by ICTs committed on the territory of a Party: the territoriality principle (Article 25(1)(a-c))

The Committee notes that Türkiye has established laws clarifying the circumstances in which their national criminal law will apply to a transnational situation following the territoriality principle. Pursuant to the article 8 of the Turkish Criminal Code, where a criminal act is partially, or fully, committed in Türkiye, or the result of a criminal act occurs in Türkiye, the offence shall be presumed to have been committed in Türkiye, and be subject to application of Turkish criminal law.[58]

Jurisdiction based on nationality and residency (Article 25(1)(d), (e))

It appears that Türkiye has jurisdiction over offences committed by nationals outside of its territory.

However, the Committee notes that Türkiye does not establish jurisdiction over offences established in accordance with the Convention committed abroad by persons who have their habitual residence in Türkiye.[59]

- Therefore, the Committee requires Türkiye to establish jurisdiction over offences established in accordance with the Convention committed abroad by persons who have their habitual residence in its territory.[60]

Follow-up actions:

The rules regulating Turkish jurisdiction on the subject in our legislation are set out below:

TURKISH CRIMINAL CODE

Offences committed by citizens
Article 11
''(1) If a Turkish citizen commits an offence in a foreign country that would amount to an offence under Turkish law which is subject to a penalty of imprisonment with the threshold for a period more than one year, and he is present in Türkiye, and provided that he has not been convicted for the same offence in a foreign country and a prosecution is possible in Türkiye, he shall be sentenced under Turkish laws, except in regard as to the offences defined in Article 13.
(2) Where the aforementioned offence is subject to a penalty of imprisonment with the threshold for a period less than one year, then criminal proceedings shall only be initiated upon the complaint by the sufferer or a foreign government. In such a case, the complaint must be submitted within six months from the date the citizen entered Türkiye."

Offences committed by foreigners
Article 12
''(1) Where a foreigner commits an offence, other than the ones defined in Article 13, to the detriment of Türkiye, in a foreign country, that would amount to an offence under Turkish law which is subject to a penalty of imprisonment with the threshold for a period more than 1 year, and he is present in Türkiye, he shall be sentenced under Turkish laws. Criminal proceedings shall be subject to the request of the Minister of Justice.

(2) Where the aforementioned offence is

[58] Para. 214.
[59] Para. 217.
[60] Recommendation IV-4.

committed to the detriment of a Turkish citizen or to the detriment of a private law entity established under Turkish laws and the offender is present in Türkiye, provided that there has been no conviction in a foreign country for the same offence, then, upon the complaint by the sufferer, he shall be sentenced under Turkish laws.
(3) If the victim is a foreigner, the offender shall be subject to criminal proceedings, upon the request of the Minister of Justice, provided that the following conditions are fulfilled:
a) the offence is subject to a penalty of imprisonment under Turkish law where the threshold of imprisonment is not less than 3 years; and
b) there is no extradition agreement, or the government of the country where the offence has been committed, or the State of citizenship has refused to grant extradition.
(4) In relation to offences falling into the scope of paragraph one, if a foreigner is convicted or acquitted by a foreign court or the criminal proceedings or penalty against him have been dismissed by such court or the offence becomes one which cannot be the subject of a prosecution, retrial shall be conducted in Türkiye upon the request of the Minister of Justice.
(5) (Added on 18/06/2014 by Law No. 6545 Art. 56) The Minister of Justice's request shall not be a pre-requisite for initiating criminal proceedings for the offences of bribery and trading in influence in cases falling under paragraph one."

Miscellaneous offences
Article 13
''(1) Turkish laws shall apply to the following offences committed in a foreign country by a Turkish citizen or a foreigner:
a) offences defined in Chapter I, Volume II;
b) offences defined in Parts 3-8, Chapter IV, Volume II;
c) torture (Articles 94-95);
d) intentional pollution of the environment (Article 181);
e) production and trade of narcotics or psychotropic substances (Article 188); facilitating the use of narcotics or psychotropic substances (Article 190);
f) counterfeiting money (Article 197); manufacturing and trading of instruments used in the production of money and valuable seals (Article 200); counterfeiting a seal (Article 202);
g) Prostitution (Article 227);
h) (Repealed on 26/06/2009 by Law No. 5918 Art. 1)
i) Seizing control or hijacking of air, sea or rail transport vehicles (Article 223, paragraphs two and three) or offences relating to the damaging such vehicles (Article 152).
(2) (Second paragraph added on 29/06/2005 by Law No. 5377 Art. 3) Except for the offences defined in Parts 3, 4, 5, 6 and 7 of Chapter IV, Volume II, conducting criminal proceedings in Türkiye for offences within the scope of paragraph one shall be subject to the request of the Minister of Justice.
(3) Even if a conviction or acquittal decision has been rendered, in a foreign country, for the offences laid down in paragraph one subparagraphs (a) and (b), criminal proceedings in Türkiye shall be conducted upon the request of the Ministry of Justice."

The regulations in the Turkish Criminal Code under the Convention are set out below:

Sexual abuse of children
Article 103 (Amended on 18/06/2014 by Law No. 6545 Art. 59)
''(1) (First and second sentences revised on 24/11/2016 by Law No. 6763 Art. 13) Any person who sexually abuses a minor shall be sentenced to a penalty of imprisonment for a term of eight to fifteen years. Where the sexual abuse has remained at the level of molestation, the person shall be punished by a penalty of imprisonment for a term of three to eight years. (Sentence added on 24/11/2016 by Law No. 6763 Art. 13) Where the victim has not completed twelve years of age, the penalty to be imposed shall not be less than ten years in the case of abuse and not less than five years in the case of molestation. Where the offender of the offence which remained at the level of molestation is also a minor, conducting an investigation and prosecution shall be subject

to a complaint by the victim, a parent or a guardian. Sexual abuse means:
a) any act of a sexual nature against a minor who has not completed fifteen years of age or, though having completed fifteen years, lacks the competence to understand the legal meaning and consequences of such acts;
b) sexual acts conducted against any other minor with the use of force, threat, deception or any other method which affects the willingness of the child.
(2) (Revised on 24/11/2016 by Law No. 6763 Art. 13) Where the sexual abuse occurs as a result of the insertion of an organ or other object into the body, a penalty of imprisonment for a term of not less than sixteen years shall be imposed. Where the victim has not completed twelve years of age, the penalty to be imposed shall not be less than eighteen years.
(3) Where the offence is committed:
a) with the cooperation of more than one person;
b) by taking advantage of places where people are compelled to live collectively;
c) against a person of blood relationship or kinship by marriage, including third-degree blood relationship, or by step-mother, step-father, step-sibling or adoptive parent;
d) by a guardian, tutor, trainer, teacher, nanny, a protective family or by a health service provider, or by persons responsible for care or observation;
e) by misusing the influence derived from a position in a public office or a service relationship;
the penalties imposed in accordance with the paragraphs above shall be increased by one-half.
(4) Where the sexual assault is committed against a minor described in paragraph one (a) by force or threat, or against a minor described in paragraph one (b) by using weapons, the penalty to be imposed in accordance with the above paragraphs shall be increased by one-half.
(5) Where any force or violence, used with the aim of sexual assault, leads to any aggravated injury on account of its consequences, the provisions of intentional injury shall be applied as well.
(6) Where the offence leads the victim to enter a vegetative state, or die, a penalty of aggravated life imprisonment shall be imposed."

Sexual intercourse with a minor
Article 104
''(1) 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 two to five years, upon complaint.
(2) (Revoked by Constitutional Court Decision dated 23/11/2005, docket no. 2005/103 and decision no. 2005/89; revised on 18/06/2014 by Law No. 6545 Art. 60) Where the offence is committed by a person, who is prohibited to marry the victim, the offender shall be punished by a sentence of imprisonment for a term of ten to fifteen years, without any preconditions of filing of a complaint.
(3) (Added on 18/06/2014 by Law No. 6545 Art. 60) Where the offence is committed by the prospective adoptive parent of the minor, during the pre-adoptive placement of the minor, or when a person assumed the protection, care and custody of the minor or within the context of a protective family, the offender shall be punished under paragraph two above, whether a complaint has been filed with the court or not."

Sexual harassment
Article 105
''(1) Any person, who harasses sexually another person, shall be punished by a penalty of imprisonment for a term of three months and two years or by a judicial fine, upon the complaint of the victim; where the act is committed against a minor, the perpetrator shall be punished by a penalty of imprisonment for a term of six months to three years.
(2) (Amended on 18/06/2014 by Law No. 6545 Art. 61) Where the offence is committed:
a) by taking advantage of one's public office or position or of a family relation;
b) by a guardian, tutor, trainer, teacher, nanny, a protective family or by a health service provider, or by persons responsible for

care or observation;
c) by taking advantage of working at the same workplace;
d) by using mail or electronic media;
e) by exhibition;
the penalty imposed for the offences under the above paragraph shall be increased by one-half. If this act has caused the victim to leave his work, school, or family, the sentence to be imposed shall not be less than one year."

Obscenity
Article 226
''(1) Any person who:
a) gives to a child obscene written or audio-visual materials; or who shows or reads such materials to a child or makes a child read or listen to such materials;
b) shows the content of such materials in a place accessible or visible to a child, or in public, or who exhibits such materials in a visible manner or who reads or talks about such materials, or who induces another to read or talk about such materials to a child;
c) offers such materials for sale or rent in such a manner as to reveal the content of that material;
d) offers for sale, sells or rents such materials in any place other than a specified point of sale;
e) gives or distributes such materials along with the sale of other products or services as a free supplement; or
f) advertises such products;
shall be sentenced to a penalty of imprisonment for a term of six months to two years and a judicial fine.
(2) Any person who broadcasts or publishes obscene written or audio-visual materials or who acts as an intermediary for this purpose shall be sentenced to a penalty of imprisonment for a term of six months to three years and a judicial fine of up to five thousand days.
(3) Any person who uses children, representative images of children or persons looking like a child in the production of obscene written or audio-visual materials shall be sentenced to a penalty of imprisonment for a term of five to ten years and a judicial fine of up to five thousand days. Any person who conveys such materials into the country, who copies or offers for sale such materials or who sells, transports, stores, exports, retains possession of such materials or offers such materials for the use of others shall be sentenced to a penalty of imprisonment for a term of two to five years and a judicial fine of up to five thousand days.
(4) Any person who produces, conveys into the country, offers for sale, sells, transports, stores, offers for the use of others or retains possession of written or audio-visual materials of sexual acts performed by use of force, with animals, on a human corpse, or in any other unnatural manner shall be sentenced to a penalty of imprisonment for a term of one to four years and a judicial fine of up to five thousand days.
(5) Any person who broadcasts or publishes the materials described in paragraphs three and four or who acts as an intermediary for this purpose or who ensures that children see, hear or read such materials shall be sentenced to a penalty of imprisonment for a term of six to ten years and a judicial fine of up to five thousand days.
(6) Legal entities shall be subject to security measures specific to them for involvement in these offences.
(7) The provisions of this Article shall not apply to academic works and, except for paragraph three and on condition that children are prevented from accessing such, to artistic and literary works."

Prostitution
Article 227
''(1) 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 to a penalty of imprisonment for a term of four to ten years and a judicial fine of up to five thousand days. The preparatory acts for the commission of this offence shall be subject to penalty as if they were completed offences.
(2) Any person who encourages another to become a prostitute or who facilitates or acts as an intermediary for such or who provides

an environment for such purpose shall be sentenced to a penalty of imprisonment for a term of two to four years and a judicial fine of up to three thousand days. Earning a living, totally or partially, from the proceeds of prostitution shall be presumed to be an encouragement to prostitution.
(3) (Repealed on 06/12/2006 by Law No. 5560 Art. 45; revised on 24/11/2016 by Law No. 6763 Art. 18) Any person who gives, distributes or disseminates written or audio-visual materials prepared for facilitating prostitution or acting as an intermediary for such shall be sentenced to a penalty of imprisonment for a term of one to three years and a judicial fine of two hundred to two thousand days.
(4) The penalty to be imposed according to the aforementioned paragraphs shall be increased by one-half to one-fold, where a person encourages or secures an individual to engage in prostitution through the use of force or threat, by deceit, or by taking advantage of another's desperation.
(5) The penalty to be imposed shall be increased by one-half where the offences defined in the aforementioned paragraphs are committed by a spouse, direct-ascendants, direct ascendants-in-law, sibling, adopting parent, guardian, trainer, educator, nurse or any other person responsible for the protection and supervision of a person; or by misusing a power derived from a public office or service relationship.
(6) The penalty to be imposed according to the aforementioned paragraphs shall be increased by one-half where the offence is committed in the course of the activities of a criminal organisation.
(7) Legal entities shall be subject to security measures specific to them for involvement in these offences.
(8) Any person who has been forced into prostitution may be given treatment or psychological therapy."

If the above-mentioned offences have been committed by a foreigner outside Türkiye against a foreign victim and the law stipulates a prison sentence of not less than 3 years for this offence and the perpetrator is also in our country; it is possible to hold a trial in Türkiye upon the request of the Minister of Justice. For this purpose, the offence must have been committed in a country that does not have an extradition treaty with the Republic of Türkiye or the extradition request must not have been accepted by the government of the country where the offence was committed or the state of nationality of the perpetrator.

On the other hand, in order for Turkish jurisdiction to be in question in the event that the offence of prostitution is committed by a foreigner in a foreign country, the Minister of Justice must make a request, as stipulated in the sub-paragraph (g) of the paragraph 1 of the Article 13 of the Turkish Criminal Code.

<u>Jurisdiction not subordinated to the condition that prosecution can only be initiated following a report from the victim or denunciation from the State where the offence was committed (Article 25(6))</u>

The Committee notes that Türkiye did not provide information on whether it subordinates jurisdiction to the condition that prosecution can only be initiated following a report from the victim or denunciation from the State where the offence was committed, for offences committed by its nationals, or persons having their habitual residence in its territory.

- Therefore, the Committee requires Türkiye to remove the requirement that prosecution can only be initiated following a report from the victim or a denunciation from the State of the place where the offence was committed for offences of sexual abuse (Article 18), offences concerning child prostitution (Article 19), the production of "child pornography" (Article 20(1)(a)) and offences concerning the participation of a child in pornographic performances (Article 21), when committed by one of their nationals or by a person who has his or her habitual residence in its territory.[61]

[61] Recommendation IV-5.

Follow-up actions:

The regulations on the jurisdiction of Türkiye in relation to these offences were included in the above-mentioned follow-up actions.

Jurisdiction not subordinated to the condition that the acts are criminalised at the place where they were performed (Article 25(4)): the dual criminality principle

The Committee observes that under the Turkish Criminal Code, if a Turkish citizen commits an offence in a foreign country punishable by imprisonment for one year or more, and if the offender is found in Türkiye, then the offender is punished according to the Turkish laws provided that this person is not convicted in the said foreign country for the same offence and there is possibility for a trial to proceed in Türkiye. This trial is filed only upon complaint by the injured party or the foreign country. In such cases, the complaint must be brought within six months of the date of entry into Türkiye.[62] Additionally, under Article 12 of the Turkish Criminal Code, a foreign offender who committed an offence against a foreign victim can be subject to criminal proceedings in Türkiye upon request from the Minister of Justice, if the offence is subject to a penalty of imprisonment of a threshold of at least 3 years and there is no extradition agreement applicable, or the State where the offence has been committed or of which the offender is a national refuses to grant extradition.[63]

Jurisdiction in cases of child sexual exploitation and abuse facilitated by ICTs committed against nationals or habitual residents of a Party: the passive personality principle (Art. 25(2))

As detailed in the Explanatory Report of the Convention, Parties are not obliged, but can endeavour, to establish jurisdiction over an offence committed against one of its nationals or a person having habitual residence in the territory under Article 25(2). The passive personality principle is applied only in respect of offences committed against a national in Türkiye.[64] Further conditions of prosecution in these cases are the report of the victim and existence of proceedings or investigations brought in the State where the offence was committed.[65]

- Therefore, the Committee requests Parties that are not already doing so, including Türkiye, to endeavour to take the necessary legislative or other measures to establish jurisdiction over any offence established in accordance with the Lanzarote Convention where the offence is committed against one of its nationals or a person who has his or her habitual residence in its territory.[66]

Follow-up actions:

[62] Para. 225.
[63] Para. 230.
[64] Para. 231.
[65] Para. 233.
[66] Recommendation IV-9.

Promising practices:

İhbarWeb, the Internet Hotline of Türkiye, operates to eliminate sexual abuse against children on the internet. It is also a member of INHOPE to strengthen international cooperation. Thanks to INHOPE membership, faster and more effective intervention against illegal content is ensured; and information and operational support is shared within the framework of cooperation with hotlines, operating in different countries. It becomes possible to increase technical capacity in the fight against global scale, to follow international best practices and to develop effective solutions within the framework of the relevant legislation. In addition, a more coordinated and effective structure is created in the fight against cross-border crimes, thus strengthening efforts to protect children online.

V. International cooperation

The implementation report also analyses cooperation practices and examples of coordinated international responses, not only in the fight against sexual exploitation and abuse of children, but also in areas related to the prevention, protection and assistance of child victims and persons related to them.

Observations and recommendations of the Committee on international cooperation specific to Türkiye

The Committee observes that INHOPE,[67] WeProtect Global Alliance,[68] and ECPAT[69] conduct cooperation projects to prevent and combat sexual exploitation and sexual abuse of children in Türkiye.[70]

- To improve the effective implementation of the Convention, the Committee requires Türkiye to ensure that victims of sexual exploitation or sexual abuse in matters related to CSGSIV in the territory of a Party other than the one where they reside may make a complaint before the competent authorities of their State of residence.[71]

Follow-up actions:

If the victims apply to the Turkish Consulates General in their state of residence, the matter is forwarded to our country and the necessary procedures and transactions are carried out.
In case of Turkish jurisdiction, it is possible to conduct investigations and prosecutions in our country.

[67] www.inhope.org/
[68] https://www.weprotect.org/
[69] https://ecpat.org/
[70] Para. 255.
[71] Recommendation V-17.

- On international cooperation, the Committee requests all Parties, including Türkiye, to extend their international cooperation with other Parties to improve the effective implementation of the Lanzarote Convention.[72]

Follow-up actions:

In order to improve international cooperation, training programs are organized between our country and other countries, on-site visits and meetings are held in the field of cybercrime, and experiences are shared.

International Cooperation Mechanisms: Türkiye is a member of Interpol's Unit for Combating Sexual Exploitation of Children.
The Internet Hotline of Türkiye, İhbarWeb (http://ihbarweb.org.tr), is used as a public mechanism to report problems related to the protection of children online. Operating under the BTK, this hotline is particularly active in combating illegal online content related to sexual abuse of children. İhbarWeb has also become a member of INHOPE to enhance international cooperation. By participating in the INHOPE network, it operates to detect and remove online child abuse content.

The Committee invites all Parties, including Türkiye:

- to assess, strengthen and develop international cooperation with other Parties to prevent and combat sexual exploitation and sexual abuse of children and to provide assistance to victims in matters related to CSGSIV.[73]
- to expand international cooperation with countries which are not Parties to the Lanzarote Convention to disseminate the standards of the Lanzarote Convention, including for the purpose of preventing and combating sexual exploitation and sexual abuse of children, for the purpose of protecting and providing assistance to victims and concerning the offences established in accordance with the Lanzarote Convention, in matters related to CSGSIV.[74]
- to regularly assess the difficulties that they face when dealing with international cooperation and remedy them.[75]
- to strengthen cooperation with relevant intergovernmental bodies and with transnational networks and other international organisations and initiatives due to their capacity to mobilisation, their worldwide scope, and their flexibility to work, for the purpose of preventing and combating sexual exploitation and sexual abuse of children as well as for protecting and providing assistance to victims, in matters related to CSGSIV.[76]
- to consider requesting the establishment of cooperation projects managed by the Council of Europe to assist them in their efforts to preventing and combating sexual exploitation and sexual abuse of children in matters related to CSGSIV.[77]
- to support regional and international capacity building efforts to improve policy and operational measures including the pooling and sharing of successful education and awareness-raising tools for the purpose of preventing and combating sexual exploitation and sexual abuse of children in matters related to CSGSIV.[78]
- to maintain and develop efforts to strengthen international cooperation with other Parties and non-Parties to the Lanzarote Convention, in investigation and proceedings concerning the offences established in accordance with the Lanzarote Convention, in particular in the area of police cooperation, namely ensuring that their law-enforcement agencies can connect and contribute to the Europol and Interpol databases, and develop the areas of data, training, vetting, and selection, in matters related to CSGSIV.[79]

[72] Recommendation V-3.
[73] Recommendations V-6, V-11.
[74] Recommendations V-4, V-7, V-12, V-15.
[75] Recommendation V-5.
[76] Recommendations V-8, V-13.
[77] Recommendation V-9.
[78] Recommendation V-10.
[79] Recommendations V-14, V-16.

- to integrate, where appropriate, prevention and the fight against sexual exploitation and sexual abuse of children in matters related to CSGSIV, in assistance programmes for development provided for the benefit of third States.[80]

[80] Recommendation V-19.

Promising practices:

The Department of Combating Cyber Crimes of the Ministry of Interior identifies foreign individuals, who share images of child abuse; and the findings are sent to the relevant countries for voluntary information sharing. In this context, 155 foreign individuals from 42 different countries were identified and reported to their countries in 2024.

VI. Assistance to victims

This chapter provides a comparative study of national mechanisms and measures for assisting child victims of sexual exploitation and abuse, particularly where this results from the CSGSIV.

Observations and recommendations of the Committee on assistance to victims specific to Türkiye

The Committee observes that, although Türkiye has legislation containing adequate provisions to assist child victims, it concerns the protection of children in general.[81] In addition, Türkiye acknowledged that it has no specific data on any dimension of the proportion of child victims in contexts of abuse facilitated by ICTs.[82]

- Therefore, the Committee requires Türkiye to take the necessary legislative or other measures to assist child victims of sexual exploitation and abuse, in the short and long term, in their physical and psycho-social recovery, these measures must take due account of the child's views, needs and concerns.[83]

Follow-up actions:

As a result of the efforts carried out to provide information, guidance and psycho-social support services for victims of crime, and to establish an effective, sustainable and accessible victim support system within the framework of the principles of restorative justice and social rule of law for all victims, especially victims in the vulnerable group in the judicial process; the "Directorates of Judicial Support and Victim Services" (ADM) were established in the courthouses. The Directorates carry out activities to strengthen access to justice for those involved in the judicial process, and provide various services to victims in vulnerable groups such as children, who are identified to be more affected by crime due to their individual characteristics. In this context, the services such as taking various measures to prevent repeated victimization of vulnerable victims and communicating them to judges and public prosecutors, accompanying them by experts during hearings to ensure that they understand the court process and reduce their anxiety levels, referring and following up those who are found to need psycho-social support after the judicial process to relevant institutions, are provided. For the victims who are more affected by the crime and in need of support, a judicial support plan is prepared by the judicial support officers working in the vulnerable group support office as a result of an individual assessment, and effective support services are provided by applying case management if necessary. Case management is applied to the victims, who have suffered severe trauma due to the effects of the crime, who have been subjected to sexual assault or abuse, who are more affected by the crime due to their age or gender, and who lack family or other social environment support.

With this new victim-focused structuring, it is aimed that victims can receive psycho-social support throughout the judicial process and that the effects of the crime in the judicial process are minimized and secondary victimization is prevented.

In line with the request of the court or the Chief Public Prosecutor's Office, the judicial support officers prepare a social investigation report by conducting interviews with the parties and children and conducting home visits, and by taking into account the views and needs of children. They also conduct the necessary examinations and evaluations in the social environment of juveniles pushed to crime in their homes, schools and social environments, and they point out the measures to be taken to keep children away from crime and criminal environments in the reports they prepare.

The Department of Judicial Support and

[81] Para. 286.
[82] Para. 296.
[83] Recommendation VI-3.

Victim Services is conducting a "service mapping" study in order to ensure the necessary efficiency in directing children to the services offered to them by other institutions after they are served by ADMs. The aim of this study is to create province-based service maps on the services that all children can receive in terms of both cautionary decision and referral processes within the judicial support system, thus facilitating children's access to services that meet their needs.

A new model called the Juvenile Justice Centre (ÇAM) was introduced in Türkiye. ÇAMs were established by structuring juvenile courts, the juvenile bureau of the chief public prosecutor's office and the directorate of judicial support and victim services together in one building. These centres also include the bar association, forensic medicine specialist, social services officer, law enforcement juvenile investigation bureau, universities and other relevant units in order to ensure holistic service provision in the field of juvenile justice and child protection in accordance with the best interest of the child and to ensure that all judicial procedures for children are carried out in this centre by applying child-friendly procedures. ÇAM was first established in Erzurum province and the centre was put into operation on 20 November 2021 on the World Children's Day. Within the scope of the activities carried out to expand the number of ÇAMs, the centres were opened in Bursa on 19 January 2024 and in **Eskişehir** on 15 November 2024.

Within the scope of preventing the victimization of children from the moment they encounter the justice system and benefiting from the psychosocial support services they need, the judicial interview rooms (AGO) were introduced to receive the statements and declarations of victims, witnesses, juveniles pushed to crime, victims of sexual crimes and domestic violence crimes and other vulnerable victims in special environments in the presence of experts.

A Child Monitoring Centre (CMC) is a centre, where all the necessary personnel and equipment are available to take the statement of a child suspected of being sexually abused, conduct an examination, prepare a report and conduct a family interview, and where the best interests of the child are taken into consideration at every stage of the procedures. ÇİMs and AGOs are practices, which support child participation, are based on the best interests of the child and complement each other by considering the needs of the child.

- Additionally, the Committee invites Türkiye to ensure that the assistance measures are available to child victims of sexual exploitation and abuse facilitated by ICTs, including of offences due to the production, possession, distribution or transmission of CSGSIV.[84]

[84] Recommendation VI-4.

- The Committee also invites all Parties, including Türkiye, to promote awareness raising or specialised training for professionals who advise children through telephone or internet helplines on ICT-facilitated sexual exploitation and abuse of children –including the risks associated with CSGSIV– and how to provide appropriate support to victims and to those who wish to help them.[85]

[85] Recommendation VI-2.

Promising practices:

Within the Directorate of Judicial Support and Victim Services of the Ministry of Justice, there are the following offices:
a) Information and referral office,
b) Vulnerable group support office,
c) Criminal proceedings support office,
ç) Civil proceedings support office,
d) Legal assistance services office,
e) Office for child delivery and personal relationship with the child.

VULNERABLE GROUP SUPPORT OFFICE
In this office, psychosocial support is provided by preparing a judicial support plan for victims, who are identified to be in the vulnerable group as a result of individual assessment; and the case management is applied in services for victims who need effective support in the judicial process.

CRIMINAL PROCEEDINGS SUPPORT SERVICES
Expert support in the hearing of victims, opinions on whether the person is able to express himself/herself comfortably during the statement or declaration, whether his/her physical and mental development is compatible with his/her age and other indicators are presented.

Services for children:
- The public prosecutor may request the appointment of a judicial support officer from the directorate in order to determine appropriate protective and supportive measures, to take the child's statement, to prepare a social investigation report or to carry out other procedures about the child as a result of the measure-oriented approach in accordance with the principle of the best interest of the child.
- The court or judge may request the appointment of a judicial support officer from the directorate in order for the child to express himself/herself comfortably during the statement taking, preparation of the social investigation report or other procedures and to determine appropriate protective and supportive measures.
- If it is understood by the judicial support officer during the above procedures that the child may be included in the vulnerable group, the child is directed to the vulnerable group support office for individual assessment.

Within the scope of in-service training for judicial support officers (social workers, psychologists, psychological counsellors) employed in these offices, the following courses are given by expert trainers at the Ankara Personnel Training Centre by the Ministry of Justice Training Department:
- Recognizing the maltreated child, signs and symptoms in abused children
- Legislation and practices regarding crimes against sexual immunity
- Children involved in the judicial process
- Common childhood psychopathologies
- Special situations in interviewing children
- Child development processes (physical, sexual, language, psychological, moral)

On the other hand, efforts are underway to disseminate the practices of the directorate of judicial support and victim services (ADM), juvenile justice center (ÇAM), judicial interview rooms (AGO)

and child monitoring centre (ÇİM).

In addition, the "Social Media Working Group" was established within the Ministry of Family and Social Services in order to identify the risks that children may face through digital media and to carry out protective and preventive activities against these risks. Within the scope of the activities of the Social Media Working Group, the content, which children encounter and/or may encounter in digital environments, is closely monitored; the risks are identified and the preventive activities are carried out to prevent these risks.

Both institutional and inter-institutional intervention processes are carried out for content that may negatively affect the development of children. At the same time, we also intervene in content, where children are exposed to neglect and abuse.

Accordingly, the identified negative content is blocked/removed. In addition, necessary psychosocial support is provided for children, who are found to be exposed to risk in content published on the internet, and necessary social service intervention is carried out in line with the needs.

In order to inform children, parents, those working in the field of children or with children, and the public, and to ensure communication with the afore-mentioned groups and to raise awareness, a website called Child Friendly Practices (DUY) was established. With the DUY website, it is aimed to report the content in written, visual, audio and digital publications, which may be harmful for children, to the platforms established within the Ministry of Justice, to be examined by experts and to carry out the necessary activities regarding the inappropriate content in question.

VII. Civil society involvement and cooperation

Civil society's involvement in protecting children against sexual exploitation and sexual abuse is crucial and acknowledged by the Convention. Projects and programmes carried out by civil society, as well as cooperation between the competent state authorities and civil society, cover a wide range of issues.

Observations and recommendations of the Committee on civil society involvement and cooperation specific to Türkiye

The Committee observes that Turkish authorities encourage the implementation of prevention projects and programs carried out by civil society not only at the national level but also at the local level.[86] The interaction with civil society includes preventive and awareness-raising activities to minimise the risk of abuse that children face online.[87] Additionally, civil society is consulted during the drafting of new legislation in Türkiye.[88]

Other civil society projects - whether or not carried out in cooperation with the State - aimed at preventing abuses related to the sharing of such content are field research and analysis in Türkiye.[89]

To improve the effective implementation of the Convention, the Committee requires Türkiye:

- to involve civil society bodies in the implementation of preventive measures in the field of sexual exploitation and abuse of children.[90]

Follow-up actions:

- to encourage the financing of projects and programmes carried out by civil society aiming at preventing and protecting children from sexual exploitation and sexual abuse.[91]

Follow-up actions:

[86] Para. 307.
[87] Para. 320.
[88] Para. 313.
[89] Para. 323.
[90] Recommendation VII-1.
[91] Recommendation VII-2.

Generic recommendations of the Committee on civil society involvement and cooperation

The Committee invites all Parties, including Türkiye:

- to expand cooperation with civil society to better prevent sexual exploitation and sexual abuse of children, including when facilitated by ICTs and the challenges raised by the exploitation of CSGSIV.[92]
- to ensure that the forms of cooperation that take place with civil society in the field of prevention and protection of children against sexual exploitation and abuse are of a sustainable nature.[93]
- to support civil society to carry out projects and programmes that include the issue of CSGSIV.[94]
- to encourage the participation of children, according to their evolving capacity, in the development and implementation of state policies, programmes or other initiatives[95] and to seek children's views at the stage of drafting new legislation concerning the fight against sexual exploitation and sexual abuse of children, including when facilitated by ICTs and as regards CSGSIV.[96]

[92] Recommendation VII-3.
[93] Recommendation VII-4.
[94] Recommendation VII-5.
[95] Parties are also invited to provide example(s) of how children's views are taken into account in the context of the participation of children.
[96] Recommendations VII-6, VII-7.

Promising practices

In Türkiye, the Child Protection Code provides that public authorities, families and non-governmental organisations and other stakeholders shall work in collaboration for the protection of children, including from sexual abuse and exploitation. In 2014, the Ministry of Interior issued a circular on "Measures to Prevent Sexual Abuse of Children Online", which foresees that awareness-raising activities should be carried out in partnership with civil society and local governors.

Promising practices:

VIII. Promoting awareness of the risks of sexual exploitation and sexual abuse faced by children generating and/or sharing sexual images and/or videos of themselves

The Articles 5, 6 and 8 of the Convention establish that States Parties should take the necessary measures to prevent all forms of child sexual exploitation and abuse and to protect children from their effects. Awareness-raising is one type of preventive measure.

Observations of the Committee on promoting awareness of the risk of sexual exploitation and sexual abuse faced by children generating and/or sharing sexual images and/or videos of themselves specific to Türkiye

The Committee observes that in Türkiye videos are broadcast on television in order to reach a wider audience and make families aware of the risks that children may come across online, how to keep a watch on children's internet use, how to use secure internet software and, in the event of a criminal offence, how to call the police.[97]

The Committee also observes that, although they are not necessarily specific to co-ordination of awareness-raising activities about the risks of sexual exploitation and sexual abuse faced by children generating and/or sharing sexual images and/or videos of themselves, co-ordination between ministries and other institutions involved in protecting children from sexual abuse is carried out by local authorities and district governors.[98]

[97] Para. 374.

[98] Para. 378.

Generic recommendations of the Committee on promoting awareness of the risk of sexual exploitation and sexual abuse faced by children generating and/or sharing sexual images and/or videos of themselves

The Committee invites all Parties, including Türkiye:

- to ensure that explanations of the risks of sexual exploitation and sexual abuse faced by children generating and/or sharing sexual images and/or videos of themselves, with or without coercion, are included in the awareness-raising campaigns that they promote or conduct, whatever the target audience.[99]
- to ensure that awareness-raising for children about the risks that they face when generating and/or sharing sexual images and/or videos of themselves takes place early enough, before they reach their teens, and that it is "adapted to their evolving capacity" or, in other words, their age and degree of maturity.[100]
- to use unchanged, wherever possible, the awareness-raising tools, materials and activities mentioned in this report or else to adapt them to their national contexts and their own languages and, if necessary, develop new ones, concentrating on videos and distribution through social media.[101]
- to have available awareness-raising tools, materials, and activities suitable for children with disabilities.[102]
- to ensure that awareness-raising for children regarding the risks of sexual exploitation and sexual abuse that they face when generating and/or sharing sexual images and/or videos of themselves is led first and foremost by their peers.[103]
- to promote themselves and to encourage the information and communication of the technology sector, the media, and other professionals to raise awareness among children, their parents, persons having regular contact with children, and the general public about the risks of sexual exploitation and sexual abuse faced by children generating and/or sharing sexual images and/or videos of themselves and about the preventive measures that can be taken.[104]
- to step-up awareness-raising for parents and persons with parental authority about the risks of sexual exploitation and sexual abuse faced by children generating and/or sharing sexual images and/or videos of themselves and about the preventive measures that can be taken.[105]
- to promote or conduct awareness-raising campaigns for the general public providing information about the risks of sexual exploitation and sexual abuse faced by children generating and/or sharing sexual images and/or videos of themselves and about the preventive measures that can be taken.[106]

[99] Recommendation VIII-1.
[100] Recommendation VIII-2.
[101] Recommendation VIII-3.
[102] Recommendation VIII-4.
[103] Recommendation VIII-5.
[104] Recommendation VIII-6.
[105] Recommendation VIII-7.
[106] Recommendation VIII-8.

Promising practices:

The Ministry of National Education identified the role of the family in education as a separate field of study for the 2024-2025 academic year. Within the scope of the project, the "Velivision Platform" was established to strengthen school and family cooperation and to contribute to holistic education in social and academic aspects. The platform developed a "Parent Education Program" to support parents in raising their children as successful and happy individuals.

The program includes the importance of healthy and effective communication between parents and their children, teachers, school administration and other parents, and the achievements related to this. In line with the content of the program, mini-series of 27 episodes of 8-10 minutes under 12 main topics were prepared on the "Velivizyon" platform. As part of the Velivizyon platform, the series "My Family (Ailem)", which aims to reinforce the role of families in education, is broadcasted on EBA, HEMBA, national TV channels and digital platforms in addition to the Velivizyon Platform. In addition, 17 public service announcements were prepared to be shown on national channels as part of the Parent Education Program. The program consists of 12 basic topics. Among the topics, "Contribution to Digital Skills" covers how parents should be careful about cyberbullying and what they should do to protect their children. In addition, "Peer Relationships" explains the importance of parents cooperating with the school administration to protect their children from peer bullying.

In addition, within the scope of face-to-face training programs, the game and activity-based "Maarif Model Parent School" course program was prepared, in which the duties and responsibilities of parents in the Turkish Century Education Model are included, our cultural richness is transferred to children by parents through games and activities, eight topics such as family in Turkish social life, neighbourhood culture, kinship and neighbourhood relations, digital education in the household, participation in social activities and the effect of environmental awareness on children and families are addressed with twenty-four activities; and the emphasis is on the family, spending quality time with children. The program also includes 40 Game/Activity suggestion forms for families to spend quality time with their children.

Maarif Model Parent School course program was published in the Family School area of the e-Yaygın system on 7 November 2024 and made open for application. The Maarif Model Parent School Course Program lasts a total of 32 lesson hours in 8 topics, including "In-household digital education".

As of 14.11.2024, the programs in the Family School area were updated. In 2024, 67.382 trainees participated in the courses opened under the Family School area and a total of 1.902.382 people were reached through the courses under this area.

On the other hand, the law enforcement units provide information seminars at schools. In this way, children of all ages are told about the risks and threats they may face on the internet, and it is aimed to ensure safe internet use.

IX. Education for children

While the protection of child victims and the prosecution of offenders are key elements in the fight against the sexual exploitation and sexual abuse of children, preventing them from occurring in the first place is paramount. Informing children about the risks of sexual exploitation and sexual abuse and how to protect themselves is the cornerstone of prevention.

Observations and recommendation of the Committee on education for children specific to Türkiye

The Committee observes that the challenges raised by CSGSIV are explicitly addressed in the national curriculum of Türkiye.[107] The information on the risks of sexual exploitation and sexual abuse facilitated by ICTs and/or on the challenges raised by CSGSIV is delivered in the framework of topics related to "ICT and software" and "Life Sciences".[108] However, the information related to CSGSIV raised by ICTs is provided only during elementary/primary education.[109]

Therefore, to improve the effective implementation of the Convention, the Committee requires Türkiye:

- to ensure that all children at primary and secondary level receive information about the risks of child sexual exploitation and sexual abuse facilitated by ICTs. Organising lectures and/or activities on this topic should not be left to the discretion of schools or teachers.[110]

Follow-up actions:

The Ministry of Family and Social Services provides Turkish Anti-Addiction Trainings (substance addiction and technology addiction modules), developed by the Turkish Green Crescent Society for children benefiting from social service models, their parents and care staff.

On the other hand, within the scope of the strategy titled "Protection of Children" in the 3rd National Action Plan adopted by the Migration Board;
- Parents will be made aware of the trafficking of children.

- Information campaigns will be organized for children on the safe use of the internet.
- In coordination with the General Command of Gendarmerie, Turkish National Police and the Ministry of National Education, the information campaigns will be carried out in primary, middle and high schools against the risk of children pushed into crime.
- Monitoring and prevention activities will be carried out for children, who do not attend school.
- Measures to protect unaccompanied or separated children will be strengthened.
- Measures to prevent early marriages, including child marriage, and forced marriages will be increased.
- Measures to prevent child labour will be increased.
- Virtual inspections on digital platforms that may be subject to human trafficking will be increased.

The Committee also invites Türkiye:

- to ensure that information on the risks of child sexual exploitation and sexual abuse facilitated by ICTs, including as regards CSGSIV, is provided to children during both primary and secondary education (whether as part of the national curricula or in the context of non-formal education for children at these levels).[111]
- to provide information to children on the risks of child sexual exploitation and abuse facilitated by ICTs, including as regards CSGSIV, within a more general context of sexuality education.[112]
- to ensure that parents, caregivers and educators are involved, where appropriate, in the

[107] Para. 383.
[108] Para. 398, 399.
[109] Para. 393.
[110] Recommendation IX-3.
[111] Recommendation IX-2.
[112] Recommendation IX-7.

provision of information to children on the risks of child sexual exploitation and sexual abuse facilitated by ICTs, in particular as regards CSGSIV.[113]

[113] Recommendation IX-8.

The Committee invites all Parties, including Türkiye:

- to consistently involve children in the development of internet safety awareness programmes.[114]
- to ensure that there is a standing national internet safety resource, with an ongoing programme of activities.[115]
- to provide information to children on child sexual exploitation and sexual abuse, facilitated by ICTs, including as regards CSGSIV, in their national curriculum or other non-formal educational contexts, in a form which is adapted to the evolving capacity of the children and therefore which is appropriate for their age and maturity.[116]

[114] Recommendation IX-4.
[115] Recommendation IX-5.
[116] Recommendation IX-6.

Promising practices:

In 2017, the Safe Internet Centre was established within the BTK to protect society from the risks of the internet, to inform children, youth and families about the safe, effective and conscious use of the internet, and to find solutions to problems arising within the framework of the relevant legislation (Law No. 5651) (www.gim.org.tr). The Safe Internet Centre consists of the Internet Helpline, Internet Reporting Line and Awareness Centre units and has a similar structure to the Safe Internet Centres in European countries.

Trainer trainings are organized in cooperation with the Ministry of Health, the Ministry of Youth and Sports, the Ministry of Family and Social Services, the Ministry of National Education and other public institutions and non-governmental organizations to ensure the continuity of awareness raising and to reach all segments of society. Awareness campaigns for parents, educators and children are regularly organized.

In addition, face-to-face and online training programs and seminars are organized by the Safe Internet Centre and BTK Academy to provide information about harmful content that children may encounter online and to explain the steps that can be taken in case they encounter such content. In addition, trainings are provided on the safe, conscious and responsible use of the internet and information technologies. This centre provides information on the conscious, safe and effective use of the internet, organizes trainings and seminars, and prepares and distributes posters and brochures. The organization of such activities by non-governmental organizations and public and private sector organizations operating in the sector is encouraged and the coordination is ensured. Information on the conscious, safe and effective use of the Internet is also shared online at website "www.guvenliweb.org.tr."

Furthermore, within the scope of the Safe Internet Program established by the European Commission, Safe Internet Day is celebrated every year on the first Tuesday of February in more than 180 countries around the world with various activities that raise awareness on the conscious and safe use of the Internet, especially for children and young people; and Safe Internet Day activities are organized in Türkiye under the coordination of BTK.

On the other hand, the Ministry of National Education included a "digital literacy" skill set in the common text within the scope of the Turkish Century Education Model, which was put into practice in the 2023-2024 academic year. The aim here is for students to acquire many competencies specific to this field from pre-school to secondary education. Here, it is aimed for children to gain internet security awareness in detail in the "taking e-safety measures" section.

Digital literacy skills are implicitly or directly included in curricula.
Curricula for other courses, which are still being developed, are also being written by prioritizing the acquisition of digital literacy skills.

To access the common text; you can visit the website https://tymm.meb.gov.tr/upload/brosur/2024programortakmetinOnayli.pdf. Here you can examine the skills specific to this field and the process components under it.

It is organized trainings by the General Directorate of Innovation and Educational Technologies for teachers on "Conscious and Safe Internet Use and Digital Citizenship Training".

In addition, in line with the measure "Starting from early childhood, children will be provided with

awareness training on neglect, abuse and violence, and children's life skills will be strengthened." in the 11th and 12th Development Plan and the Presidential Annual Program for 2022, 2023 and 2024; the Ministry of Family and Social Services is preparing the "Awareness Training Program for Strengthening and Improving Children's Life Skills" in order to protect children between the ages of 0-18 from neglect, abuse and violence, increase their well-being and support their healthy development. In this direction, as the first stage of the training program, the modules for parents/caregivers of children between the ages of 0-6 were completed. The program consists of modules titled "Prevention of Neglect and Abuse - Basic Information for Parents", "Parenting", 'Development', "Responsive Care", "Positive Discipline", "Daily Routines", "Digital Parenting", "Interactive Routines: Playing Games and Reading Books" modules. In addition, the activities were initiated to develop modules for children aged 7-18 and their parents, and the topics such as prevention of neglect and abuse, addiction and prevention, peer bullying, communication, etc. will be included in the program.

X. Higher education curriculum and continuous training

Persons who have regular contact with children in the education, health and social protection sectors and areas related to sport, culture and leisure are at the forefront of the prevention of sexual exploitation and sexual abuse of children, as they have the most interaction with children under their supervision in these different settings. However, they may not be adequately equipped to inform children about their rights, to detect situations where a child is at risk of sexual exploitation or sexual abuse and to respond appropriately. It is therefore of crucial importance that they are well informed about the risks of sexual exploitation and sexual abuse of children, both during their education and continuously during their careers, to enable them to adapt to emerging trends and risks in the fight against sexual exploitation and sexual abuse of children, including when facilitated by ICTs.

Observations and recommendations of the Committee on higher education curriculum and continuous training specific to Türkiye

The Committee observes that in Türkiye persons working in contact with children receive information on the risks associated with CSGSIV,[117] on the protection of children against sexual exploitation and sexual abuse, including when facilitated by ICTs[118] as part of their curriculum during their professionals' education.[119] Although the Convention specifies that people in many sectors should receive adequate knowledge about these issues, the Committee notes that the people most likely to receive education and/or training on these issues are those working in educational institutions, such as teachers, which is also the case in Türkiye.[120] The health sector is the second sector to benefit from this education and/or training in Türkiye, with students in medical faculties in the 3rd and 5th classes and students of the education program in Child and Adolescent Psychiatry Department for junior doctors (Meram University) receiving information on this topic as part of their curriculum.[121] In addition, students of the sociology and psychology departments (TED University) of the teaching programme of the Department of Child and Adolescent Psychiatry for doctors in training (Meran University), receive information on the risks associated with CSGSIV.[122]

To improve the effective implementation of the Convention, the Committee requires Türkiye:

- to ensure that teaching or training on the rights of children and their protection for persons who have regular contacts with children (i.e. in the education, health and social protection sectors and in areas relating to sport, culture and leisure activities) is not optional.[123]

Follow-up actions:

- to ensure that the persons who have regular contact with children are equipped to identify any situation of sexual exploitation and sexual abuse of children and are informed of the possibility for them to report to the services responsible for child protection any situation where they have "reasonable grounds" for believing that a child is a victim of sexual exploitation and sexual abuse of children:
  - in the education sector
  - in the health sector
  - in the social protection sector
  - in areas relating to sport, culture and leisure activities.[124]

Follow-up actions:

- to encourage awareness of the protection and rights of children among persons who have regular contacts with children in the education, health, social

[117] Para. 410.
[118] Para. 416.
[119] Paras. 412, 416.
[120] Para. 420.
[121] Para. 421.
[122] Para. 415.

[123] Recommendation X-4.
[124] Recommendations X-5 and X-6.

protection, judicial and law-enforcement sectors and in areas relating to sport, culture and leisure activities.[125]

Follow-up actions:

- Under Law No. 5395 on Child Protection, an online meeting calendar is prepared and the meetings are organized for juvenile court judges in order to increase the effectiveness of protective and supportive cautionary decisions and to ensure unity of implementation.
- Presentations were made in national and international training activities and the meetings, organized by the Ministries of Family and Social Services, Interior, Health, National Education, Youth and Sports, the Justice Academy of Türkiye, the Human Rights and Equality Institution of Türkiye, bar associations, universities and other institutions and organizations operating in the field of child protection.
- The "Panel on Child Law in the Turkish Century" was organized in order to ensure the effective implementation of the measures regulated within the child protection system, to expand the practice of obtaining social investigation reports in the early stages of the judicial process, to increase the number and effectiveness of the juvenile crimes investigation bureaus of the Chief Public Prosecutors' Offices, to evaluate the acts committed for the first time by children under the age of 15 in terms of some crimes within child-specific protection mechanisms without being subject to investigation and prosecution, and to discuss the future of the child law legislation.
- In cooperation with the Ministry of National Education and the Ministry of Justice, "Seminar on Crimes against Sexual Immunity" was organized on 24.06.2024 for the inspectors of the Ministry of National Education in order to improve their knowledge about the crimes committed against children and the legal regulations on this subject and to improve their ability to work in this field.
- In the seminar program on "Empowerment of Teacher Candidates in the Prevention of Child Neglect and Abuse" organized by Ankara University on 29.11.2024, a presentation was made on the subject titled "Judicial Process in the Crime of Child Sexual Abuse".
- In cooperation with the Department of Judicial Support and Victim Rights, the General Directorate of Information Technologies and the Department of Training; the experts of the Ministry of Health working in Child Monitoring Centres (ÇİM) are trained on the use of UYAP screens.
- Working groups for the prevention of repeat offending of children were established with the participation of representatives of relevant institutions under the coordination of ADMs in pilot provinces, selected among medium-sized provinces for ease of work. Within the scope of the formed working groups, the meetings were organized with the participation of relevant institutions on the reasons why children were pushed to crime and how to carry out activities to prevent them from being pushed to crime again. Children, who were pushed to crime, were directed to appropriate vocational trainings, sports activities, Green Crescent for addiction treatment according to their areas of interest (heating, hairdresser, hairdresser, restaurant, furniture, greenhouse-irrigation, etc.); and the children, who were determined to be at a low socio-economic level, were provided with financial aid.

- The Committee also invites Türkiye to ensure that the persons who have regular contacts with children (i.e. in the education,

[125] Recommendation X-7.

health and social protection, sectors and in areas relating to sport, culture and leisure activities), have an adequate knowledge of the risks associated with CSGSIV, for example through education or continuous training.[126]

[126] Recommendation X-2.

Generic recommendations of the Committee on higher education curriculum and continuous training

- The Committee invites all Parties, including Türkiye to ensure that all the sectors where professionals work in contact with children, including when working on a voluntary basis, have adequate knowledge of sexual exploitation and sexual abuse of children, including when facilitated by ICTs and with specific reference to the risks associated with CSGSIV.[127]

[127] Recommendation X-3.

Promising practices

In Türkiye, students in the sociology and psychology departments of TED University receive courses on “the effects of self-generated visuals and texts on children and adolescents" as well as on the "abuse of the sexuality of children by themselves or other people, legal aspects". At the University of Meram, students in the Education Program of the Department of Child and Adolescent Psychiatry study “self-generated sexually explicit images and videos" as a subject matter under the title "child abuse and negligence". The “teaching” students at the Faculty of Education of Gaziosmanpasa University receive as part of their curriculum an internet security course which includes basic rules to be explained to children such as "not sharing personal information, not trusting every people on the internet, etc."

In Türkiye, Circular No. 2014/33 entitled “Prevention of online sexual abuse of children and awareness-raising” stipulates that in-service training for professionals working in the public sector must cover topics such as “sexual abuse of children, internet safety, negative effects and the risks arising from social media use by children”.

Promising practices:

The trainings on "Peer Bullying, Conflict Resolution Skills, Sexual Education of Children, Neglect and Abuse Awareness, Prevention of Violence against Women, Positive Behaviour Development, Self-Control, Anger Management, Psychological Resilience, Psychoeducation Programs, Psychosocial Support (Sexual Abuse), Cyberbullying, Social Skills, Coping Skills with Stress, Violence Prevention, Social Adaptation Skills" were provided to the students, through advisory teachers/psychological counsellors working in schools and institutions affiliated to the Ministry of National Education. In addition, in order to protect the mental health of our students, who have been exposed to sexual abuse and to support their recovery processes; “Sexual Abuse Psycho-Education Programs” specific to each level were prepared for individual studies.

XI. Research

Effective prevention mechanisms and responses to tackle sexual exploitation and abuse of children require an understanding of the issues at stake, as well as knowledge of the prevalence and characteristics of the phenomenon. Accurate and precise information may be necessary to develop quality and targeted policies and measures. The gathering of information and understanding of the phenomenon is particularly important in the context of sexual exploitation and sexual abuse facilitated by ICTs, in light of their rapid development and increased use.

Observations and recommendations of the Committee on research specific to Türkiye

The Committee observes that Türkiye has participated for at least one year in the EU Kids Online surveys which is a multinational research network, seeking to enhance knowledge of children's online opportunities, risks and safety. Surveys carried out under the framework of EU Kids Online collect data and information on, *inter alia*, children's practice of sending and receiving sexual messages online.[128]

On the other hand, the Committee identifies a difficulty to implement the Convention as Türkiye has affirmed that no research was undertaken on issues raised by CSGSIV and/or on the psychological effects on persons who have had such material shared online except the EU Kids Online surveys.[129]
The Committee observes another difficulty to implement the Convention regarding surveys undertaken in the context of EU Kids Online, as the information is lacking to determine which body was in charge of supporting and/or carrying out research in Türkiye.[130]

- Therefore, the Committee invites Türkiye to take the necessary legislative or other measures to set up or designate mechanisms for data collection or focal points at the national or local levels and in collaboration with civil society to observe and evaluate the phenomenon of sexual exploitation and sexual abuse of children, including on the issues arising from CSGSIV, with due respect for the requirements of personal data protection.[131]

[128] Para. 440.
[129] Para. 443.
[130] Para. 458.
[131] Recommendation XI-4.

The Committee invites all Parties, including Türkiye:

- to collect data and undertake research at the national and local levels to observe and evaluate the phenomenon of CSGSIV.[132]
- to ensure that data on the phenomenon of CSGSIV and the risks associated with it is regularly collected and research on the issue is regularly undertaken.[133]
- to build on the findings from existing research on CSGSIV, when available, to ensure that policies and measures are best developed and appropriately targeted to tackle the issues raised by CSGSIV.[134]

[132] Recommendation XI-1.
[133] Recommendation XI-2.
[134] Recommendation XI-3.

Promising practice

EU Kids Online is a multinational research network, working to increase knowledge of the opportunities, risks and safeties children face online. A significant number of Parties, including Türkiye, have participated to this research network for one or several years.

Promising practices: