



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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## **LANZAROTE CONVENTION**

Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse

**Replies to the thematic questionnaire**

**TURKEY**

**2<sup>nd</sup> thematic monitoring round**

**“The protection of children against sexual exploitation and sexual abuse facilitated by information and communication technologies (ICTs)”**

Replies registered by the Secretariat on 7 November 2017

Preliminary remarks for answers:

As the preliminary remarks of the questionnaire states that questions about sexual content are included for the purposes of capacity-building, we replied questions together both sexually explicit images/videos and sexual content, instead of answering separately.

## Prevention

### Question 1 Awareness-raising or educational activities/tools/materials/measures

1.1. Are there awareness-raising or educational activities/tools/materials/measures addressed to children, about the risks they face when they produce and/or share:

- a. self-generated sexually explicit images and/or videos?
- b. self-generated sexual content?

Ministry of Education includes certain information and explanations for children in the curriculum of primary and elementary schools. These courses are Life Sciences, Social Sciences, ICT and Software. Children are taught about “safety rules while communicating with other people and friends, being attentive to use of internet, cyber-bullying and risks which can be caused by the sharing activities they make via ICT.

For instance, certain objectives of course programs are stated below:

“Life Sciences” (1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> Classes in Primary Schools): Using technology with safety, applying safety rules before establishing communication with other people, learning important points about choosing online friends.

ICT and Software: (5<sup>th</sup> and 6<sup>th</sup> Classes in Elementary Schools): Discussing positive and negative sides of ICT, possible effects of using ICT on mental and physical health, respecting others’ rights on online platforms, being aware of the fact that digital IDs used on internet might be fake, being aware of the fact that their shares on ICT are permanent, being able to distinguish information which must be secret and information which might be shared, positive and negative effects of communicating online, being attentive to internet ethics and possible situations originating from violation of these ethic rules, discussing cyber-bullying and possible measures for protection, learning prevention against cybercrimes, discussing about confidentiality and security on using ICT and possible risks about sharing information.

Besides the curriculum of schools provided by the Ministry of Education, Ministry of Interior Affaires organizes some meetings and seminars in order to raise awareness about the risks of ICT on children. For instance, 170 seminars were organized by Gendarmerie Forces in 2015 and 2016. More than 38.000 children had the opportunity to attend these meetings. The risks that children may face using ICT constitute also a part of these seminars. Children are also taught how to call the security forces.

Security forces are also realizing awareness raising activities on safe internet by distributing brochures and other materials. Families are encouraged to use safe-internet software which are provided free of charge by internet service providers.

Awareness raising activities on child online protection are also executed by Turkish Information and Communication Technologies Authority (ICTA). The ICTA has promoted the following activities for conscious, safe and effective use of Internet:

– Seminars were held mainly for families and children.

– Booklets and brochures are distributed to schools free of charge (<http://www.guvenliweb.org.tr/brochures>).

– Web portals Guvenli Web – “Safe Internet” ([guvenliweb.org.tr](http://guvenliweb.org.tr)) and Guvenli Cocuk – “Safe Child” ([guvenlicocuk.org.tr](http://guvenlicocuk.org.tr)) are designed to promote safer use of Internet. These portals are developed with a view to enable children to safely surf the cyber world. There are a variety of informative notes for children and families such as risks of online chatting, sharing, social networks etc. Children are told “not to chat using webcam even if it is with people that they know, to never meet with people in person that you know on internet, not to accept friendship requests coming from unknown people. etc.”

– ICTA initiated a project with Ministry of National Education in order to instruct trainers on safer use of internet. Under this project, 82.000 teachers were trained.

– A booklet titled “Guidelines for Preventing Cyber-Bullying in the School Environment: A Review and Recommendations” (an output of Working Group 3 of COST Action ISO801) was translated to Turkish by Turkish academicians and distributed by ICTA.

Please find below links to web pages of this website which include certain awareness raising materials:

*Mobile Networks and Sexting:* <http://www.guvenliweb.org.tr/dokuman-detay/mobil-aglar-sexting>

*Cyber-bullying:* <http://www.guvenliweb.org.tr/dokuman-detay/siber-zorbalik>

*Protection of Personal Data:* <http://www.guvenliweb.org.tr/dokuman-detay/siber-zorbalik>

*Online Games:* <http://www.guvenliweb.org.tr/dokuman-detay/cevrimici-oyunlar>

*Rights and Responsibilities on Internet:* <http://www.guvenliweb.org.tr/dokuman-detay/internette-hak-hukuk-ve-sorumluluklar>

*Internet Ethics:* <http://www.guvenliweb.org.tr/dokuman-detay/internet-etigi>

*Identity Theft and Fraud:* <http://www.guvenliweb.org.tr/dokuman-detay/kimlik-hirsizligi-dolandiricilik>

*Security on Social Networks:* <http://www.guvenliweb.org.tr/dokuman-detay/sosyal-aglarda-guvenlik>

*Malwares and Spywares:* <http://www.guvenliweb.org.tr/dokuman-detay/kotucul-yazilimlar-2-casus-yazilimlar-keyloggerlar-botnetler>

**Hacked Accounts:** <http://www.guvenliweb.org.tr/dokuman-detay/saldiriya-ugramis-hacked-hesaplar>

There are also a number of activities carried out by universities. For instance;

- Ege University organized “child rights ateliers” in cooperation with Bornova Municipality (İzmir) within the context of awareness raising and prevention against sexual exploitation of children in 2016. An important component of this workshops is “safe internet using”. The university is also planning to give intimacy education to children.

- Düzce University realized a seminar on “protection of children from sexual exploitation” which also included protection against cybercrimes and child pornography. This university also gave 2 seminars to social service experts/social workers, 4 seminars to healthcare professionals with same subject matter.

- İstanbul Bilgi University Faculty of Communication created a web portal: [www.dijitalmedyavecocuk.bilgi.edu.tr](http://www.dijitalmedyavecocuk.bilgi.edu.tr). (Digital media and child). This webpages include informative texts especially for children and parents in order to raise awareness. Although the web page does not focus on self-generated sexually explicit images and videos, it aims a general awareness.

- General Directorate of Security Cyber Crimes Unit provides informative brochures. Children are told to be careful sending their photos online to other people. These brochures are distributed to children at schools. Here is the link for these brochures on website of Cyber Crimes Unit.

<http://www.siber.pol.tr/Sayfalar/Brosur.aspx>

Cyber Crimes Unit gives training on national and international level on cybercrimes in which crimes of sexual abuse of children online also included.

Safe internet softwares are easily accessible by this link:

<http://www.guvenlinet.org/tr/>

There are also certain videos to give information especially to families about the risks that children might face using internet, how to monitor child’s internet use, how to reach secured internet software and in case of a crime how to call law enforcement authorities. These videos are also broadcasted on TV as public service ads.

<https://www.youtube.com/watch?v=jnDMoVt-Vik>

<https://www.youtube.com/watch?v=6Gglz5zWe8c>

[https://www.youtube.com/watch?v=cL\\_KBg1qDZI](https://www.youtube.com/watch?v=cL_KBg1qDZI)

[https://www.youtube.com/watch?v=et0S7lxV\\_q4](https://www.youtube.com/watch?v=et0S7lxV_q4)

There is a long list of awareness raising videos on Youtube, which are created in Turkish or in English and translated to Turkish. Children are told for being careful before posting their photos and videos, which might be sexually explicit or sexual. These videos shared by security forces on NGOs in order to create awareness.

**In this video, primary school children tell how they should protect themselves on internet.**

<https://www.youtube.com/watch?v=e9X5bOycVmo>

- 1.2. Are there awareness-raising or educational activities/tools/materials/measures specifically targeting children as bystanders/observers of other children producing and/or sharing:
- a. self-generated sexually explicit images and/or videos?
  - b. self-generated sexual content?

**Awareness raising activities target all children using ICT to communicate or are in interaction with each other. Therefore, such activities target all children instead of targeting only one group.**

- 1.3. Are there awareness-raising activities/tools/materials/measures addressed to parents and persons who have regular contact with children (teachers, psychologists, health care professionals, etc.) about the risks children face when they produce and/or share:
- a. self-generated sexually explicit images and/or videos?
  - b. self-generated sexual content?

→ Please specify which entities carry out the above-mentioned awareness raising or educational activities (questions 1.1, 1.2 and 1.3) and how they coordinate their action.

→ Please share links to awareness-raising or educational materials (e.g. booklet, video, smartphone application, manual on non-formal education, tool-kit, internet tools) produced for the above mentioned activities(questions 1.1, 1.2 and 1.3).

**There is also a wide range of programs for training and informing parents and professionals who have contact with children. These activities and tools are provided by government bodies, universities and civil society. As those who cover children and parents are mainly stated above, we would like to give information on awareness raising activities and trainings for professionals who have contact with children:**

- **Turkish Information and Communication Technologies Authority (“ICTA”)** initiated a project with the Ministry of Education in order to train teachers on safe use of internet. 82.000 teachers were trained under this project.

- **Ministry of Interior Affaires** organized a workshop on “Protection of Children Online Sexual Abuse” in 2014 with participation of government bodies and NGOs. The Ministry published a Circular (no:2014/33) on 11.11.2014 named “Prevention of Sexual Online Abuse of Children and Awareness Raising”. This circular stipulates that in service trainings for public order professionals shall contain subjects such as “sexual abuse of children, internet safety, negative effects and risks of social media on children”.

According to the circular, coordination between ministries and other institutions related to protection of children from sexual abuse shall be carried out by local government authorities and district governors. The circular mainly aims coordination and mobility for local authorities.

Ministry of Education is holding “Family Education Programs” which aim also raising awareness of families about sexual abuse and exploitation of children. Interaction of children with Internet is also in the agenda of the program.

A book named “Through the Wild Web Book, An online Internet safety game for children – Teacher’s Guide” published by Council of Europe was translated to Turkish and can be also accessed via the link below.

<http://cocukhizmetleri.aile.gov.tr/data/5422b041369dc316585c0d87/%C3%A7ocuklar%20i%C3%A7in%20internet%20emniyet%20oyunu.pdf>

We also refer to our answers under question 1.1. Furthermore, please find below our answers under question 4 (Higher Education Curriculum and Continuous Training) regarding the same subject matter.

## **Question 2. Civil society involvement**

2.1. How do State authorities encourage the implementation of prevention projects and programmes carried out by civil society with regard to:

- a. self-generated sexually explicit images and/or videos?
- b. self-generated sexual content?

2.2. Please provide information on prevention activities (including awareness-raising and educational activities, research etc.) implemented by civil society (including those carried out by civil society at their own initiative) with regard to:

- a. self-generated sexually explicit images and/or videos;
- b. self-generated sexual content?

### **Our answer for both questions 2.1 and 2.2**

Pursuant to the Child Protection Code (no:5395), public authorities, families and non-governmental organizations and other stake holders shall work in collaboration for protection of children, protection from sexual abuse and exploitation included. Government bodies carry out their awareness raising activities in collaboration with civil society.

There are several non-governmental organizations working in the field of protection of children from sexual abuse and exploitation. They also form some networks in order to combine their forces. One important network is “Çocuklara Yönelik Ticari Cinsel Sömürü ile Mücadele Ağı – Network for Fighting Against Commercial Sexual Exploitation of Children”. This network was established with support of ECPAT. The number of non-governmental organizations which are member of the network is 50. These members are not only in metropolitan cities but also present in different regions of the country.

There is a wide range of activities carried out by this group of NGOS, which also include protection of children against sexual abuse on internet. They have 75 NGOs members. For instance, they held training on “protection of children from sexual abuse on internet” by professionals on subjects such as “profiles of victims and offenders of online sexual abuse of children, seduction, harassment and violence etc. The group also held a seminar on “crimes against children on internet” with participation of ECPAT. Please find below link of internet website of the network.

<http://ctcs-mucadele.net/>

Another network is “Çocuğa Karşı Şiddeti Önlemek İçin Mücadele Ağı – Network of Fight Against Violence to Children”. This network is holding every year a workshop related to “preventing sexual abuse and exploitation of children in local level” in collaboration with Ministry of Education and

other non-governmental organizations. In the third workshop (in 2016) participants discussed about online sexual exploitation of children. Local government officials such as governors and Education Directors, academics and teachers participated to the event. Please find below link of internet website of the network.

<http://www.cocugasiddetionluyoruz.net/>

Moreover, universities carry out some activities in cooperation with NGOs. For example, Acibadem University Centre of Research for Fight against Crime and Violence (“ASUMA”) is dealing with child sexual abuse as one of its working fields. It is working with NGOs and İstanbul Bar Association and publishes report on child sexual abuse.

Ministry of Interior Affairs is holding informative meetings on safe use of internet by children, with cooperation with other public bodies and bar associations.

Furthermore, Ministry of Interior Affairs published the Circular on “Measures on Prevention of Online Sexual Abuse of Children” on in 2014. This circular makes reference to the principles adopted by the “Global Alliance Against Online Sexual Abuse of Children” of which Turkey is also a member (please find below more detail under section “Partnerships”). Awareness raising activities is accepted as one of the main objectives of the Circular. According to the circular, in local basis, local governors are charged with collaboration of these activities.

### **Question 3. National curriculum**

Does national curriculum (primary and secondary schools, and vocational education) include awareness-raising about the risks of:

- a. self-generated sexually explicit images and/or videos?
- b. self-generated sexual content?

As also stated above, national curriculum in Turkey for primary and secondary schools contains awareness-raising material on protection of sexual abuse and exploitation of children.

Ministry of Education inserts certain information and explanations for children in the curriculum of primary and elementary schools. These courses are Life Sciences, Social Sciences, ICT and Software. Children are taught about “safety rules while communicating with other people and friends, being attentive to use internet, cyber-bullying and risks which can be caused by the sharing activities they make via ICT.

*For instance, certain objectives of course programs are stated below:*

“Life Sciences” (1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> Classes in Primary Schools): Using technology with safety, applying safety rules before establishing communication with other people, learning important points about choosing friends.

ICT and Software: (5<sup>th</sup> and 6<sup>th</sup> Classes in Elementary Schools): Discussing positive and negative sides of ICT, possible effects of using ICT on mental and physical health, respecting others’ rights on online platforms, being aware of the fact that digital IDs used on internet might be fake, being aware of the fact that their shares on ICT are permanent, being able to distinguish information which must be secret and information which might be shared, positive and negative effects of communicating online, being attentive to internet ethics and possible situations originating from violation of these ethic rules, discussing cyber-bullying and possible measures for protection,

learning prevention against cybercrimes, discussing about confidentiality and security on using ICT and possible risks about sharing information.

#### **Question 4. Higher education curriculum and continuous training**

Do higher education curriculum and continuous training for those who will or already work with children include the issues raised by:

- a. self-generated sexually explicit images and/or videos?
- b. self-generated sexual content?

**According to information submitted by Council of Higher Education, universities include in their curriculum matters relating to protection of children from online sexual abuse. For instance;**

- TED University informed us that, their Sociology and Psychology Departments' courses contain "effects of self-generated visuals and texts on children and adolescents" as well as abuse of the sexuality of children by themselves or other people, legal aspects".

- Child Abuse is included in Higher Education Curriculum in medical faculties in the 3<sup>rd</sup> and 5<sup>th</sup> classes. Cyber-bullying and online abuse of children is explained as a chapter in these courses.

- Courses such as "informatics and ethics", "Sexual Health Education", Child Offensive Behaviors", "Child and Violence" are included by higher education curriculum in education faculties for teachers.

- Marmara University informed us that "self-generated sexually explicit images and/or videos? self-generated sexual content" will be introduced in the curriculum of medical faculty students for 2017 and 2018 term.

- Meram University declared that they have "self-generated sexually explicit images and videos" as ma subject matter in their program of education in Child and Adolescent Psychiatry Department for junior doctors, under title of "child abuse and negligence".

- Gaziosmanpaşa University Education Faculty gives education to students of teaching internet security course which includes basic rules to be explained to children such as "not sharing personal information, not trusting to every people on internet etc."

Many of other higher education institutions also cover "child abuse" in their curriculum although self-generated sexually explicit images are not included specifically."

There are also continuous training activities for professionals who work or will work with children in the matter of protection of children from online sexual abuse, held by public authorities. Such as:

- General Directorate of Security Cybercrimes Unit is working on the field of crimes against children committed through ICT. Sexual abuse of children through internet and social media and internet is one of the training subjects.

Within the Protocol signed between the Ministry of Education and Information and Communication Technologies Authority, 400 teachers were trained about the safe usage of

internet and these trainers trained 52.000 teachers. Besides, the training materials were made available online for all teachers.

Cybercrimes unit also organizes awareness raising activities for schools and some other institutions about safe use of internet, Cybercrimes, Cyber-bullying, etc.

Ministry of Interior Affairs organized a workshop on “Protection of Children Online Sexual Abuse” in 2014 with participation of government bodies and NGOs. The Circular for Prevention of Online Sexual Abuse of Children, which is stated above, orders that public order professionals shall contain subjects such as “sexual abuse of children, internet safety, negative effects and risks of social media on children.

- Justice Academy of Turkey is responsible for pre professional and vocational- continuous training of judges and public prosecutors.

Considering pre-professional training, the courses under this education consist of crimes relating to sexual abuse and exploitation of children. Trainees visit “Child Monitoring Centers - ÇİM” for 8 hours in order to follow investigation and examination and examination activities regarding crimes where victim is a child. ÇİMs are established for minimizing resulting from crimes of which the victim is a child. The child victim does not need to go to hospital, police or prosecutor separately. All necessary investigation procedures and medical examinations are carried out within the same center.

As to vocational-continuous training, there are a big number of seminars and other training activities provided by Justice Academy. For instance, in a training between 13<sup>th</sup> and 17<sup>th</sup> March 2017, judges and public prosecutors were trained about investigation skills, including crimes of sexual abuse of children.

## **Question 5. Research**

- 5.1. Have public authorities or other bodies initiated/supported research on the issues raised by:
  - a. self-generated sexually explicit images and/or videos?
  - b. self-generated sexual content?
  
- 5.2. Have public authorities or other bodies conducted or supported research in particular on the psychological effects on those persons whose:
  - a. self-generated sexually explicit images and/or videos as children have been shared online?
  - b. self-generated sexual content as children has been shared online?

→ Please specify whether the public authorities or other bodies having initiated/supported the research above (questions 5.1 and 5.2) are aware of their outcomes.

**Unfortunately, we couldn't detect a research specifically conducted for self-generated sexual images or videos by children. Researches target generally, internet and its risks on children.**

## Protection

### Question 6. Assistance to victims

- 6.1. What specific reporting mechanisms, including helplines, are in place to ensure that child victims of exposure online of:
- a. self-generated sexually explicit images and/or videos are provided with the necessary support, assistance and psychological help?
  - b. self-generated sexual content are provided with the necessary support, assistance and psychological help?
- 6.2. What legislative or other measures have been taken to ensure that child victims of online exposure of:
- a. self-generated sexually explicit images and/or videos are provided with the necessary support, assistance and psychological help?
  - b. self-generated sexual content are provided with the necessary support, assistance and psychological help?

→ Please provide, if any, information on the number of victims who received support, assistance and psychological help in the above mentioned specific contexts (questions 6.1 and 6.2).

#### **Our answer for both question 6.1 and 6.2**

**General hotline for police in Turkey is 155, which is accessible 7/24 by any phone. Moreover, victims of sexual abuse of children or their families have the possibility to address to police or public prosecutor. Beside this general police reporting mechanism, there are also some other reporting ways. Such as:**

**- Line 183: The phone help line is both a possibility for reporting and getting support. Sexual abuse cases or a possibility of an sexual abuse offence are also reported via this number and certain preventive measures can be put in place in order to stop a possible crime. This hotline serves also on mobile phone apps by people with hearing problems.**

**- [www.ihbarweb.org](http://www.ihbarweb.org): This website is established by Information and Communication Technologies Authority. Child sexual abuse is one of the crimes that can be reported by this website. In order to report a web page, one should copy the URL of the webpage and place it in a box on webpage. Instant messaging pages and chatting website are also indicated on the page. The reporting mechanism is simple enough for a child.**

**Ministry of Family established Child Support Centres which provides psycho-social help service to children who suffered a trauma for minimizing effects of the trauma, and assuring a healthy development of personality. We don't have a specific data regarding the help provided to children who got help a psychological help because of negative effects of their self-generated sexually explicit images and videos. However, child victims of online exposure of sexually explicit images and videos can always get help from these possibilities which are provided free of charge.**

**Pursuant to the Circular on Measures on Prevention of Online Sexual Abuse of Children, public authorities shall take necessary measures for providing support to child victims of online sexual abuse and preventing re-victimization. In this context, investigation authorities shall be attentive to keep IDs of victims secret. Child victims shall be followed by counsellor teachers and staff of Ministry of Family in order to support them to eliminate the effects.**

Victims of online sexual abuse of children are also considered in the judicial processes. For instance;

- Statements of child victims are taken in special rooms named “Judicial Interview Rooms – Adli Görüşme Odaları” in many court buildings, in order not to traumatize children in judicial process.

Ministry of Justice drafted a law project “Victim Rights Code”. The code regulates establishment of Judicial Support and Victim Services Directorates in every cities. These units will inform victims about their rights and direct them to use their judicial remedies. We should also like to highlight that victims will be also able to get psychological help. The main aim of these structures is preventing re-victimization of children in judicial processes.

Victims’ Rights Department within Ministry of Justice drafted also “Guide for Approaches to Victims” and the department gave seminars to trainee judges and prosecutors to inform them about how they should approach to crime victims.

Pursuant to the article 238 of Criminal Procedure Code, if the victim of a crime is a child, an advocate shall be appointed without a demand from the victim and free of charge. They are represented by these lawyers during all judicial process.

We should also like to add that Draft Code of Rights of Victims is prepared. Pursuant to this draft code, Directorates of Judicial Support and Victim Services will be established within Court Houses. Furthermore, victims of sexual offenses are accepted as “fragile groups” under the draft law. There are certain services for fragile groups in the code such as getting support of a “judicial support expert” who will give them guidance through judicial procedures. Victims can also get counselling for psycho-social problems.

#### **Question 7. Cooperation with civil society**

Please describe cooperation with non-governmental organizations, other relevant organizations and other representatives of civil society engaged in assistance to victims of the offences covered by the present questionnaire (see questions 9-11) through e.g. child helplines, victim support organizations.

Pursuant to the Child Protection Code (no:5395), public authorities, families and non-governmental organizations and other stake holders shall work in collaboration for regarding protection of children, protection from sexual abuse and exploitation included. Government bodies carry out their awareness raising activities in collaboration with civil society.

There are several non-governmental organizations working in the field of protection of children from sexual abuse and exploitation. They also form some networks in order to combine their forces. One important network is “Çocuklara Yönelik Ticari Cinsel Sömürüile Mücadele Ağı – Network for Fighting Against Commercial Sexual Exploitation of Children”. This network was established with support of ECPAT. The number of non-governmental organizations which are member of the network is 50. These members are not only in metropolitan cities but also present in different regions of the country.

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Ministry of Interior Affairs is holding informative meetings on safe use of internet by children, with cooperation with other public bodies and bar associations.

As also stated above, Ministry of Justice prepared a draft of “Victims’ Rights Code”, Civil society was also involved in this preparation and they contributed to it by submitting their opinions on the draft. For instance, “Çocuk Vakfı –Child Foundation” which is also a member of Çocuğa Karşı Şiddeti Önlemek İçin Mücadele Ağı – Network of Fight Against Violence to Children” shared their views with the Ministry.

[www.cocukhaklarizleme.org](http://www.cocukhaklarizleme.org) published the report on a factsheet on victim children in Turkey, prepared by International Child Center – Uluslararası Çocuk Merkezi”.

## Prosecution

### Question 8. Legislation

- 8.1. Does national law contain any reference to:
- self-generated sexually explicit images and/or videos in the context of offences covered by the Lanzarote Convention (Art. 18-23)?
  - self-generated sexual content in the context of offences covered by the Lanzarote Convention (Art. 18-23)?
  - non-pictorial self-generated sexual content produced by children (e.g. sound, text) in the context of offences covered by the Lanzarote Convention (Art. 18-23)?

Situations where a child is in an obscene material are criminalized by the article 226 of Turkish Criminal Code. The text of the law is as follows:

## ***“Obscenity***

### **Article 226**

**(1) Any person who**

...

***gives to a child obscene written or audio-visual material; or who reads or induces another to read such material to a child or makes a child watch or listen to such material;***

...

***A person who uses children 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 material into the country, who copies or offers for sale such material or who sells, transports, stores, exports, retains possession of such material or offers such material 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.***

...

***Any person who broadcasts or publishes the materials described in sections three and four or who acts as an intermediary for this purpose or who ensures 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.”***

...

This article approaches crimes where a child is included in obscene material without making any distinction between cases whether sexually explicit or sexual images and videos or even non-pictorial sexual content is in question. Text of the provision uses “obscene” instead. According to the third paragraph of the article, if a child is used in production of obscene material, the offender who produces, imports, offers for selling, transports, stores, submits to use of other people or keeps shall be sentenced to prison penalty. Therefore, although the text of the law does not contain a specific reference to “self-generated sexually explicit or sexual images or non-pictorial content, it uses obscenity of children which includes also these cases and the text indicates “written or audiovisual material. Therefore it can be said that criminal code contains reference to the notions stated above.

We should also note that if there is crime of sexual abuse of children for producing such materials, the offender who abuses the child shall be also sentenced to the penalty under article 103 of Turkish Criminal Code, which foresees a penalty of imprisonment up to life imprisonment pursuant to form of committing the crime and the aggravation of the harmful results on child.

Other than the crime of obscenity regarding children, self-generated sexually explicit and sexual content can be subject of “violation of privacy”. Pursuant to the article 134 of Turkish Criminal Code, violating privacy of another person’s personal life is sentenced to a penalty of imprisonment for a term of six months to two years or a judicial fine. Where the violation of privacy occurs as a result of recording images or sound, the penalty of imprisonment to be imposed shall not be less than one year. Any person who discloses the images or sounds of another person’s private life shall be sentenced to a penalty of imprisonment from a term of one to three years. Where the offence is committed through the press or broadcasting, the penalty shall be increased by one half. Therefore if an offender broadcasts self-generated content of a child on internet, this act can be examined under this article.

## ***“Violation of Privacy”***

### ***“Article 134***

***(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 six months to two years or a judicial fine. Where the violation of privacy occurs as a result of recording images or sound, the penalty of imprisonment to be imposed shall not be less than one year.***

***(2) Any person who discloses the images or sounds of another person’s private life shall be sentenced to a penalty of imprisonment from a term of one to three years. Where the offence is committed through the press or broadcasting, the penalty shall be increased by one half.”***

Besides criminal law, there are other texts having a reference to sexual exploitation of children. Pursuant to the [Law On Regulation Of Publications On The Internet And Suppression Of Crimes Committed By Means Of Such Publications](#), where the crimes of sexual abuse of children or obscenity are committed on internet, access on internet to such websites are denied by a judge. Furthermore, according to the article 9/a of the same code, persons whose privacy are violated on internet have the right to make a claim to block the access to a web page. These rights are very accessible and prompt legal remedies for victims of ICT facilitated sexual coercion or extortion or violation of privacy. Besides, victims can always address to the police to start investigation against offenders. Therefore, in the case of a violation of privacy of a child by using her or his self-generated content, victim can use the legal remedies stated above.

- 8.2. Does national law tackle the involvement of more than one child (i.e. consensual posing) in generating the:
- a. self-generated sexually explicit images and/or videos?
  - b. self-generated sexual content?

**There is not a specific article tacking involvement of more than one child generating of self-generated sexually explicit images/videos or sexual content.**

- 8.3. Are there specificities related to the fact that more children appear on the:
- a. self-generated sexually explicit images and/or videos when these children accept that their image and/or video are produced and shared through ICTs?
  - b. self-generated sexual content when these children accept that their image and/or video are produced and shared through ICTs?

**Article 226 does not include any specific provision related to the fact that one or more children appear in these images/videos and content.**

## **Question 9. Criminalisation**

Before starting our replies under the question of “Criminalisation” we would like to remind that remarks and comments stated below are only for information purposes. As it belongs to judicial authorities to make a trial for every individual case and to interpret and apply the law, our remarks are not absolute legal evaluations. Only aim of these explications is to present articles which should be examined in such cases and to indicate such articles which tackle with matters included in this questionnaire. Examining an act and applying the convenient article of criminal code is under competence of the judiciary.

- 9.1. Does national law criminalise cases when adults:<sup>1</sup>
- a. possess child self-generated sexually explicit images and/or videos?
  - b. distribute or transmit child self-generated sexually explicit images and/or videos to other adults?
  - c. distribute or transmit child self-generated sexually explicit images and/or videos to other children than those depicted on such images and/or videos?

**Relevant paragraphs of article 226 of Turkish Criminal Code is as follows:**

“...

***(3) A person who uses children 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 material into the country, who copies or offers for sale such material or who sells, transports, stores, exports, retains possession of such material or offers such material 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.”***

...

***(5) Any person who broadcasts or publishes the materials described in sections three and four or who acts as an intermediary for this purpose or who ensures 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.***

- 9.2. Are there special circumstances (including alternative interventions) under which the above cases (9.1.a-c), although established in fact and in law, are not prosecuted and/or do not lead to conviction.

**We state alternative intervention and other special circumstances below for cases where such acts are realised by children.**

- 9.3. What are the legal consequences of the above behaviours (9.1.a-c)?

**Stated above under 9.1.**

- 9.4. Does national law criminalise cases when adults:<sup>2</sup>
- a. possess child self-generated sexual content?
  - b. distribute or transmit child self-generated sexual content to other adults?
  - c. distribute or transmit child self-generated sexual content to other children than those depicted such sexual content?

**We refer to our answer under 9.1.**

- 9.5. Are there special circumstances (including alternative interventions) under which the above cases (9.4.a-c), although established in fact and in law, are not prosecuted and/or do not lead to conviction?

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<sup>1</sup> If the replies of Parties to the General Overview Questionnaire as regards the implementation of Article 20 of the Lanzarote Convention (see replies to question 16) are still valid, please refer to them. Otherwise, please up-date such replies in the context of this question.

<sup>2</sup> If the replies of Parties to the General Overview Questionnaire as regards the implementation of Article 20 of the Lanzarote Convention (see replies to question 16) are still valid, please refer to them. Otherwise, please up-date such replies in the context of this question.

**We state alternative intervention and other special circumstances below for cases where such acts are realised by children**

9.6. What are the legal consequences of the above behaviours (9.4.a-c)?

**Stated above under 9.1.**

- 9.7. Does national law criminalize cases when children:<sup>3</sup>
- a. produce self-generated sexually explicit images and/or videos?
  - b. possess self-generated sexually explicit images and/or videos?
  - c. distribute or transmit self-generated sexually explicit images and/or videos of themselves to peers?
  - d. distribute or transmit self-generated sexually explicit images and/or videos of themselves to adults?
  - e. distribute or transmit self-generated sexually explicit images and/or videos of other children to peers?
  - f. distribute or transmit self-generated sexually explicit images and/or videos of other children to adults?

**Before starting our replies, it should be noted that law does not regulate specifically committing of acts stated above by a child. We would also like to reiterate again that it is to judicial authorities to interpret and evaluate every act that can constitute a crime and to decide under which article such an act falls with. Our remarks are not absolute legal evaluations. Only aim of these explications is to present articles which should be examined in such cases and to indicate which articles tackle with cases included in the questionnaire.**

**“a” and “b”:**

**Producing or possessing self-generated images or videos of herself/himself does not constitute a crime under Turkish Law.**

**“c” and “d”:**

**Relevant paragraphs of article 226 of Turkish Criminal Code is as follows:**

**“...**

***(3) A person who uses children 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 material into the country, who copies or offers for sale such material or who sells, transports, stores, exports, retains possession of such material or offers such material 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.”***

**...**

***(5) Any person who broadcasts or publishes the materials described in sections three and four or who acts as an intermediary for this purpose or who ensures 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.”***

**On the other hand, pursuant to the article 105 of Turkish Criminal Code, titled “sexual harassment”, “Any person, who harasses sexually another person, shall be punishable by imprisonment for a term between three months and two years or by a fine, upon the complaint of**

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<sup>3</sup> This question does not in any way suggest that these behaviours should be criminalised.

*the victim; where the act is committed against a minor, the perpetrator shall be punishable by imprisonment from six months to three years.”. Moreover, if this crime is committed against a child or committed via ICT it is an aggravated circumstance.*

Therefore in order to accept that “to distribute or transmit self-generated sexually explicit images and/or videos of themselves by a child to adults or children” is a crime under the article 105, it must be established that the intent of the child is “sexually harassing”. If such an intention does not exist, this crime will not occur.

**“e and f”:** In this case, this act is firstly a crime under paragraph 1 of article 226 as it is explained for questions “c” and “d”. Moreover, distributing or transmitting self-generated sexually explicit images of other people, including children, is also a crime under paragraph 2 of the article 134 of Turkish Criminal Code, which states: *“revealing illegally images or sounds related to the private life of persons is punished with prison between 2 and 5 years”*. Therefore, distributing or transmitting self-generated sexually explicit images and videos of other children to peers or adults may constitute a crime under Turkish criminal law.

9.8. Are there special circumstances (including alternative interventions) under which the above cases (9.7.a-f), although established in fact and in law, are not prosecuted and/or do not lead to conviction?

We would like to indicate also that Turkish legislation does not use terms such as “criminal”, “suspect” or “accused” for children. It uses instead “child pushed to crime”. This explains how our criminal legislation approaches children who committed crime by considering all factors that pushed a child to commit a crime and determining her or his criminal liability accordingly, without omitting alternative interventions and measures.

Where a child is under investigation, criminal procedure against her or him is conducted by special offices within law enforcement, child bureaus of public prosecution offices and they are judged by juvenile courts. There are a number of procedural guaranties and alternative interventions for children pushed to crime. Pursuant to the article 21 of Child Protection Code, no child can be put under detention for a crime of which upper limit for imprisonment sentence is not more than five years.

Criminal liability of children is regulated under the article 31 of Turkish Criminal Code. Pursuant to the first paragraph of the article, Minors under the age of twelve are exempt from criminal liability. Therefore, if a child who commits the acts stated above is under twelve years old, she/he shall not be penalised. While such minors cannot be prosecuted, supporting measures in respect of minors may be imposed.

Where a minor is older than twelve, but younger than fifteen, at the time of an offence, and he is either incapable of appreciating the legal meaning and consequences of his act or his capability to control his behaviour is underdeveloped then he shall be exempt from criminal liability. Where the minor has the capability to comprehend the legal meaning and result of the act and to control his behaviours in respect of his act, the penalty to be imposed shall be reduced by half, save for the fact that for each act such penalty shall not exceed seven years. However, such minors may be subject to measures specific to children.

Where a minor is older than fifteen but younger than eighteen years at the time of the offence the penalty to be imposed shall be reduced by one-third, save for the fact that the penalty for each act shall not exceed twelve years.

As the law indicates, where the criminal responsibility of a child does not exist, court can decide for security measures specific to children. These measures are in the Code of Child Protection. They aim firstly at protecting a child within her or his family where possible and in compatible with best interests of the child. These measures are as follows:

- Counselling: (for children and persons responsible of their care.)
- Education
- Care of child (in cases where persons who are charged with care of the child does not fulfil their obligation)
- Health care and rehabilitation.

These measures are not only applicable for children of whom criminal liability is not accepted but also for other children who are held responsible.

Other than the measures stated above, there are also other alternative interventions for children: such as:

- Pursuant to the article 253 of Criminal Procedure Code, where a crime committed by a child and the child is sentenced by imprisonment up to three years, law gives possibility for reconciliation with the victim of the crime. In this case, even if the prosecution of the crime is not depended upon complaint of the victim, there is possibility of reconciliation for the child with the victim.

Regarding crimes which are out of scope of reconciliation, there is a possibility of suspending induction of criminal case under certain circumstances, stated below in the text of article 171 of Criminal Procedure Code. In this case, time of monitoring for children is three years instead of five, which is foreseen for adults.

- Where a child is sentenced to sentence of imprisonment which is two years or less, criminal court may decide, under certain conditions, not to pronounce verdict and if the child does not commit a crime for three years, (this monitoring duration is five years for adults) the verdict is abolished automatically. Court can also decide to monitoring of the child such as appointing a tutor or an social expert etc. to guide the child.

- If conditions of legal remedy for postponing the verdict are not present in a case, court can decide for suspension of the sentence. For this suspension, the sentence accorded against a child by court must be less than three years. (it is two years for adults).

There are also certain guaranties and rights for children in the execution phase of sentence but as they are out of scope of the question, we are not indicating them. The court may assign an expert to counsel the child within the probation period. This expert shall: give guidance to the offender designed to aid the person to act responsibly and refrain from negative behaviour; meet and discuss with the authorities of the educational institution or work place of the offender; prepare a report, every three months, on the development, behaviour, social adaptation and sense of responsibility of the offender and convey these reports to the judge.

9.9. What are the legal consequences of the above behaviours (9.7.a-f)?

We refer to our replies under 9.7.above

- 9.10. Does national law criminalise cases when children:<sup>4</sup>
- a. produce self-generated sexual content?
  - b. possess self-generated sexual content?
  - c. distribute or transmit self-generated sexual content to peers?
  - d. distribute or transmit self-generated sexual content to adults?
  - e. distribute or transmit self-generated sexual content of other children to peers?
  - f. distribute or transmit self-generated sexual content of other children to adults?

**We refer to our replies under 9.7.above**

9.11. Are there special circumstances or alternative interventions under which the above cases (9.10.a-f), although established in fact and in law, are not prosecuted and/ or do not lead to conviction?

**We refer to our replies under 9.8.above**

9.12. What are the legal consequences of the above behaviours (9.10.a-f)?

**We refer to our replies under 9.7.above**

## **Question 10. Production and possession of self-generated sexually explicit images and/or videos by children for their own private use**

10.1. For Parties having made a reservation in accordance with Article 20(3) indent 2<sup>5</sup>

What measures have been taken to ensure that the production and/or possession of self-generated sexually explicit images and/or videos is not criminalised when it involves children who have reached the age set in application of Article 18(2) where these images and/or videos are produced and possessed by them with their consent and solely for their own private use?

10.2. For Parties that have not made a reservation in accordance with Article 20(3) indent 2<sup>6</sup>

Does national law criminalize the production and/or possession of self-generated sexually explicit images and/or videos when it involves children who have reached the age set in application of Article 18(2) where these images and/or videos are produced and possessed by them with their consent and solely for their own private use?

**Republic of Turkey has not made a reservation under article 20/3 of the Convention. Regarding our judicial system, a child means any person under 18 years old. Therefore, there is no difference between children who are under or above the age limit in the sense of article 18/2.**

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<sup>4</sup> This question does not in any way suggest that these behaviours should be criminalised.

<sup>5</sup> Denmark, Germany, Liechtenstein, the Russian Federation, Sweden, Switzerland.

<sup>6</sup> Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Georgia, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, Malta, Republic of Moldova, Monaco, Montenegro, Netherlands, Poland, Portugal, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, "The former Yugoslav Republic of Macedonia", Turkey and Ukraine.

## **Question 11. Reference in law to ICT facilitated sexual coercion and/or extortion**

How does national law address ICT facilitated sexual coercion and/or extortion of children and/or other persons related to the child depicted on the:

- a. self-generated sexually explicit images and/or videos?
- b. self-generated sexual content?

**Sexual coercion and extortion of children, as defined in this questionnaire, can be committed in different forms because in some cases the offender can ask for more images or videos, in other cases he or she can look for financial gain and finally the perpetrator's main aim can be sexually abusing child. We can also add the possibility that any other non-financial interest of the offender can exist. Therefore, we need to clarify crimes applicable for different types of sexual extortion and coercion of children.**

**Firstly, in case where the offender aims at getting a financial gain, this act can be accepted as the crime of "extortion" (blackmail) by the article 107 of Turkish Criminal Code. Pursuant to the 2<sup>nd</sup> paragraph of this article, "Where a person threatens to disclose or to make an accusation as to a matter that would damage a person's honour or reputation for the purposes of obtaining a benefit for himself or others, he or she shall be sentenced to a penalty of imprisonment for a term of one to three years and a judicial fine of up to five thousand days."**

**In the cases where the aim of the offender is getting more images or videos, as the text of the article does not make a distinction between financial or non-financial gains (benefits), this act can also constitute also this crime.**

**In addition to the crime of blackmailing, offender's act can also be accepted as the crime of "violation of private life". Pursuant to the article 134 of Turkish Criminal Code, violating privacy of another person's personal life is sentenced to a penalty of imprisonment for a term of six months to two years or a judicial fine. Where the violation of privacy occurs as a result of recording images or sound, the penalty of imprisonment to be imposed shall not be less than one year. Any person who discloses the images or sounds of another person's private life shall be sentenced to a penalty of imprisonment from a term of one to three years. Where the offence is committed through the press or broadcasting, the penalty shall be increased by one half.**

**If the offender's goal is having sexual gain and abusing the victim and if she or he uses this material in this respect, this act can be examined also as the crime of sexual abuse of children. The offender who abuses the child shall be also sentenced to the penalty under article 103 of Turkish Criminal Code, which foresees a penalty of imprisonment up to life imprisonment pursuant to form of committing the crime and the aggravation of the harmful results on child.**

**Regarding above-mentioned crimes, criminal code does not make any clear reference of ICT. This is a correct choice for any criminal law system because if the text of law makes a reference to a form of communication, it cannot adapt itself to improvements of technology. Bearing in mind that text of laws are not easy to change in a short time, making concrete references gives result to the danger of loopholes, from which criminals will benefit. Therefore, in the event that "extortion-blackmailing" occurs on ICT, this will be under scope of the article as well.**

**Besides criminal code there is also certain reference to ICT facilitated sexual abuse of children. Pursuant to the [Law On Regulation Of Publications On The Internet And Suppression Of Crimes Committed By Means Of Such Publications](#), where the crimes of sexual abuse of children or obscenity are committed on internet, access on internet to such websites are denied by a judge.**

decision. Furthermore, according to the article 9/a of the same code, persons whose privacy are violated on internet have the right to make a claim to block the access to a web page. These rights are very accessible and prompt legal remedies for victims of ICT facilitated sexual coercion or extortion. Besides, victims can always address to the police to start investigation against offenders.

Furthermore, we also refer to our answers under question 6, regarding legal remedies for online child abuse.

## **Question 12. Jurisdiction rules<sup>7</sup>**

Please indicate which jurisdiction rules apply under which conditions to the offences described above (questions 9-11) when the victim is not present in the Party when the offence is committed or when the offender is not present in the Party when the offence is committed.

**Jurisdiction of Turkish Courts are determined under Turkish Criminal Code. Pursuant to the article 8 of the code, Turkish criminal law shall be applied for crimes committed in Turkey. Where a criminal act is partially or fully, committed in Turkey, or the result of a criminal act occurs in Turkey, the offence shall be presumed to have been committed in Turkey.**

Therefore, if the victim is present in Turkey but the perpetrator is not, it is accepted that as the result of the crime occurs in Turkey, Turkish courts have jurisdiction. As to the possibility where the offender is in Turkey but the victim is not, it is also under jurisdiction of Turkish courts because the act is committed in Turkey.

Please find below the text of article 8 of Turkish Criminal Code.

### ***“Territorial Jurisdiction***

#### ***Article 8***

***(1) Turkish law shall apply to all criminal offences committed in Turkey. Where a criminal act is partially, or fully, committed in Turkey, or the result of a criminal act occurs in Turkey the offence shall be presumed to have been committed in Turkey.***

***(2) If the criminal offence is committed:***

- a) within Turkish territory, airspace or in Turkish territorial waters;***
- b) on the open sea or in the space extending directly above these waters and in, or by using, Turkish sea and air vessels;***
- c) in, or by using, Turkish military sea or air vehicles;***
- d) on or against a fixed platforms erected on the continental shelf or in the economic zone of Turkey,***

***then this offence is presumed to have been committed in Turkey.”***

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<sup>7</sup> Please answer this question taking into account the requirements of Article 25 of the Lanzarote Convention.

Where more detailed information is needed, we refer to our answer to the general overview questionnaire for its question 19.

### **Question 13. Specialised units/departments/sections**

13.1. Are there specialised units/departments/sections in charge of dealing with ICT facilitated sexual offences against children, such as those referred to in this questionnaire (see questions 9-11):  
a. in law enforcement?

**Cyber-crimes Department of General Directorate of Security Affairs (police department) is established for investigation and collection of evidence regarding crimes committed via ICT. The department, apart from investigation procedures, aims also creating awareness-raising among public, promoting international cooperation, training professionals who have expertise in the field of cyber-crimes.**

**Sexual abuse of children is one of the main working areas of this department. Within the department, there is "Bureau for Child Abuse Crimes". This specialized unit is charged also with crimes such as referred to in this questionnaire.**

b. in prosecution?

**Regarding technical side of evidence collection and other investigation procedures, public prosecutors get help from law enforcement, namely from Cyber Crime Units, as stated above. Furthermore, depending on the workload and number of cases, there are Cyber-crimes offices within Public prosecution offices. Therefore, some part of public prosecutors work for crimes committed via ICT, including naturally ICT facilitated sexual abuse of children.**

c. in courts?

**There are not specialized courts for cyber-crimes in Turkish Criminal System. However, in the case that the offender is a child at the time of committing the crime, she or he will be tried by juvenile courts. Furthermore, courts trying crimes under this questionnaire can use specialized units in law enforcement and get help cyber-crimes offices of public prosecution.**

13.2. Please specify if there are specialised units/departments/sections in charge of dealing with ICT facilitated sexual offences against children committed by juvenile offenders.

**In the case where these crimes are committed by juvenile offenders, there are "Child Bureaus" within law enforcement offices in every province and they work in collaboration with cybercrimes units where such offences are committed by children. Furthermore, if the offender is a child at the time of committing the crime, she or he will be tried by juvenile courts and criminal investigations will be carried out by child bureaus of prosecution offices.**

→ Please specify how the specialised units/departments/sections referred to above (questions 13.1 and 13.2) are organised (number of staff, structure, specialised in which areas within ICTs, etc.)?

**The Cyber-crimes unit is organized under General Directorate of Security Affairs as a Department. Under this department, there is a special bureau for online child abuse crimes. Cybercrimes units are present in every province within police forces.**

**Cyber-crime bureaus of public prosecution offices are established depending on the number of cases.**

→ As regards law enforcement, please indicate if:

- a. there is a victim identification function?
- b. there is an active contribution to the INTERPOL's International Child Sexual Exploitation (ICSE) image database? If not, why?

**Cyber-crimes unit work in the field of fight against online sexual abuse of children, including victim identification. According to information submitted, there is an ongoing work for contribution to INTERPOL's ICSE database within law enforcement.**

#### **Question 14. Challenges in the prosecution phase**

What challenges do law enforcement, prosecution and courts face during the prosecution of ICT facilitated sexual offences against children involving the sharing of:

- a. self-generated sexually explicit images and/or videos?
- b. self-generated sexual content?

**Main challenge that all authorities deal with regarding online sexual abuse of children is its international dimension and the difficulty arising from this particularity in regard to collection of evidence. In order to collect evidence of an ICT facilitated sexual offence, law enforcement and prosecution offices have to address international police or judicial cooperation, which should be faster and prompt.**

#### **Question 15. Training of professionals**

Are the offences referred to in this questionnaire (questions 9-11) addressed in training for professionals such as:

- a. law enforcement agents (in particular for front desk officers)?
- b. prosecutors?
- c. judges?

→ If so, please share the details of the training offered, specifying whether the training is mandatory.

**According to the information submitted by Cyber-crimes unit, they provide training especially to police staff in direct contact with children on "child sexual abuse, prevention juvenile delinquency, judicial proceedings related children, crimes against children, training on investigation of child sexual abuse, child sexual abuse via internet and social media, interview technics with children".**

**As also stated above, cybercrimes unit provides training to professionals in national and international level. Online child abuse is one of the main subjects of these trainings. It includes legislation of CP at international level, legislation in Turkey, international documents, P2P networks, investigation phase. This training lasts for three days.**

**Furthermore, international cooperation in cybercrime investigations is also a component of the training. It includes subjects such as; basic concepts of international relations, international**

investigations, international cooperation, international organizations and case studies. This training lasts for 5 days.

Please find below the link for training brochure in English of the Cybercrimes unit.

<http://www.siber.pol.tr/SiteAssets/Egitim/International%20Educational%20Content.pdf>

Besides training of law enforcement, there are also training activities aiming prosecutors and judges.

Justice Academy of Turkey is responsible for pre-professional and vocational- continuous training of judges and public prosecutors.

Considering pre-professional training, the courses under this education consists of crimes relating to sexual abuse and exploitation of children. Turkish Justice Academy has included a lesson titled online sexual abuse of children into the curriculum.

Trainees visit “Child Monitoring Centers - ÇİM” for 8 hours in order to follow investigation and examination activities regarding crimes where victim is a child. ÇİMs are established for minimizing resulting from crimes of which the victim is a child. The child victim does not need to go hospital, police or prosecutor separately. All necessary investigation procedures and medical examinations are carried out within the same center.

As to vocational-continuous training, there are a big number of seminars and other training activities provided by Justice Academy. For instance, in a training between 13<sup>th</sup> and 17<sup>th</sup> March 2017, judges and public prosecutors were trained about investigation skills, including crimes of sexual abuse of children.

Justice academy offers also trainings on juvenile justice system. For instance,

- Between 2012-2014, 850 judges and public prosecutors were trained on rights of children and children law.
- 100 judges and public prosecutors were trained for establishment of child interview rooms within court buildings.
- Printed materials on juvenile justice system were prepared and distributed to judges and prosecutors

Within the EU Project of Increasing the Efficiency of Turkish Criminal Justice System, a working group of judges, prosecutors and law enforcement officers was formed in order to strengthen curriculum of Turkish Justice Academy and to form a trainer pool. One of the training modules prepared by the working group is about online obscenity and child pornography. The activity of training of trainers about this module has been completed. This module is planned to be given to 400 candidate judges in Turkish Justice Academy in November - December 2014. In the same manner, the training module has been made available to the Turkish Justice Academy.

We also refer to information given under question 4 (Higher Education Curriculum and Vocational Training).

## Partnerships

### Question 16. International co-operation

16.1. What measures have been taken to co-operate with other Parties to the Lanzarote Convention for:

- a. preventing and combatting sexual coercion and/or extortion resulting from the sharing of self-generated sexually explicit images and/or videos?
- b. protecting and providing assistance to the victims of sexual coercion and/or extortion resulting from the sharing of self-generated sexually explicit images and/or videos?
- c. investigating and prosecuting sexual coercion and/or extortion resulting from the sharing of self-generated sexually explicit images and/or videos?

16.2. What measures have been taken to co-operate with other Parties to the Lanzarote Convention for:

- a. preventing and combatting sexual coercion and/or extortion resulting from the sharing of self-generated sexual content?
- b. protecting and providing assistance to the victims of sexual coercion and/or extortion resulting from the sharing of self-generated sexual content?
- c. investigating and prosecuting sexual coercion and/or extortion resulting from the sharing of self-generated sexual content?

**Turkey is a member of the “Global Alliance Against Child Sexual Abuse Online”. Turkey was represented by the Minister of Justice at the meeting of the alliance. Turkey is participating to meetings and monitoring reports of the alliance.**

**In the case of investigation of prosecution of these offences, Ministry of Justice is the organ responsible for transmitting or receiving mutual legal assistance requests. Turkey is a party to the European Convention on Mutual Legal Assistance on Criminal Matters and its additional protocols.**

**Other than government bodies, non-governmental organizations work in collaboration with international organizations such as ECPAT. For instance “Network Against Commercial Sexual Exploitation of Children in Turkey works with ECPAT.**