COUNCIL OF EUROPE

CONSEIL DE L'EUROPE

LANZAROTE COMMITTEE

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

Replies to the thematic questionnaire

"Screening of professionals, volunteers and other persons in contact with children"

REPUBLIC OF TÜRKIYE

Replies received by the Secretariat on 22 July 2026

Main relevant provisions of the Lanzarote Convention and previous recommendations

Article 5 paragraph 3 of the Lanzarote Convention requires Parties to take the necessary legislative or other measures, in conformity with their internal law, to ensure that the conditions to accede to those professions whose exercise implies regular contacts with children ensure that the candidates to these professions have not been convicted of acts of sexual exploitation or sexual abuse of children. The Explanatory Report to the Lanzarote Convention indicates that this obligation can be also applied to voluntary activities (see paragraph 57).

In the 2nd implementation report of the 1st monitoring round (2018), the Lanzarote Committee urged those Parties that limited mandatory screening to certain professionals to extend it to the recruitment of all professionals (public or private) in regular contact with children (R19) and invited Parties to encourage continuous screening of all professionals (R20) and volunteers (R21) in regular contact with children.

Article 27 paragraph 3.b of the Lanzarote Convention requires Parties to take the necessary legislative or other measures to deny the perpetrator, temporarily or permanently, the exercise of professional or voluntary activity involving contact with children in the course of which the offence was committed.

Article 37 paragraph 3 of the Lanzarote Convention requires Parties to take the necessary legislative or other measures to ensure that the information referred to in paragraph 1 (i.e. data related to the identity and to the genetic profile (DNA) of persons convicted of the offences established in accordance with the Convention) can be transmitted to the competent authority of another Party, in conformity with the conditions established in its internal law and the relevant international instruments.

Whenever the term "screening" is used in this questionnaire, this should be understood as "verification of criminal convictions for sexual offences against children".

In all your answers, please provide details to the extent possible and refer to specific laws, policies, programmes, measures, etc.

Please describe the legislation, policy and practice which are in force on 27 March 2026 or are in the process of adoption (in this case, please specify the planned date of entry into force).

Please indicate:

a. Your name and position: **MINISTRY OF JUSTICE**

b. State Party in respect of which the questionnaire is submitted: **REPUBLIC OF TÜRKİYE**

c. Entities and bodies which have been involved in responding to this questionnaire

Persons concerned by screening requirements

1. **Is the absence of criminal convictions for sexual offences against children required as a pre-condition in order to accede to professions, employment or volunteer positions whose exercise implies regular contacts with children? Please specify whether such restrictions apply to professions, employment or volunteer positions in the following sectors or areas of activities (additional details to be inserted below the table):**

	Criminal conviction check for employment in public sector?	Criminal conviction check for voluntary activity?	Criminal conviction check for employment in private sector?	Criminal conviction check for self-employed professionals?	Please specify the professionals to whom this requirement applies
Education – Pre-school	Yes		Yes	Yes	All Staff
Education – Primary	Yes		Yes	Yes	All Staff
Education – Secondary	Yes		Yes	Yes	All Staff
Education – Tertiary	Yes		Yes	Yes	All Staff
Education – Extracurricular (e.g. language schools)	Yes		Yes	Yes	All Staff
Childcare (e.g. kindergartens, crèches, childminders	Yes	Yes	Yes	Yes	All Staff

Institutional or residential care (e.g. foster homes, orphanages, closed residential facilities)	Yes	Yes	Yes	Yes	All Staff
Detention	Yes		Yes	Yes	
Migration facilities (e.g. reception centres)	Yes		Yes	Yes	
Sport	Yes	Yes	Yes	Yes	
Culture and leisure activities	Yes	Yes	Yes	Yes	
Entertainment sector	Yes		Yes	Yes	
Faith and religion	Yes		Yes	Yes	
Healthcare (including psychological and psychiatric services)	Yes		Yes	Yes	
Social protection services	Yes		Yes	Yes	
Law enforcement	Yes		Yes	Yes	
Judicial	Yes		Yes	Yes	
Civil society organisations	Yes		Yes	Yes	
Victim services (including Barnahus, domestic violence services)	Yes	Yes	Yes	Yes	All Staff
Any other sectors (please specify)	Yes		Yes	Yes	

Here you can insert additional details or specify any exceptions.

In Türkiye, for numerous professions, duties, and volunteer activities requiring regular contact with children, the condition of having no convictions for sexual offenses against children is required. Although this requirement is based on different legislative provisions depending on the sector, it is systematically applied in areas where direct contact with children is intensive, such as education, child care services, social services, sports activities, health services, law enforcement, judicial services, and victim support services.

With respect to the appointments to the public service positions, the conditions stipulated in the Article 48 of the Civil Servants Law No. 657 are applied. Within this framework, the individuals convicted of certain serious crimes cannot be appointed to the public office. In addition, for persons who will serve in institutions where children are densely present, the criminal record certificates and, where necessary, archive records are also taken into consideration.

Pursuant to the “Employment Prohibition” provision set forth in the Additional Article 1 of the Child Protection Law No. 5395, the individuals with final convictions for offenses such as child sexual abuse, sexual intercourse with a minor, obscenity, prostitution, human trafficking, and similar crimes are prohibited from being employed, operating, or assuming any role in schools, dormitories, nurseries, day-care centres, children’s clubs, children’s sports schools, and other workplaces where children are densely present.

In the field of education, criminal record checks are applied to personnel working at all levels of education, from pre-school to higher education. Similarly, for staff to be employed in private nurseries, day-care centres, and child care institutions, the requirement of having no convictions for certain offenses, including sexual crimes against children, is also imposed.

In foster family services, the prospective foster parents are required to submit criminal record certificates, demonstrating that they have no convictions for certain offenses, particularly offences of child abuse. Likewise, criminal record checks are conducted for personnel working in child care institutions, children’s homes, houses of affection (*sevgi evleri*) and other protection and care services.

In the field of sports, for individuals who will serve in the management bodies of sports clubs and candidates participating in coach training programs, the requirement of having no convictions for offenses against children or sexual integrity is stipulated. Similar restrictions are also applied to volunteer camp leaders serving in youth camps.

In the field of judicial support and victim services, both general civil service requirements and additional protective measures concerning certain offenses against children are applied to directors, deputy directors, judicial support officers, other staff, and volunteers. Personnel working in units, where children are densely present, are required to periodically submit updated records.

In general, in Türkiye, a multi-layered screening system aimed at protecting children exists in public service, private sector, and volunteer activities that require regular contact with children. Although this system is not regulated under a single central piece of legislation, sectoral legislative provisions and child protection regulations are applied together.

2. **In requiring the verification of criminal convictions for sexual offences against children in order to accede to the positions listed in question 1, does your State:**
   a. **define the level or threshold of contact with children (one-off, regular, etc.) which necessitates such a verification**
   b. **distinguish between direct, indirect or online contact with children?**

   If yes, please provide details.

The screening regime required for appointment to the duties specified in Question 1 in Türkiye is determined by taking into account the candidate's level of contact with the child.

In practice, more systematic and mandatory criminal record checks are applied to positions requiring regular, continuous, and direct contact with children; whereas for activities involving one-time, short-term, or indirect contact, the verification obligation is generally determined not by an explicit statutory threshold but rather by institutional internal policies, risk assessments, and the nature of the service. Detailed information regarding the screening process is provided in the response to Question 12.

Under Turkish law, there is no separate screening system encompassing all sectors with respect to whether contact with children is direct, indirect, or online. In assessing the criminal background of candidates for the afore-mentioned positions, no distinction is made between direct, indirect, or online contact; the primary focus is placed on the nature of the offense itself.

3. **Is the absence of criminal convictions for sexual offences against children required to become:**
   a. **an adoptive parent**

   Pursuant to the Article 6 of the Regulation on the Conduct of Intermediation Activities in the Adoption of Minors, the applicants for adoption are required to submit criminal record certificates covering both themselves and the family members with whom they reside, including expunged records within the scope of the Law No. 5352 on Criminal Records.

   The criminal record or archive records obtained are assessed in accordance with the paragraph three of the Article 7 of the Regulation, which provides as follows: "Any documents that may assist in the decision-making process shall be requested, and a comprehensive social investigation report shall be prepared based on at least five interviews, evaluating the applicants and, where applicable, other persons with whom they reside, in terms of their personality, education, cultural characteristics, economic capacity, health status, family members' relationships with each other and with their environment, their expectations from the child, their perspectives on adoption, their approaches to care, education and upbringing, the characteristics of the child they wish to adopt, and the attitudes and opinions of the applicants or, where applicable, their descendants."

   In the course of such examination, the nature of the act reflected in the individual's criminal record or archive entry is assessed together with the person's current lifestyle and social environment; the potential impact of the situation on the child's physical, emotional, social, and moral development is considered in line with the principle of the best interests of the child. Furthermore, it is comprehensively evaluated whether the offense may have an adverse effect on the child's position in society, sense of security, family belonging, and healthy personality development; as well as the values the applicants may instil in the child, their capacity to serve as role models, their competence in fulfilling care and upbringing responsibilities, and the quality of intra-family relationships. In addition, the impact on the person's family life and relationships with cohabitants, anger management, propensity for violence, substance dependency, or the presence of behavioural patterns that may jeopardize the child's safety are also taken into account during the social investigation process. In all assessments, the fundamental criterion is to ensure that the child is raised in a safe, supportive, and healthy family environment.

b. a foster parent

According to the paragraph 9(d) of the Article 8 of the Regulation on Foster Families, regardless of professional background, the individuals applying to become foster parents, as well as those with whom they reside, are required - based on the principle of the best interests of the child - to provide a criminal record certificate demonstrating that they have not been convicted, even if the periods specified in the Article 53 of the Turkish Penal Code have elapsed or even if pardoned, of intentional offenses resulting in imprisonment for one year or more, offences against the nation and the state, offences against society, offences against individuals, international offences, or offenses involving the abuse of children. Accordingly, it is mandatory that the foster family candidates have no criminal record relating to sexual offenses against children.

c. a child's legal guardian (including for unaccompanied children)?

Please provide details.

In Turkish law, the institution of guardianship is regulated under the Turkish Civil Code (TCC). Pursuant to the Article 396 of the TCC, the organs of guardianship are the guardianship offices, guardians, and trustees. The guardianship authority is the civil court of peace, while the supervisory authority is the civil court of first instance (TCC Art. 397). A guardian is appointed by the guardianship authority (TCC Art. 413). According to Article 418 of the TCC, the persons who are under legal disability, those barred from public service, those leading a dishonourable life, those whose interests significantly conflict with those of the person to be placed under guardianship, or those who are hostile towards such person, shall not be appointed as guardians. In the evaluation conducted by the guardianship authority, the appointed person must possess the qualifications necessary to safeguard the best interests of the child. The authority does not rely solely on the information contained in the criminal record but also assesses the personal characteristics, reliability, and potential risks posed by the guardian candidate in terms of the child's safety. A conviction for sexual offenses against children is considered a significant impediment in determining the suitability of a person to be appointed as guardian.

4. Is the absence of criminal convictions for sexual offences against children required for the household members of:

a. persons carrying out professional activity in their home who are in contact with children

b. persons carrying out volunteering activity in their home who are in contact with children

c. persons wishing to become an adoptive parent, a foster parent, or a child's legal guardian?

Please provide details.

In Türkiye, the requirement of having no criminal record for sexual offenses against children is not regulated as a single, general obligation applicable to all household members. However, in certain circumstances, such controls are effectively carried out. For individuals conducting professional activities within the household and engaging with children, the criminal record certificates may be requested depending on the nature of the activity, though this does not constitute a general requirement for all household members. Similarly, for the persons engaged in voluntary activities at home, the obligation to undergo criminal record checks is usually determined by the policies of the organizing institution rather than defined as a standard statutory obligation. By contrast, in processes such as adoption, foster parenting, or appointment as a child's legal guardian, a more comprehensive assessment is undertaken; the applicants and their living conditions are examined by social service institutions, and criminal record checks are considered an integral part of this process.

Within the scope of foster family services, pursuant to the paragraph 9(d) of the Article 8 of the Regulation on Foster Families, the criminal record certificates are required from individuals applying to become foster parents as well as from those with whom they reside, with the condition that no convictions exist for relevant offenses, including offences of child abuse. The assessment is not limited to the application stage but continues throughout the duration of the foster family service. Accordingly, during the continuation of foster family status, the criminal record certificates are renewed every two years and for each new family member joining the foster household, thereby ensuring that the circumstances which may affect the child's safety and best interests are monitored throughout the service process.

Within the scope of adoption services, pursuant to the Article 6 of the Regulation on the Conduct of Intermediation Activities in the Adoption of Minors, the criminal record certificates are required from applicants as well as from the family members with whom they reside. In addition, under the Article 7 of the Regulation, a social investigation is conducted concerning the applicants and their cohabitants, and the necessary assessments are carried out in line with the child's safety and best interests.

Accordingly, any documents that may assist in the decision-making process are requested, and a comprehensive social investigation report is prepared by evaluating the applicants and, where applicable, other persons with whom they reside, in terms of their personality, education, cultural characteristics, economic capacity, health status, family members' relationships with each other and with their environment, their expectations from the child, their perspectives on adoption, their approaches to care, education and upbringing, the characteristics of the child they wish to adopt, and the attitudes and opinions of the applicants or, where applicable, their descendants.

5. **Does the requirement to verify the absence of criminal convictions for sexual offences against children also apply to:**

   a. **children applying for professional or volunteer positions**

   In Türkiye, there is no provision stipulating that the criminal record checks applied to applicants for professional or voluntary positions involving contact with children cannot be conducted for individuals under the age of 18. The relevant institution evaluates child applicants for professional or voluntary positions by taking into account the risk factors.

b. adults in respect of criminal convictions received before the age of 18?

Please provide details.

In the paragraph 3 of the Article 10, entitled "Requesting Criminal Record Information", of the Law No. 5352 on Criminal Records, it is provided as follows: "Criminal record and archive records concerning persons under the age of 18 may only be requested by the chief public prosecutor's offices, judges, or courts for the purpose of evaluation within the scope of investigation and prosecution." Accordingly, only judicial authorities may query the criminal record and archive information of minors under 18. However, an individual may request a query regarding offenses committed before the age of 18 in relation to themselves, and a criminal record certificate reflecting this information may be issued to the person.

6. If a person legally changes their name, how does your State ensure that their criminal record remains linked to their new name?

Please provide details.

In the Article 1 of the Law No. 5490 on Civil Registration Services, it is provided as follows: "The purpose of this Law is to identify and record natural and legal events relating to a person's personal and civil status, nationality, and any changes therein from birth to death, to enter them into registers established for this purpose, to create a national address database in electronic form, and to ensure the linkage of civil registration records with address information." In the Article 10, entitled "Basis for Official Transactions", it is stipulated as follows: "In institutions, civil registration records shall be taken as the basis for transactions concerning individuals." In the Article 46, entitled "Identity Number", it is stated as follows: "The identity number is a numbering system designed to establish a link among the civil registration records of citizens of the Republic of Türkiye, to access individual records, and to ensure correlation among records kept by public institutions. The identity number of the Republic of Türkiye is assigned once to the individual and cannot be changed."

Pursuant to the relevant legislation, the criminal records are maintained in an integrated manner with the Turkish Republic identity number and the civil registration system. Changes in names or surnames recorded in the civil registry are reflected in the relevant record systems, and the link between a person's previous identity information and new identity information is preserved. Thus, even if a name change has been made, the access to the individual's criminal and archive records remains possible.

7. Is access to public funds for projects implying contact with children conditional on the absence of criminal convictions for sexual offences against children for persons employed in or volunteering for such projects?

Please provide details.

In Türkiye, the protection of children is adopted as a fundamental principle in the implementation of projects requiring contact with children. In particular, within projects benefiting from public support in the fields of education, social services, and child protection, the examination of criminal records is widely applied as part of the assessment of the suitability of individuals who will take part in such projects.

In this context, the criminal record status of personnel and volunteers who will have direct and regular contact with children is expected to be verified with respect to sexual offenses against children, thereby implementing protective measures aimed at ensuring the safety of children. By contrast, in roles involving indirect contact or administrative duties, this requirement may be applied more flexibly.

<u>Information included in screening</u>

8. Does the criminal record check include criminal convictions for:

- **a. sexual abuse of a child (Article 18 of the Lanzarote Convention)**
- **b. sexual exploitation of a child ("child prostitution" Article 19 of the Lanzarote Convention)**
- **c. acts involving child sexual abuse material ("child pornography" Article 20 of the Lanzarote Convention)**
- **d. offences related to the participation of children in pornographic performances (Article 21 of the Lanzarote Convention)**
- **e. corruption of a child (causing a child to witness sexual activities) (Article 22 of the Lanzarote Convention)**
- **f. solicitation of a child for sexual purposes ("grooming"), including online (Article 23 of the Lanzarote Convention)**
- **g. aiding and abetting or attempting the above offences (Article 24 of the Lanzarote Convention)**
- **h. any other convictions (please specify)?**

Please provide details.

Pursuant to the Articles 1, 2, and 4 of Law No. 5352 on Criminal Records, all final convictions concerning criminal penalties and security measures are recorded as part of the criminal record, and this includes convictions relating to the offenses mentioned above.

9. Does the screening of persons applying for roles or positions specified in questions 1 and 3 above extend beyond criminal convictions for sexual offences against children to:

- **a. relevant administrative or disciplinary sanctions**
- **b. other information available to the authorities (e.g. judicial decisions in civil proceedings)?**

Please provide details.

In Türkiye, the assessment system for individuals who will work with children is not limited to the examination of convictions for sexual offenses against children. Depending on the nature of the duty, criminal record checks, archive records, security investigations, social assessments, and other evaluation mechanisms prescribed by the relevant legislation may be applied together.

In the context of adoption, the evaluation is conducted in accordance with the paragraph 3 of the Article 7 of the Regulation on the Conduct of Intermediary Activities in the Adoption of Minors, which provides as follows: "All documents that may assist in decision-making shall be requested, and based on at least five interviews, a comprehensive social investigation report shall be prepared assessing the applicants and, if applicable, other persons living with them in terms of personality, education, cultural characteristics, economic capacity, health status, family and social relations, expectations from the child, perspectives on adoption, approaches to care, education and upbringing, the characteristics of the child they wish to adopt, and the attitudes and opinions of the applicants or their descendants."

In this context, the examination takes into account the nature of the act recorded in the criminal or archive record together with the individual's current lifestyle and social environment; the possible impact of such circumstances on the child's physical, emotional, social, and moral development is assessed in line with the principle of the best interests of the child. Furthermore, whether the offense may negatively affect the child's position in society, sense of security, family belonging, and healthy personality development is comprehensively evaluated, along with the values the applicants may instil in the child, their capacity to serve as role models, their adequacy in fulfilling care and upbringing responsibilities, and the quality of family relationships. In addition, the impact on family life and relations with cohabitants, anger management, tendency toward violence, addiction status, or the presence of behavioural patterns that may endanger the child's safety are also considered during the social investigation process. In all evaluations, the fundamental criterion is to ensure that the child grows up in a safe, supportive, and healthy family environment.

In the context of foster parenting, pursuant to the Article 9 of the Foster Family Regulation, in addition to criminal record and archive checks, a social investigation report is prepared containing recommendations regarding social service interventions aimed at determining the psychological, social, and economic circumstances of the applicants or families. This examination is not limited to the initial application stage; it is also carried out regularly throughout the continuation of foster family services. Within this framework, the renewal of criminal record certificates is required every two years during the foster care process and for each new family member joining the foster family. During the renewal process, the quality of the family environment, the level of fulfilment of caregiving responsibilities, intra-family relations, the child's psycho-social development, and the potential risk factors affecting the child's safety are monitored and evaluated by the relevant social workers.

Security clearance and archive investigation procedures are carried out in accordance with the provisions of Law No. 7315 and Regulation No. 5649.

The Article 3, titled *"Persons Subject to Security Investigation and Archive Research"*, of the Law No. 7315 is as follows:

"(1) Archive research shall be conducted in respect of those who are to be appointed, for the first time or by re-appointment, to civil service or public office, regardless of their status or form of employment.

(2) Security investigation and archive research shall be jointly conducted in respect of the public personnel to be employed in classified units of institutions and organizations where unauthorized access to information and documents may jeopardize or harm state security, national existence and integrity, or internal and external interests; the public personnel to be employed in the Ministry of National Defence, the Turkish General Staff, the gendarmerie, the police, the coast guard, and the intelligence agencies; the public personnel to be employed in the penal institutions and detention houses; the teachers to be employed in public institutions and organizations; the senior public executives; the persons who are subject to security investigation and archive research pursuant to the special laws; and those employed, regardless of their status or form of employment, in units, projects, facilities, or services of strategic importance in terms of national security."

The Article 4, titled *“Archive Research”*, of the same Law is as follows:

“(1) Archive research consists of the determination of following matters from existing records:

a) The criminal record of the individual;

b) Whether the individual is currently sought by the law enforcement authorities;

c) Whether there is any restriction imposed on the individual;

d) Final court judgments concerning the individual, as well as decisions rendered pursuant to the Article 171, paragraph five, and the Article 231, paragraph thirteen of the Criminal Procedure Code numbered 5271 and dated 4 December 2004, together with the facts arising from ongoing or concluded investigations or prosecutions concerning the individual;

e) Whether the individual has been dismissed from public service or subjected to a finalized disciplinary penalty of dismissal from civil service.”

The Article 5, titled *“Security Investigation”*, of the same Law is as follows:

“(1) Security investigation, in addition to the matters covered by archive research, consists of determining, through existing records and by means of on-site inquiries conducted with methods suitable for verification of issues that may reflect upon the individual’s duties, the following matters:

a) Factual data concerning the individual, held by law enforcement authorities and intelligence units, in relation to the qualifications required by the position;

b) The individual’s relations with foreign state institutions and foreign nationals;

c) Whether the individual acts in concert with, maintains contact with, or has affiliation to the terrorist organizations or criminal organizations established for the purpose of committing offenses.”

In addition, the paragraph 1 of the Article 53, titled “Deprivation of exercising certain rights”, of Turkish Penal Code is as follows:

“(1) Where a person is sentenced to a penalty of imprisonment for an intentional offence, the legal consequence of such shall be his prohibition from:

a) becoming a member of the Grand National Assembly of Turkey or undertaking employment as, or in the service of, an appointed or elected public officer (permanently, temporarily or for a fixed period of time) within the administration of the State, a province, municipality or village, or institution or entity under their control or supervision;

b) eligibility to vote and be elected (...);

c) acting as a guardian or being appointed in the role of guardianship and trustee;

d) being the administrator or inspector of a legal entity namely, foundation, association, labour union, company, cooperative or political party;

e) conducting any profession or trade, which is subject to the permission of a professional organization (which is in the nature of a public institution or organization) under his own responsibility as a professional or a tradesman.”

The law explicitly specifies to whom security investigations and archive inquiries shall be conducted and which criteria shall be considered. Within this framework, the judicial criminal records concerning ongoing or concluded investigations or prosecutions may be communicated to public institutions and organizations requesting a security investigation in accordance with the legislation. In addition, the records of sanctions imposed by courts depriving individuals of certain rights, as well as factual data held by law enforcement and intelligence units regarding qualifications required by the duty, may also be transmitted to the persons and/or institutions deemed appropriate under the legislation, provided that each individual and case is assessed separately.

10. **If restrictions on the exercise of the relevant activities apply as a result of a criminal conviction for sexual offences against children, in line with Article 27 paragraph 3.b:**

    a. **are they life-long?**

    b. **if they are not life-long, please specify the time-limits applicable**

    c. **are they applied only to activities in the public sector?**

    Please provide details.

The Article 53, titled “Deprivation of exercising certain rights”, of Turkish Penal Code is as follows:

“(1) Where a person is sentenced to a penalty of imprisonment for an intentional offence, the legal consequence of such shall be his prohibition from:

a) becoming a member of the Grand National Assembly of Turkey or undertaking employment as, or in the service of, an appointed or elected public officer (permanently, temporarily or for a fixed period of time) within the administration of the State, a province, municipality or village, or institution or entity under their control or supervision;

b) eligibility to vote and be elected (...);

c) acting as a guardian or being appointed in the role of guardianship and trustee;

d) being the administrator or inspector of a legal entity namely, foundation, association, labour union, company, cooperative or political party;

e) conducting any profession or trade, which is subject to the permission of a professional organization (which is in the nature of a public institution or organization) under his own responsibility as a professional or a tradesman.

(2) A person shall not exercise these rights until the completion of the term of his penalty of imprisonment.

(5) Where a sentence of imprisonment has been imposed for an offence related to the abuse of one of the rights or authority defined in paragraph one, the offender shall be prohibited from exercising such right for a period of one-half to two times the length of imprisonment imposed, such to come into effect after the prison term is served. (...)”

In addition, with respect to the activities requiring direct and intensive contact with children, in the Additional Article 1 titled “Prohibition of Employment” introduced into the Child Protection Law No. 5395, it is provided as follows:

“Individuals with final convictions recorded in criminal and archive registers for offenses such as sexual assault, sexual abuse of children, sexual intercourse with minors, production and trafficking of narcotic or stimulant substances, facilitating the use of narcotic or stimulant substances, obscenity, prostitution, human trafficking, and intentional homicide are prohibited from personally operating, being employed in, or assuming any role in workplaces belonging to public institutions, private sector organizations, or non-governmental organizations, under any designation, where children are predominantly present. These include child service units, judicial interview rooms, educational institutions, child activity and play centres, schools, school buses, school canteens, dormitories, nurseries, day-care centres, child clubs, internet cafés and halls, e-game venues, child sports schools, and physical education and sports facilities.”

In this context;

Within the scope of the activities regulated under the Additional Article 1 of the Child Protection Law No. 5395, a permanent prohibition on employment and assignment is prescribed for the individuals, who have finalized conviction judgments for sexual offenses against children. Conversely, with respect to the activities not covered by the Additional Article, the deprivations of rights stipulated in the Article 53 of the Turkish Penal Code are applied.

With respect to the activities outside the scope of the Additional Article 1, pursuant to the paragraph 2 of the Article 53 of the Turkish Penal Code; the deprivations of rights, as a rule, continue until the completion of the execution of the imposed imprisonment sentence. Furthermore, in the circumstances specified in the paragraph 5 of the Article 53 of the Turkish Penal Code, it may be decided that, even after the execution of the sentence, the use of the relevant right or authority shall be prohibited for a period ranging from half to twice the duration of the imposed sentence.

The prohibitions stipulated under the Additional Article 1 of the Child Protection Law No. 5395 are applied to all workplaces and fields of activity belonging to public institutions, private sector organizations and non-governmental organizations, where children are predominantly present. Therefore, these restrictions cover not only the public sector but also activities in the private sector and civil society.

11. Does the criminal record check verify the existence of an expunged or spent criminal conviction for sexual offences against children for persons applying for roles or positions specified in questions 1 and 3?

Please provide details.

In Turkish law, the types of records to be included in the criminal record, the period after which such records are deleted and transferred to the archive, and the duration for which archived records are preserved are explicitly stipulated in the Law No. 5352 on Criminal Records.

In the Article 9, titled “Deletion of Criminal Record Information”, of the Law No. 5352 on Criminal Records, it is stipulated as follows: “Information in the criminal record shall be deleted and transferred to the archive by the Directorate General for Criminal Records and Statistics in the following cases: a) Completion of the execution of the sentence or security measure, b) Waiver of complaint or effective remorse eliminating the conviction with all its consequences, c) Expiry of the statute of limitations, d) General amnesty.”

In the Article 12, titled “Deletion of Criminal Record and Archive Information”, of the same Law, it is provided as follows: “(1) Archive information shall be completely deleted in the following cases: a) Upon the death of the individual, b) With respect to the convictions causing deprivation of rights under the Article 76 of the Constitution or under the laws other than the Turkish Penal Code, from the date on which the conditions for archiving are met; 1. After fifteen years, provided that a decision on the restoration of prohibited rights has been obtained, 2. After thirty years, without requiring a decision on the restoration of prohibited rights, 3. With respect to other convictions, five years after the date on which the conditions for archiving are met. (2) In cases where the act ceases to constitute a crime under law, the criminal record and archive information relating to convictions for such offense shall be completely deleted without the need for a request.”

In the Article 13/A, titled “Restoration of Prohibited Rights”, of the same Law, which regulates the procedure and principles for obtaining a decision on the restoration of prohibited rights; it is stipulated as follows: “(1) In order to eliminate deprivations of rights imposed by laws other than the Turkish Penal Code No. 5237 due to conviction for a specific offense or sentence, the procedure of restoration of prohibited rights may be pursued. For this purpose, without prejudice to the paragraphs 5 and 6 of Article 53 of the Turkish Penal Code: a) Three years must have elapsed since the completion of the execution of the imposed sentence, b) The individual must not have committed a new offense during this period, and the court must form the opinion that the person has maintained good conduct. (2) Where the execution of the imposed sentence has been terminated for a legal reason other than general amnesty or effective remorse, five years must have elapsed since the finalization of the judgment for restoration of prohibited rights to be possible. However, this period may not be less than the duration found by adding three years to the imprisonment sentence imposed. (3) For restoration of prohibited rights, upon the request of the convict or their representative, a decision must be rendered either by the court that issued the judgment or by a court of the same level located in the place of residence of the convict. (4) The court may render its decision on this matter either by examining the file or by hearing the public prosecutor and the convict. (5) Against the decision rendered by the court upon the request for restoration of prohibited rights, the legal remedies provided in the Criminal Procedure Code may be pursued. (6) The decision on restoration of prohibited rights, once finalized, shall be recorded in the criminal record archive.”

Within the framework of the relevant legislation, in Turkish law, the criminal record entries are kept in the criminal register until the completion of the execution of the sentence or security measure. Upon completion of execution, expiry of the statute of limitations, general amnesty, or the occurrence of other reasons stipulated in the Law, the records are deleted from the criminal register and transferred to the archive.

Therefore, conviction records arising from sexual offenses against children may also be removed from the criminal register under certain conditions; however, they may continue to be retained in the archive records. In cases of convictions causing deprivation of rights, archive records are preserved for fifteen years from the date of archiving if a decision on the restoration of prohibited rights has been obtained, and for thirty years if no such decision exists. Restoration of prohibited rights may only be granted by a court decision, upon assessment that the individual has not committed a new offense for a certain period and has maintained good conduct.

Individuals whose archive records contain convictions for sexual offenses against children may not personally operate, be employed in, or assume any role in workplaces or activity areas belonging to public institutions, private sector organizations, or non-governmental organizations, under any designation, where children are predominantly present. These include child service units, judicial interview rooms, educational institutions, child activity and play centres, schools, school buses, school canteens, dormitories, nurseries, day-care centres, child clubs, internet cafés and halls, e-game venues, child sports schools, physical education and sports facilities. Such individuals are also prohibited from adopting children, providing foster family services, or acting as guardians.

On the other hand, pursuant to the Article 6 of the Regulation on the Conduct of Intermediary Activities in the Adoption of Minors, the applicants for adoption are required to submit criminal record certificates of themselves and their family members living in the same household, including deleted records under the Law No. 5352 on Criminal Records. Therefore, even deleted criminal records are taken into consideration in adoption applications.

Screening procedure

12. How is the screening procedure set out in your legal framework (in a single piece of legislation, sector-specific legislation, or other)?

Please provide details.

In Türkiye, the screening process for individuals in contact with children (criminal record, archive record, and in some cases security clearance) is not regulated under a single comprehensive “screening law”, but rather through a combination of multiple legislative instruments. In general, the primary basis is the Criminal Records Law, which governs the keeping and sharing of criminal and archive records and allows criminal records of individuals to be requested by public institutions and competent authorities for specific purposes. In addition, legislation concerning security clearance and archive investigation applies in the recruitment of public officials and for certain critical positions. This mechanism is particularly used in the public sector to assess the suitability of personnel, who will work with children. Outside of this, the screening obligations are largely shaped by sector-specific regulations.

Pursuant to the Articles 1, 2, and 4 of the Law No. 5352 on Criminal Records, all final convictions concerning sentences and security measures are kept as criminal record entries. Screening based on criminal record and archive information is carried out within the framework of the following legislation.

- In paragraph 5/A of the Article 48 of the Civil Servants Law No. 657, it is stipulated that: “Even if the periods specified in the Article 53 of the Turkish Penal Code have elapsed, the individuals must not have been convicted of an intentional offense resulting in imprisonment for one year or more, or - although pardoned - of offenses against the security of the State, offenses against the constitutional order and its functioning, embezzlement, bribery, theft, fraud, forgery, breach of trust, fraudulent bankruptcy, bid rigging, fraud based on the discharge of contractual obligations, laundering of assets derived from crime, or smuggling.”
- According to the Additional Article 1 of the Child Protection Law No. 5395, the individuals with final convictions for offenses such as sexual assault, sexual abuse of children, sexual intercourse with minors, production and trafficking of narcotic or stimulant substances, obscenity, prostitution, human trafficking, and intentional homicide are prohibited from operating, working in, or assuming any role in workplaces where children are predominantly present. These include schools, dormitories, nurseries, day-care centres, child clubs, school buses, school canteens, internet cafés, e-game venues, child sports schools, and similar establishments.
- Pursuant to the provisions of the Regulation on the Establishment and Operation Principles of Private Nurseries and Day-care Centres, the individuals, who intend to open or take over such institutions, must meet the following conditions: *“Even if the periods specified in the Article 53 of the Turkish Penal Code No. 5237 have elapsed, they must not have been convicted of an intentional offense resulting in imprisonment for one year or more, or - although pardoned - of offenses against the security of the State, offenses against the constitutional order and its functioning, offenses against national defence, offenses against state secrets, offenses against society, offenses against individuals, international crimes and espionage, embezzlement, bribery, theft, fraud, forgery, breach of trust, fraudulent bankruptcy, bid rigging, fraud based on the discharge of contractual obligations, laundering of assets derived from crime, smuggling, or offenses against sexual inviolability.”* For personnel working in private nurseries and day-care centres, it is required to possess a criminal record certificate proving that they have not been convicted of the afore-mentioned offenses. Furthermore, if it is determined or suspected that the individuals working in such institutions have neglected or abused children, committed an offense, or concealed an

offense; a criminal complaint is filed with the Chief Public Prosecutor's Office, and the situation is reported to the provincial directorate.

- In public lifelong learning courses, if there are not enough teachers or permanent master instructors in the relevant field, institution, or educational district, the need is met by volunteers who will serve for a course fee. *Even if the periods specified in the Article 53 of the Turkish Penal Code No. 5237 and dated 26 September 2004 have elapsed, the candidates must not have been convicted of an intentional offense resulting in imprisonment for one year or more, or - although pardoned - of offenses against the security of the State, offenses against the constitutional order and its functioning, embezzlement, bribery, theft, fraud, forgery, breach of trust, fraudulent bankruptcy, bid rigging, fraud based on the discharge of contractual obligations, laundering of assets derived from crime, or smuggling.*
- Within the scope of the Student Transportation Program, for drivers and guide personnel providing transportation services:

  According to the Article 9 of the Regulation on School Service Vehicles, regarding the conditions, duties, and responsibilities of personnel working in transportation services; the drivers using school service vehicles and guide personnel in such vehicles are subject to criminal record checks. In line with the provision stating that « they must not have been convicted of, or currently prosecuted for, or have prosecutions concluded by reconciliation in relation to the offenses set forth in the Articles 81, 102, 103, 104, 105, 109, 179/3, 188, 190, 191, 226, and 227 of the Turkish Penal Code »; the necessary examination and criminal record inquiry is conducted. Within this scope, the approval is not granted to individuals with criminal records.

Apart from criminal record and archive record checks, screening based on other documents is carried out within the framework of the legislation referred to in the answer to Question 9. The screening procedure, in respect of foster family services, is regulated under the Regulation on Foster Family, published in the Official Gazette dated 14 December 2012 and numbered 28497. In respect of adoption services, it is regulated under the Regulation on the Conduct of Intermediary Activities in the Adoption of Minors, published in the Official Gazette dated 5 March 2009 and numbered 27170. (For detailed information, see the answer to Question 9 above.)

13. If screening is required, who is required to act?

a. the employer, volunteer recruiter or child protection authority is expected to obtain the necessary information directly from the authorities

For the individuals to be appointed to the public office, the security investigations and archive research are conducted by the National Intelligence Organization, the Turkish National Police Organization, and local civil administration authorities. As for the founders and personnel of private educational institutions, the legislation exists under the Law No. 7315 on Security Investigations and Archive Research regarding the conduct of archive research and security investigations.

Recruitment is carried out following a detailed General Information Gathering screening, requested from the Turkish National Police Organization.

b. **the candidate must provide proof of absence of convictions**

(Contractors awarded the tender are required to submit their criminal record certificate to the provincial directorates of national education prior to the commencement date of work.)

The candidate is required to prove that they have no criminal record.

c. **another scenario. Please specify**

Please provide details.

The screening activity is carried out within the framework established by the provisions of Law No. 5352 on Criminal Records, either by public institutions directly obtaining the results of criminal record inquiries, or by the individual subject to screening obtaining the record and presenting it to the relevant parties, with verification being conducted by the parties when necessary.

As stated in the answer to Question 12;

In Türkiye, the screening process for individuals who have contact with children - comprising criminal record checks, archive records, and, in certain cases, security investigations - is regulated as a combination of multiple legislative provisions.

For the jobs and activities requiring a security investigation, the authority responsible for conducting such screening is explicitly specified in the Article 6 of the Law No. 3515 on Security Investigations and Archive Inquiries, which provides as follows: “Security investigations and archive inquiries shall be carried out by the National Intelligence Organization, the Turkish National Police Organization, and local civil administration authorities.”

In Türkiye, the model applied for screening based on criminal record and archive certificates is essentially candidate-centred. Within the framework established by the provisions of the Law No. 5352 on Criminal Records, the results of criminal record inquiries are either obtained directly by public institutions, or acquired by the individual subject to screening and presented to the relevant parties, with verification being carried out by those parties when necessary.

However, with respect to the activities regulated under the Additional Article 1 of the Child Protection Law, the employer’s duty of supervision has been reinforced. Accordingly, the employees working in workplaces where children are present in large numbers are required to submit, at six-month regular intervals, an official status certificate prepared on the basis of criminal record and archive documents demonstrating their eligibility to work in such workplaces. With this regulation, the process has evolved into a dual responsibility model: the candidate/employee is obliged to obtain and present the certificate to the employer, while the employer is obliged to request such submission and ensure periodic supervision. In other words, the candidate obtains the document, and the employer is responsible for systematically monitoring its existence and validity.

By contrast, for a prospective adoptive parent or foster family candidate, the screening is conducted not only on the basis of the criminal record but also by social investigation officers.

14. If screening is required, who bears the costs of screening procedures?

Please provide details.

In Türkiye, the conduct of screening procedures does not entail any cost.

15. How does your State monitor that employers, volunteer recruiters or child protection authorities comply with the relevant regulations on screening?

Please provide details.

The monitoring of whether employers, voluntary organizations, and institutions working with children in Türkiye comply with screening obligations (criminal record checks, archive inquiries, and, in certain public duties, security clearances) is not conducted through a single centralized mechanism, but rather through a sector-based administrative oversight system. Primarily within public institutions (such as schools, social service agencies, and healthcare facilities), compliance is ensured by the relevant ministries and their affiliated supervisory bodies. In these institutions, it is mandatory to carry out criminal record and security clearance procedures in full during recruitment and throughout the continuation of employment. Inspections are conducted by inspectors, internal audit units, and hierarchical administrative control mechanisms. In cases where non-compliance is identified, administrative sanctions, dismissal from office, or disciplinary measures may be imposed.

In the private sector (such as private schools, nurseries, training centres, and sports facilities that engage with children), the oversight is primarily conducted through licensing and operational permit procedures. Such institutions may be subject to inspections by the competent public authorities either on a regular basis or upon complaint. During inspections, the compliance documents of employed personnel, particularly the existence of criminal record certificates, are verified. In cases where non-compliance is identified, sanctions such as administrative fines, suspension of operations, or revocation of licenses may be imposed.

With respect to voluntary organizations and non-governmental organizations, the oversight is generally exercised indirectly through public grants, project agreements, and child protection standards. However, in activities that are entirely voluntary or funded by private sector resources, there is no centralized or continuous state supervision; rather, this area is largely left to the internal policies and responsibilities of the institutions themselves. Overall, the supervisory system in Türkiye is structured as a multi-layered framework: strict administrative control in the public sector, licensing and operational oversight in the private sector, and project-based, indirect control mechanisms in the civil society domain.

Pursuant to the Article 67 of the Regulation on Private Educational Institutions of the Ministry of National Education, private educational institutions are subject to inspection by Ministry inspectors, assistant inspectors, or education inspectors assigned by the provincial directorate of national education (as well as district/provincial branch directors, education specialists, researchers, and other officials vested with supervisory authority). Private educational institutions must be inspected within one year at the latest from the date on which they obtain the institutional opening permit and the workplace opening and operating license. The initial inspections following the granting of such permits and licenses may not be conducted by the same officials, who prepared the examination report at the time of the institution’s opening.

16. If screening is required, are there sanctions foreseen for failure to comply with it? If yes, what type of sanctions?

Please provide details.

In Türkiye, non-compliance with screening obligations prescribed for individuals in contact with children (criminal record checks, archive inquiries, and security clearances in public service) is subject to administrative and indirect sanctions that vary according to legislation and sector; there is no unified “penalty system for the violation of child protection screening.” In the public sector, if an appointment is made without fulfilling the screening obligations, the appointment may be annulled, the individual may not be allowed to assume office, or may be suspended from duty. Furthermore, in cases of false or incomplete declarations, disciplinary investigations may be initiated, and administrative sanctions, including dismissal from office, may be imposed.

In the private sector (for example, workplaces such as schools, nurseries, childcare centres, sports facilities, and educational institutions that engage with children), non-compliance with screening obligations is generally identified during workplace inspections. In such cases, administrative fines may be imposed on the employer, remedial measures may be required, and in instances of serious violations, the institution's operating permit may be suspended or entirely revoked. Furthermore, in situations that endanger child safety, the employer may also incur legal liability.

In the case of voluntary organizations and project-based activities, the sanctions are predominantly financial and administrative in nature. Where public funds are utilized, the failure to conduct compliance checks may result in the termination of grant agreements, the requirement to repay disbursed funds, and restrictions on the organization's eligibility to receive future public support. Overall, in Türkiye, the sanctions are applied in a multi-sectoral manner: annulment of appointments and disciplinary measures in the public sector; administrative fines and operating permit sanctions in the private sector; and funding cuts and contractual sanctions in the sphere of projects and voluntary activities.

Within the scope of foster care and adoption services, in cases of non-compliance with screening obligations, disciplinary and administrative proceedings are initiated against the relevant public officials on the grounds of misconduct in office. Moreover, where an unsuitable candidate is admitted into the system, the application is annulled.

Pursuant to the Article 6/12 of the Regulation on Private Educational Institutions of the Ministry of National Education, if it is subsequently determined that the persons referred to in the first paragraph of the Article 4 of the Law do not meet the conditions specified therein, the institutional opening permit and the workplace opening and operating license shall be revoked.

With respect to the activities regulated under the Additional Article 1 of the Child Protection Law, non-compliance with screening obligations entails a graduated and deterrent sanction regime for employers.

At the initial stage, an employer who hires workers in violation of the prohibition is subject to an administrative fine amounting to three times the gross minimum wage for each employee in respect of whom this provision is breached. The calculation of such fines separately for each violation creates a cumulative deterrent effect, particularly for employers who engage multiple individuals falling within the scope of the prohibition.

At the second stage, if it is determined within one month from the notification of the fine that the violation has not been remedied, a more severe administrative fine amounting to seven times the gross minimum wage shall be imposed for each individual currently employed who falls within the scope of the prohibition. This escalation mechanism is designed to operate in cases where the initial sanction fails to alter the employer's conduct, thereby rendering continued non-compliance exceedingly costly.

At the third and most severe stage, if the violation persists at the end of the one-month period following notification, all licenses and permits previously granted to the workplace by the competent authorities shall be revoked. This sanction effectively results in the termination of operations and is tantamount, in commercial terms, to the elimination of the right to exist as a business entity.

In addition, it is stipulated that licenses shall not be granted to workplaces where children are predominantly present if persons falling within the scope of the prohibition are involved; and, if it is determined that such persons are already operating such a workplace, a six-month period shall be granted for the transfer of the business. Should the transfer not be completed within this period, all existing licenses and permits shall be revoked. Taken as a whole, these sanctions establish a comprehensive compliance assurance system encompassing administrative, financial, and professional dimensions.

17. Is regular screening, beyond the initial recruitment process, required, for:

a. professionals in contact with children

b. volunteers in contact with children

c. foster parents and legal guardians?

If regular screening is required, please specify its frequency and provide other details.

Under Turkish law, regardless of the sector, re-screening may be requested whenever a need or suspicion arises.

In cases where security clearances and archive inquiries have yielded positive results and personnel have commenced their duties, if a complaint or denunciation is subsequently made against such personnel during their term of service, the necessary disciplinary investigation procedures are initiated.

Within the scope of foster family services, children placed with foster families are subject to regular monitoring and evaluation at least once a month during the first year, and at least once every three months from the second year onwards.

During the monitoring process, the child’s safety and best interests are taken as the primary consideration, and additional examinations and evaluations may be conducted where deemed necessary. Furthermore, every two years throughout the service period, and for each new family member joining the foster family, the criminal record certificate is renewed. Appropriate measures are taken in accordance with the findings.

With respect to the transportation of children, in the annual tenders regularly conducted, it is verified whether the personnel assigned to transportation duties meet the conditions specified in the relevant regulation. In this context, the contractors awarded the tender are obliged to submit their criminal record certificates to the provincial directorates of national education prior to the commencement of work.

Guardians, as explained in sub-section (c) of the question 3 addressed above, perform their duties under the supervision and oversight of the guardianship authority (Civil Court of Peace). The guardianship authority may monitor whether the guardian properly fulfils his or her duties through various reports, accountability obligations, and information or complaints received. If circumstances arise indicating that the guardian has abused his or her duties, harmed the interests of the ward, or lost the qualifications required for guardianship; the court may conduct the necessary examination and, where appropriate, remove the guardian from office and appoint a new one in his or her place.

18. Where a person working or volunteering in contact with children is under investigation for a sexual offence against a child, are law enforcement or other authorities allowed to inform the employer or volunteer organisation about the ongoing investigation? If yes, what is the consequence?

Please provide details.

The authority to share information and documents pertaining to judicial investigations rests with the Public Prosecutor conducting the investigation, and all acts and procedures within this scope are carried out in line with the instructions and assessments of the Public Prosecutor. Throughout the process, the fundamental rights and freedoms of the individuals are safeguarded, and the presumption of innocence is observed; with respect to persons against whom no final judicial decision has been rendered, the actions are taken in accordance with the procedures and principles prescribed by law. As all actions are taken under the instructions of the Public Prosecutor, no information is shared with third parties or institutions, in compliance with the confidentiality of the investigation.

Cross-border screening

19. If the candidate for roles or positions specified in questions 1 and 3 has previously resided or worked in different countries, is it required to verify the absence of criminal convictions for sexual offences against children in each of those countries in respect of:

a. professionals

b. volunteers

c. persons wishing to become an adoptive parent, a foster parent or a child's legal guardian?

Please provide details.

Pursuant to the Law No. 5352 on Criminal Records, the conviction judgments rendered and finalized by Turkish courts as well as foreign courts, and recorded in the criminal register under the Law, are maintained by the Directorate General for Criminal Records and Statistics. Within this framework, the criminal record certificates issued enable the determination of individuals' criminal status in cases prescribed by the relevant legislation.

For professions or duties requiring contact with children, the candidates may be required to submit criminal record certificates in circumstances prescribed by the relevant legislation. Criminal records contain information on finalized conviction judgments, including those relating to sexual offenses committed against children.

In relation to foster family services, pursuant to the Regulation on Foster Families published in the Official Gazette No. 28497 and dated 14 December 2012, the foster family candidates must be citizens of the Republic of Türkiye and have permanent residence in Türkiye. Within this framework, the assessments concerning candidates are carried out on the basis of criminal record inquiries and social examination processes conducted in Türkiye.

In relation to adoption services, the candidates, who have previously resided in different countries, are required to provide documents equivalent to criminal record certificates obtained from the relevant countries. Moreover, for foreign nationals or candidates with connections to multiple countries, official correspondence may be conducted with the competent authorities of the relevant states, where deemed necessary, in order to obtain information regarding the candidate's status and suitability for the adoption process.

Within this framework, particularly in adoption applications, cross-border security and suitability assessments may be conducted through official documents obtained from the countries in which the candidate has previously resided or holds citizenship ties, as well as through information-sharing processes carried out with the competent authorities of those countries.

20. Is there a mechanism to:

a. request data about a person's criminal convictions for sexual offences against children from the competent authority of another State outside the context of criminal proceedings[1] (please specify)

b. provide data about a person's criminal convictions for sexual offences against children to the competent authority of another State outside the context of criminal proceedings (please specify)?

Please provide details.

In Türkiye, beyond criminal proceedings, there are mechanisms that, under certain conditions, allow for the sharing of information regarding an individual's criminal record.

Within the framework of the Law No. 5352 on Criminal Records and the European Convention on Mutual Assistance in Criminal Matters, the requests for criminal record information transmitted by the competent authorities of foreign states are evaluated by the Directorate General for Criminal Records and Statistics of the Ministry of Justice. Criminal records contain information on finalized conviction judgments, including those relating to sexual offenses committed against children.

In this regard:

a. It is possible for the competent authorities of another state to request information regarding conviction judgments related to sexual offenses committed against children. Such requests are evaluated within the framework of the relevant international conventions, mutual legal assistance mechanisms, and national legislation.

b. Similarly, upon a duly submitted request by the competent authority of another state, the criminal record information concerning finalized conviction judgments - including those related to sexual offenses committed against children - may be shared within the framework of the relevant international obligations and national legislation.

In this field, the information-sharing processes are carried out in consideration of the Law No. 6698 on the Protection of Personal Data and the provisions of secondary legislation concerning the transfer of personal data abroad. The processing and transfer of data relating to criminal convictions are subject to the conditions of having a legal basis, the existence of relevant international obligations, and the provision of safeguards for the protection of personal data.

Therefore, in Türkiye, legal mechanisms exist for requesting information regarding finalized conviction judgments related to sexual offenses against children and for sharing such information with the competent authorities of foreign states. These mechanisms are operated within the framework of international cooperation and data protection rules.

21. Is there an obligation to provide data about a person's criminal convictions for sexual offences against children at the request of the competent authority of another State outside the context of criminal proceedings?

[1] For purposes of recruitment, volunteering, adoption, foster care or guardianship.

Please provide details.

In respect of the requests transmitted by the competent authority of another state outside the scope of criminal proceedings, the provision of conviction data concerning sexual offenses against children does not constitute an automatic or unconditional obligation.

Such requests are evaluated within the framework of the European Convention on Mutual Assistance in Criminal Matters, the relevant international conventions to which Türkiye is a party, the Law No. 5352 on Criminal Records, and the provisions of national legislation concerning the protection of personal data.

If the request is transmitted by a competent authority, duly submitted, concerns finalized conviction judgments recorded in the criminal register relating to sexual offenses against children, and the conditions prescribed in the relevant legislation are met, the sharing of such data is possible.

Therefore, in Türkiye, the sharing of data in this field depends on the existence of legal requirements; each individual request is assessed separately, by taking into account the nature of the request, its legal basis, and the safeguards relating to the protection of personal data.

Additional details and reflections

22. Please add any further details regarding the modalities of the screening procedures applicable in your State, if relevant.

Please provide details.

In Türkiye, the screening process for individuals in contact with children is carried out not through a single centralized mechanism but within the framework of a multi-layered system composed of various legislative provisions and institutional practices. The scope of the screening may vary depending on the sector in which the individual will serve, the field of activity, and the person's legal status.

In general, the screening process begins with the examination of the candidate's criminal record. In cases prescribed by the relevant legislation, the candidates are required to submit their criminal record certificates at the stage of recruitment or appointment. The criminal records contain information on finalized conviction judgments, including those relating to sexual offenses committed against children.

For the individuals to be employed in public institutions and organizations, where deemed necessary under the relevant legislation, a security investigation and archive research may also be conducted. In these processes, in addition to criminal records, an assessment is carried out with respect to the trust and suitability criteria required for public service.

In the fields of education, health, social services, childcare services, sports, and similar areas involving direct contact with children, the criminal record screening constitutes one of the essential elements of recruitment or assignment processes. Private sector organizations may also request from the candidates to submit their criminal record certificates within the framework of the relevant legislation.

In adoption and foster family services, the evaluation process is more comprehensive. In addition to criminal record checks, the Ministry of Family and Social Services conducts social examinations, household evaluations, psychosocial evaluations, and, where deemed appropriate, monitoring activities. In these processes, the best interests of the child are taken as the fundamental principle.

With respect to voluntary activities, screening practices may vary depending on the nature of the activity and the legislation applicable to the relevant institution or organization. In activities involving direct contact with children, criminal record checks and other assessments deemed necessary may be applied.

In conclusion, the screening system in Türkiye operates within a multi-layered structure consisting of criminal record checks, security investigations and archive inquiries in certain circumstances, social investigation mechanisms applied in adoption and foster family services, as well as additional institution-based assessments.

23. **What challenges related to the screening for criminal convictions for sexual offences against children of professionals, volunteers and persons wishing to become adoptive parents, foster parents or a child’s legal guardian exist in your State in practice (e.g. administrative costs, delays, cross-border co-operation)?**

    Please provide details.

In Türkiye, certain practical difficulties may arise in the implementation of screening procedures concerning professionals, volunteers, prospective adoptive parents, prospective foster families, and individuals seeking to be appointed as legal guardians who are in contact with children.

In particular, in applications with a cross-border dimension, where the applicant has previously resided or worked in other countries, obtaining judicial records or equivalent documents from the relevant countries may be time-consuming. Furthermore, due to differences among countries in record-keeping systems, data-sharing mechanisms, and administrative procedures, the processes of obtaining and verifying the required information may become more complex.

24. **What promising practices, if any, would your State like to highlight in the screening of professionals, volunteers and other persons in contact with children?**

    Please provide details.

Türkiye has developed various good practices in the field of screening professionals, volunteers, and other individuals assuming responsibilities for child care and protection who are in contact with children.

One of the prominent practices in this context is the secure, swift, and verifiable issuance of criminal records through the e-Government Gateway. This system has facilitated access to criminal record documents, accelerated application procedures, and significantly reduced the risks associated with the use of forged documents.

Moreover, conducting checks on criminal records through a centralized system and ensuring the necessary exchange of information among the relevant institutions enhances the effectiveness of screening procedures. The security clearance and archive research mechanisms applied within public institutions also contribute, where deemed necessary, to the assessment of the suitability of individuals who will work with children.

The multidisciplinary assessment system applied in adoption and foster family services is also regarded as an important good practice. In these processes, in addition to criminal record checks, methods such as social inquiry, household assessment, and psychosocial evaluation are employed; and the candidates are comprehensively assessed in line with the principle of the best interests of the child.

Information and awareness-raising activities targeting personnel engaged in child protection and individuals who will work with children also constitute an important element of the preventive approach. These activities contribute to strengthening institutional capacity for the protection of children against sexual exploitation and abuse.

Preventive measures implemented by law enforcement units also constitute an important component of the child protection system. In this context, regular inspection and monitoring activities are carried out with respect to school environments, student transportation services, and specific occupational groups in direct contact with children; and where deemed necessary, preventive, administrative, and judicial measures are taken.

In addition, with the provisions on employment prohibition introduced in 2026 into the Child Protection Law No. 5395, it was prohibited for individuals with final convictions for certain serious crimes to be employed, to operate, or to assume any role in educational institutions, dormitories, nurseries, day-care centres, children's clubs, children's sports schools, and similar workplaces where children are densely present. This legal regulation constitutes an important protective measure in terms of ensuring the safety of children.

Furthermore, it is stipulated that the individuals employed in certain workplaces, where children are densely present, must periodically submit updated official documents demonstrating their eligibility to work under the relevant legislation. This practice ensures that the screening mechanism is not limited solely to the recruitment stage and contributes to the continuity of protective measures.

When these practices are considered together, the screening of individuals in Türkiye, who are in contact with children, is carried out through a holistic approach that combines digitalization, centralized record systems, multidisciplinary assessment mechanisms, periodic checks in specific areas, preventive law enforcement activities, and child protection-oriented legal regulations.