

Global Alliance Against Child Sexual Abuse Online – 2014 Reporting Form

TURKEY

Policy Target No. 1

Enhancing efforts to identify victims and ensuring that they receive the necessary assistance, support and protection.

Operational Goal: Increase the number of identified victims in the International Child Sexual Exploitation images database (ICSE database) managed by INTERPOL by at least 10% yearly.

A) Please report on implementation of any measures announced in your country's 2013 report

- Training was provided to 8 police officers by INTERPOL General Secretariat about the use of ICSE database and the necessary infrastructure was established for access to the database. However, since the Draft Law on Protection of Personal Data has not been enacted, image transfer cannot be performed.
- In February 2014, 'Care and Social Rehabilitation Centers' were restructured under the name of 'Child Support Centers'. Specialized units for the child victims of sexual abuse were established within these centres.

B) Please assess progress made in your country to pursue this shared policy target and to reach this operational goal of the Global Alliance

- The Draft Law on Protection of Personal Data is currently on the agenda of the Parliament and it is expected to be enacted in a short period of time. When the Draft is enacted, the data can be transferred to ICSE database.
- Department of Victim Rights was established within Ministry of Justice (MoJ), DG for Criminal Affairs in 2013 so as to conduct activities such as informing, psycho-social support and economic aid needed by victims of crime.
- While children who are exposed to crime and dragged to crime are determined as victims by the Department, they are regarded as disadvantaged groups. These children are prioritised in the works to be conducted by the Department as these children are in need of protection. Within this context, it is assessed in Coordination Strategy Document in Child Protection Services that Victim Rights Department will be responsible in the conduction of activities on the targets which will fall within the remit of the Department.
- Among the segments to whom Victim Rights Department will provide service, there are persons who are directly damaged physically, mentally, psychologically or

economically due to an offence, and also children who have been exposed to sexual abuse.

C) Please indicate specific actions that your country will undertake as a follow-up

- It is considered to establish Victim Services Directorships which will carry out activities in sub-province as affiliated to Victim Rights Department in each place where heavy penal courts are located.
- The updating studies of the Judicial Reform Strategy which was adopted in 2009 are on-going. Within this concept, it is aimed to develop practice towards the child victims, women, children and the disabled (called disadvantaged groups). The same targets are also expected to be included in the Strategic Plan of MoJ covering 2015 - 2019.
- "Psycho-social support programme" is in the process of establishment in the Child Support Centers to be applied to all child victims including victims of sexual crime. It is planned to give training on the programme to all personnel in the Child Support Centers until November 2014.

Policy Target No. 2

Enhancing efforts to investigate cases of child sexual abuse online and to identify and prosecute offenders.

Operational Goal: Establish the necessary framework for the criminalization of child sexual abuse online and the effective prosecution of offenders, with the objective of enhancing efforts to investigate and prosecute offenders.

A) Please report on implementation of any measures announced in your country's 2013 report

The Omnibus Law no: 6545, which entered into force on 18.06.2014, has amended Article 105 of Turkish Penal Code (TPC). As a result of this amendment, commission of sexual abuse crime against children or by using the facilities of internet has been deemed as an aggravating reason.

B) Please assess progress made in your country to pursue this shared policy target and to reach this operational goal of the Global Alliance

- 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.
- In addition, Executive Board of Turkish Justice Academy has included a lesson titled online sexual abuse of children into the curriculum.

C) Please indicate specific actions that your country will undertake as a follow-up

There is a Draft Law on Victim Rights which regulates victim rights in general in criminal procedure law. However, it is considered to include specific provisions in the Draft Law in order to protect child victims of sexual abuse by taking into consideration various international instruments, e.g. Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

Operational Goal: Improve the joint efforts of law enforcement authorities across Global Alliance countries to investigate and prosecute child sexual abuse online.

A) Please report on implementation of any measures announced in your country's 2013 report

Should Alliance Member States meet IP numbers belonging to Turkey during their investigations and virtual watch activities, they may inform Cyber Crimes Unit of

Turkish National Police and then they will carry out necessary activities.

B) Please assess progress made in your country to pursue this shared policy target and to reach this operational goal of the Global Alliance

In the assessment meeting held with the participation of the representatives of the Ministry of Family and Social Policies, Ministry of Health, Ministry of Internal Affairs, Ministry of Finance, Ministry of National Defence, Ministry of Labour and Social Security, DG for Turkish Employment Agency and Police Academy, the Department of Victim Rights took the participants' opinions and suggestions concerning the works to be made in the field of "victim rights".

C) Please indicate specific actions that your country will undertake as a follow-up

The Department of Victim Rights plans to ensure training to the personnel of Turkish National Police and Gendarmerie General Command who will serve in the processes on children dragged to violence and child victims of crime for their specialisation. Moreover, it will create Victim Rights Guidelines and distribute them to the police countrywide.

Policy Target No. 3

Enhancing efforts to increase public awareness of the risks posed by children's activities online, including grooming and self-production of images that results in the production of new child pornography that may be distributed online.

Operational Goal: Develop, improve, or support appropriate public awareness campaigns or other measures which educate parents, children, and others responsible for children regarding the risks that children's online conduct poses and the steps they can take to minimize those risks.

A) Please report on implementation of any measures announced in your country's 2013 report

- The action plans in the framework of the project "Children First: Modelling of Child Protection Mechanism at Provincial Level" in coordination with Ministry of Justice and with the support of UNICEF were prepared, and revised 'Strategy Document and Action Plans' were unanimously approved in the Central Coordination meeting of 27 November 2013.
- A number of seminars and conferences were organized by Cyber Crimes Units of Turkish National Police at the schools.
- The Ministry of Family and Social Policies trained public officials who are responsible for applying the protection measures given about the child accused or child victims under the Law on Child Protection,
- 'National Action Plan on Prevention of Violence against Children', which has been finalized after taking the opinions of various public institutions and NGOs, is in the process of approval.
- Ministry of Education provides training in the 8-year basic education curriculum on appropriate and safe usage of internet and not to enter sites causing sexual abuse of children.
- DG for Life-Long Learning of Ministry of Education provided courses not only for the students but also for their parents about the appropriate usage of internet and protection of their children from pornographic websites.
- 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.
- To prevent children from sexual abuse online, 5 million booklets were published and distributed to schools and public institutions by Information and Communication Technologies Authority.
- The Ministry of Education will take into account the sexual abuse of children online for its next projects.
- As of the day the Victim Rights Department was established, it has organized various meetings, panels and symposiums and participated in these events to create awareness on victim and victim rights in the society.
- These events can be listed as follows;
 - "Victim Rights Panel, forgotten part of the Human Rights" was organized on 11

December 2013 with the cooperation Parliamentary Human Rights Commission and the Ministry of Justice.

- An assessment meeting where the participants expressed their opinions and suggestions regarding the studies on "victim rights" was held on 28 January 2014 with the participation of representatives of various universities.

- An assessment meeting where the participants expressed their opinions and suggestions regarding the studies on "victim rights" was held on 30 January 2014 with the participation of representatives of foundations and associations conducting activities concerning victim rights.

- A panel themed "Protection of Victim Rights" was organized on 11 March 2014 with the cooperation of Ministry of Justice, DG for Criminal Affairs, Victim Rights Department and Law School of Istanbul Bilgi University,.

- A Symposium themed "The Position of the Victim in the Criminal Proceeding" was organized on 14 April 2014 in Law School of Dokuz Eylul University.

Such subjects like, what the victims can do after the victimhood occurs, where the victim can apply, what kind of support can be provided to the victim as well as what can be

done to prevent the victimhood have also been addressed in these organized panels and seminars.

B) Please assess progress made in your country to pursue this shared policy target and to reach this operational goal of the Global Alliance

As mentioned above, some ministries and institutions organised seminars, conferences and courses and distributed thousands of booklets to children and their parents as well in order to raise public awareness.

One of the outcomes of these activities is increase in the number of subscribers - currently around 1.680.000 - who enjoy safe internet services.

C) Please indicate specific actions that your country will undertake as a follow-up

Cyber Crimes Unit of Turkish National Police will continue to organise seminars and conferences upon request of public institutions.

Ministry of Education and Ministry of Family and Social Policies will pursue their activities aiming to raise public awareness.

Operational Goal: Share best practices among Global Alliance countries for effective strategies to inform the public about the risks posed by online, self-exploitative conduct in order to reduce the production of new child pornography.

A) Please report on implementation of any measures announced in your country's 2013 report

B) Please assess progress made in your country to pursue this shared policy target and to reach this operational goal of the Global Alliance

C) Please indicate specific actions that your country will undertake as a follow-up

It is considered:

- to organize events such as panel, symposium, conference and projects with the cooperation of public institutions and organizations and NGOs to increase public awareness and to participate in such events and projects.
- to broadcast and publish booklets, brochures and public service advertisement to increase public awareness.

Policy Target No. 4

Reducing as much as possible the availability of child pornography online and reducing as much as possible the re-victimization of children whose sexual abuse is depicted.

Operational Goal: Encourage participation by the private sector in identifying and removing known child pornography material located in the relevant State, including increasing as much as possible the volume of system data examined for child pornography images.

A) Please report on implementation of any measures announced in your country's 2013 report

Child Monitoring Centres, the number of which is currently 18, were established under the Ministry of Health in 2012 to prevent re-victimisation of the child victims.

B) Please assess progress made in your country to pursue this shared policy target and to reach this operational goal of the Global Alliance

- In practice, the statements of child victims of sexual crime are taken many times by different authorities during the investigation and prosecution phases, which results in re-victimization of the children. To prevent this, the statements of child victims are taken in the Child Monitoring Centres where special rooms are available. Moreover, prosecutors and lawyers pose their questions through a social worker officer in these rooms. Furthermore, the statements are audio- visually recorded.

- Such processes like, external or internal examination on his/her body, taking samples from his/her body and performing psychological examination are conducted in the Child Monitoring Centres at just one time with the consent of parents of child victims.

C) Please indicate specific actions that your country will undertake as a follow-up

It is considered:

- o to increase the existing number of the Child Monitoring Centres to 28 by the end of 2014.
- o to restructure the Child Monitoring Centres in a way of covering the victims of sexual crime as well as providing service for child victims in general.
- o to include the regulations which will be a legal base for the Child Monitoring Centres in the Draft Law on Victim Rights.
- o to develop joint projects with the Ministry of Health to increase the number of the Child Monitoring Centres.

Operational Goal: Increase the speed of notice and takedown procedures as much as possible without jeopardizing criminal investigation.

A) *Please report on implementation of any measures announced in your country's 2013 report*

Any real or legal person may ask the Presidency of Telecommunication and Communication Authority (TIB) to warn service providers to remove a content which is among the catalogue crimes laid down in Article 8 of Law on the Internet (Law no. 5651), e.g. child pornography.

B) *Please assess progress made in your country to pursue this shared policy target and to reach this operational goal of the Global Alliance*

C) *Please indicate specific actions that will be undertaken as a follow-up*

- It is considered that Victim Rights Directorships shall carry out duties such as conducting activities towards informing and supporting victims psycho-socially and economically, taking any measures to prevent re-victimisation, protect victims and their rights or conduct victim services effectively and engaging in activities.
- Within this scope;
 - o Statistical information on children dragged to crime has been received from Ministry of Justice DG for Prisons and Detention Houses in the context of National Child Strategy Document and Action Plan.
 - o In the Coordination Strategy Document in Child Protection Services, Aim 6.5 foresees that "necessary arrangements in National Judicial Network shall be made in order to establish a record system which will prevent contradictions and repetitions in decisions on protection measures given by Juvenile Courts and address the problems of child in all aspects".
- It is planned to ensure integration between the records in UYAP (National Judicial Network System) system regarding social examination reports and protective measures rendered by juvenile courts and Information System on Protective Measures developed by Ministry of Family and Social Policies.