

# NATIONAL LEGISLATION ON HAZARDOUS CHILD LABOUR

Minimum Age Convention, 1973 (No. 138)  
and  
Worst Forms of Child Labour Convention, 1999 (No.182)

## TURKEY

### RATIFICATIONS

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Convention No. 138                      30 October 1998

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Convention No. 182                      02 August 2001

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1) *Country Overview*

- 2) *Regulations of the Labour and Social Security of February 2013 amending the Regulation on the principles and procedures for the employment of children and young persons. (Çocuk ve Genç İşçilerin Çalıştırılma Usul ve Esasları Hakkında Yönetmelikte Degisiklik Yapilmasina Dair Yönetmelik) Resmi Gazete, 2013-02-21, No. 28566.*

*Original Language:* Turkish.

Regulations of the Labour and Social Security of February 2013 amending the Regulation on the principles and procedures for the employment of children and young persons. Resmi Gazete, 2013-02-21, No. 28566. Repeals the words "Heavy and dangerous work" mentioned in Article 4; amends paragraph 4 of Article 5 and adds a new paragraph 5 to the same Article (nature of works for children and young persons).

- 3) *Regulations on heavy and dangerous work, entered into force on 20 March 1973 pursuant to Decree No. 7/6174*

*Original Language:* Turkish – ILO Summary.

Article 2 and Table establishing **heavy and dangerous work and types of work in which young persons between 16 and 18 years of age may be employed**

- 4) *Regulations on the Fundaments and Principles of the Employment of Children and Young Workers of 2004 prepared on the basis of Article 71 of Labour Law 4857 (Official Gazette 25134 of 10 June 2003).*

*Original Language:* Turkish – [Full Text in English \(📄 on line\) \(ILO Unofficial Translation\)](#)  
– ILO Summary.

Appendix 3 regarding **jobs in which children** (under 15 years according to article 4) and **young workers** (between 15 and 18 according to article 4) **may not be employed**.

- 5) *Regulation on the principles and procedures for the employment of children and young persons. (Çocuk ve Genç İşçilerin Çalıştırılma Usul ve Esasları Hakkında Yönetmelik) Resmi Gazete, 2004-04-06, No. 25425.*

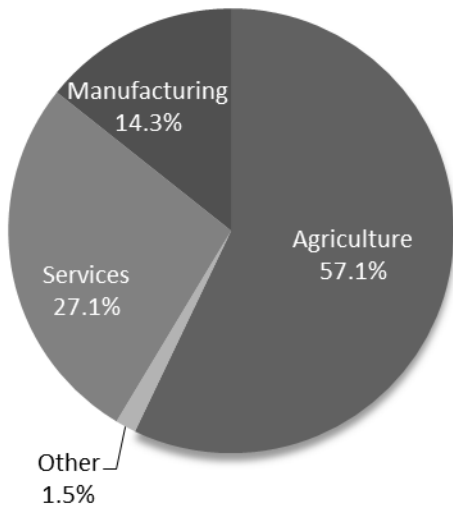
*Original Language:* [Turkish \(📄 on line\)](#).

Provides the duties of employers and State and a list of works allowed for children and for young people. Also **sets forth a list of work, which shall be forbidden, for children and young persons**.

- 6) *CEACR, 2013 Observation and Direct Request, Convention No. 182; 2013 Direct Request, Convention No. 138*
- 7) *CRC, Concluding Observations of the Committee on the Rights of the Child, July 2012*

# TURKEY

## Country Overview

International Conventions and selected Laws on child labour and education		Working children by sector, aged 5-14 years										
C138, Minimum Age	✓	 <p>A pie chart illustrating the distribution of working children aged 5-14 years in Turkey across different sectors. The largest segment is Agriculture at 57.1%, followed by Services at 27.1%, Manufacturing at 14.3%, and Other at 1.5%.</p> <table border="1"> <thead> <tr> <th>Sector</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Agriculture</td> <td>57.1%</td> </tr> <tr> <td>Services</td> <td>27.1%</td> </tr> <tr> <td>Manufacturing</td> <td>14.3%</td> </tr> <tr> <td>Other</td> <td>1.5%</td> </tr> </tbody> </table>	Sector	Percentage	Agriculture	57.1%	Services	27.1%	Manufacturing	14.3%	Other	1.5%
Sector	Percentage											
Agriculture	57.1%											
Services	27.1%											
Manufacturing	14.3%											
Other	1.5%											
C182, Worst Forms of Child Labour	✓											
CRC	✓											
General Minimum age for admission to employment	15											
Minimum Age for Hazardous Work	18											
Compulsory Education Age	17											
List of hazardous work (*)	Yes											
Free Public Education	Yes											
<p>(*) No translation of the 2013 list. However the old list of hazardous work includes: Jobs involving toxins, carcinogens, materials which harm the genes of offspring or are harmful to unborn children or which influence human health harmfully in any way; Jobs that carry a risk of work accidents believed impossible to avoid or notice which could expose young workers because of a lack of education and lack of attention to safety</p>		<p><b>Sources:</b>  <b>Primary completion rates:</b> UNESCO Institute for Statistics, 2013. (1)  <b>All other data:</b> Understanding Children's Work Project's analysis of statistics from PNAD Survey, 2011.(2)  <b>Cited in:</b> 2012 Findings on the Worst Forms of Child Labour, United States Department of Labour's Bureau of International Labour Affairs</p>										

## YÖNETMELİK

Çalışma ve Sosyal Güvenlik Bakanlığında:

**ÇOCUK VE GENÇ İŞÇİLERİN ÇALIŞTIRILMA USUL VE ESASLARI HAKKINDA YÖNETMELİKTE DEĞİŞİKLİK YAPILMASINA DAİR YÖNETMELİK**

**MADDE 1** – 6/4/2004 tarihli ve 25425 sayılı Resmî Gazete’de yayımlanan Çocuk ve Genç İşçilerin Çalıştırılma Usul ve Esasları Hakkında Yönetmeliğin 4 üncü maddesinde yer alan “Ağır ve tehlikeli iş” tanımı yürürlükten kaldırılmıştır.

**MADDE 2** – Aynı Yönetmeliğin 5 inci maddesinin dördüncü fıkrası aşağıdaki şekilde değiştirilmiş ve aynı maddeye aşağıdaki fıkralar eklenmiştir.

“Çocuk işçilerin çalışmasına izin verilen hafif işler Ek-1’de, genç işçilerin çalışmasına izin verilen işler Ek-2’de ve 16 yaşını doldurmuş fakat 18 yaşını bitirmemiş genç işçilerin çalıştırılabileceği işler Ek-3’te belirtilmiştir.”

“Çocuk işçiler Ek-1’de, genç işçiler Ek-1 ve Ek-2’de ve 16 yaşını doldurmuş fakat 18 yaşını bitirmemiş genç işçiler ise Ek-1, Ek-2 ve Ek-3’te yer alan işler dışında çalıştırılmaz.

Ayrıca yaş kayıtlarına bağlı olarak müsaade edilen işlerden olsalar dahi hazırlama, tamamlama ve temizleme işlerinde, alkol, sigara ve bağımlılığa yol açan maddelerin üretimi ve toptan satış işlerinde, parlayıcı, patlayıcı, zararlı ve tehlikeli maddelerin toptan ve perakende satış işleri ile bu gibi maddelerin imali, işlenmesi, depolanması işleri ve bu maddelere maruz kalma ihtimali bulunan her türlü işlerde, gürültü ve/veya vibrasyonun yüksek olduğu ortamlarda yapılan işlerde, aşırı sıcak ve soğuk ortamda çalışma gerektiren işlerde, sağlığa zararlı ve meslek hastalığına yol açan maddeler ile yapılan işlerde, radyoaktif maddelere ve zararlı ışınlarla maruz kalınması ihtimali olan işlerde, fazla dikkat isteyen ve aralıksız ayakta durmayı gerektiren işlerde, parça başı ve prim sistemi ile ücret ödenen işlerde, eğitim amaçlı işler hariç iş bitiminde evine veya ailesinin yanına dönmeye imkan sağlamayan işlerde, işyeri hekimi raporu ile fiziki ve psikolojik yeterliliklerinin üzerinde olan işlerde, eğitim, deney eksikliği, güvenlik konusunda dikkat eksikliği getirme ihtimali olan işlerde, para taşıma ve tahsilat işleri ile 4857 sayılı İş Kanununun 69 uncu maddesinin birinci fıkrasında belirtilen gece dönemine rastlayan sürelerde yapılan işlerde 18 yaşını doldurmayan işçiler çalıştırılmaz.”

**MADDE 3** – Aynı Yönetmeliğin ekinde yer alan Ek-3, başlığı ile birlikte ekteki şekilde değiştirilmiştir.

**MADDE 4** – Bu Yönetmelik yayımı tarihinde yürürlüğe girer.

**MADDE 5** – Bu Yönetmelik hükümlerini Çalışma ve Sosyal Güvenlik Bakanı yürütür.

**“Ek-3**

**16 Yaşını Doldurmuş Fakat 18 Yaşını Bitirmemiş Genç İşçilerin Çalıştırılabilecekleri İşler**

1. Toprağın pişirilmesi suretiyle imal olunan kiremit, tuğla, ateş tuğlası işleri ile boru, pota, künk ve benzeri inşaat ve mimari malzeme işleri.

2. Kurutma ve yapıştırma işleri, kontrplak, kontratabla, yonga ağaçtan mamul suni tahta ve PVC yüzey kaplamalı suni tahta imali işleri ile emprenye işleri.

3. Parafinden eşya imali işleri.

4. Kuş ve hayvan tüyü kıllarının temizlenmesi, didikleme, ayrılması ve bunlara benzer işler.

5. Plastik maddelerin şekillendirilmesi ve plastik eşya imali işleri. (PVC’nin imali ve PVC’den mamül eşyaların yapımı hariç)

6. Mensucattan hazır eşya imali işleri (Perde, ev tekstili, otomobil ürünleri ve benzerleri).

7. Kağıt ve odun hamuru üretimi işleri.

8. Selüloz üretimi işleri.

9. Kağıt ve kağıt ürünlerinden yapılan her türlü eşya ve malzemenin imali işleri.

10. Zahire depolarındaki işler ile un ve çeltik fabrikalarındaki işler.

11. Her türlü mürekkep ve mürekkep ihtiva eden malzeme imali işleri.”

# TURKEY

## Regulations on heavy and dangerous work, entered into force on 20 March 1973 pursuant to Decree No. 7/6174

### Original language

Turkish

Official English translation available at ILO.

### Abstract

**Article 2** and **Table** establishing heavy and dangerous work and types of work in which young persons between 16 and 18 years of age may be employed.

### Text of legal provisions

#### ➤ Article 2

“Heavy and dangerous works are set out in the table attached to the present Regulations. It is prohibited to employ women in any work which are not marked with the letter “W” in that table or to employ minors of 16 years and over but under 18 years of age in any work which are not marked with the letter “M” in that table.

It is prohibited to employ minors under 16 years of age in heavy or dangerous work.

However, women and minors of 16 years and over who have completed training at special technical and vocational training schools and have acquired the vocations skills in a trade taught there may be employed in heavy or dangerous work.

Such persons who have completed training courses whose qualifications are approved by the relevant ministries and who have learnt those trades may be employed in the work defined in rows 35 to 62 (including row 62) of the table.

## Table of heavy and dangerous work

Works in which minors of 16 years and over but under 18 years of age may be employed	Works in which women may be employed	
–	–	<p><i>Prospecting and drilling works:</i></p> <p>1. Prospecting and any type of drilling work connected with coal, petroleum, natural gas, water, all types of mineral fibre and minerals. (Women and minors may only be employed in auxiliary services carried out on the surface in connection with such work.)</p> <p>Work involved in the extraction and/or production of coal, petroleum, natural gas, water, mineral fibres and minerals as well as rock, soil, sand and similar materials.</p>
–	–	<p>2. Works involved in the extraction and/or production of coal, petroleum, natural gas, water, mineral fibres and minerals, as well as rock, soil, sand and similar materials and complementary crushing, washing, enrichment, transport, storage and similar work carried out in the performance of those work. (Women may be employed in simple sorting work done by hand.)</p>
–	–	<p><i>Metal-working industry and related work:</i></p> <p>3. Works involved in the production of iron and other metals and metallic materials by pyrometallurgical, chemical and electrolytic processes bases on fibre and minerals.</p>
–	–	<p>4. All types of work performed in the smelting and refining of iron and other metals and metallic materials and in the production of their alloys and any work carried out to those purposes.</p>
–	–	<p>5. Works performed in the standard hot or cold shaping of irons, steel and their alloys and of other metallic materials and their alloys by any form of casting (such as ordinary casting or press casting), rolling or pressing.</p>
–	–	<p>6. Heat ... works applied to iron, steel and their alloys, to metals other than iron and their alloys and to metallic materials and their alloys (in ingot or billet form or shaped) (tempering, drenching and similar works).</p>

Works in which minors of 16 years and over but under 18 years of age may be employed	Works in which women may be employed	
–	–	7. Works involved in the production of sulphur by melting and in the grinding, packaging and storage of sulphur and related works.
		<i>Works involved in the quarrying and clay industry:</i>
–	–	8. Any form of stone extraction and processing in quarries (including breaking, cutting, transport, chipping, grinding, polishing and similar works but with the exception of works involved in the processing of stones used in the production of ornaments and souvenirs).
–	–	9. Works performed in cement work and quarries in dynamiting, crushing and lubrication, changing cars on the crusher, lubrication of the overhead line on the monitor, excavation works and works involved in limestone silos, calciners, klinker elevators,, packaging machinery, gantry cranes, the feeding of welding and ... furnaces and the related ash handling, furnace and kiln masonry and repair work, the loading and discharging of furnaces and kilns, repair work on an repainting of water towers and flues, work on gantry crane tracks, drainage/sewage works and maintenance work performed in cement production.
–	–	10. Works involving in the blasting of limestone and gypsum and in the grinding and sieving of those materials.
M	W	11. Works involved with building and architectural materials such as roof tiles, bricks, firebricks, pipes, crucibles, clay tiles and similar materials which are manufactured by baking clay.
M	W	12. Works involved in the production of bowls, pots, tiles faience, porcelain and ceramics.
M	W	13. Works related to production in factories and plants manufacturing glass, bottles and optical and similar materials.
–	–	14. Those works listed in sections 11, 12 and 13 which involve working with kilns and/or in which silica dust is dispersed.
		<i>Works involved in the metal and metal good manufacturing industry</i>

Works in which minors of 16 years and over but under 18 years of age may be employed	Works in which women may be employed	
–	–	15. Works involved in the coupling, riveting and pressing of heavy sheet metal, caulking work and works involved in the repair or manufacturing of overland vehicles, ships and aircraft which, due to the nature of the materials used, cannot be carried out by one person alone.
–	–	16. Works on catwalks, scaffolding and slipways and works involved on cranes, workers' catwalks, booms, girders, anchors and chains, and similar apparatus in the ship-building and ship-repair industry.
–	–	17. Works involved in the manufacturing of scaffolding, framework, bridges, ... machines and boilers and in factory trials and assembly of such apparatus.
M	W	18. Works involved in the manufacturing of goods from steel wire and rods (nails, chains, screws, etc.).
–	–	19. Works involved in the manufacturing of various goods by the heating and casting and subsequent moulding or pressing of iron.
–	–	20. Cold forging works and all types of welding work (such as oxyacetylene welding, electrical welding, spot and seam welding).
–	–	21. Works involved in the manufacturing of copper, brass and aluminium goods. (Women and minors may be employed in the manufacturing of kitchen utensils, household goods and ornaments.)
–	–	22. Lead welding works, serial and continuous soldering works. (Women may be employed in serial and "devali" soldering work involved in the manufacturing and repairing of radios, television sets and electrical and electronic appliances.)
–	–	24. Lathe work exceeding 10 kg ... and grinding work.
–	–	25. Work involved in the production of any type of metal cable, in the cold-rolling of steel wire and tape and in the manufacturing of knives and ... steel goods.
–	W	26. Work performed at fully automatic motor-driven shaping benches.



Works in which minors of 16 years and over but under 18 years of age may be employed	Works in which women may be employed	
–	–	27. Mechanical and chemical cleaning work performed on metal surfaces and protective plating work performed by electrolysis (nickel-plating, chrome-plating, cadmium-plating, etc.) or hot immersion (lead, tin, zinc, etc.), and other protective plating and enamel work involving various chemicals (phosphate coating, ..., etc.).
		<i>Timber and wood works and works connected with the wooden goods manufacturing industry</i>
–	–	28. Works performed with any type of motor-driven saw, cutting, sculpting, stripping or perforating machinery and work performed with pit saws.
M	W	29. Drying and gluing works and works involved in the manufacturing of plywood, pressboard and artificial wood.
		<i>Construction works;</i>
–	–	30. Works involved in the construction and repair of buildings, walls, terraces, dams, roads and railways. (Minors may be employed in auxiliary works.)
–	–	31. Works involved in the construction and repair of overhead lines, tunnels, bridges, piers, ports, breakwaters, drains, sewers, wells, canals and similar surface, underground, or underwater constructions and construction or demolition work using compressed air equipment.
–	–	32. Works involved in the preparation and application of lime, concrete, asphalt and similar building materials and substances.
–	–	33. All types of work involved in manufacturing with asbestos dust (such as the manufacturing of roofing insulation materials, pipes made essentially of cement and asbestos, floor covering containing rubber and plastic), and works involved in the preparation of asbestos and the making of paste. (Women and minors may be employed at the stages where the paste has been shaped and any harmful effect has thus been eliminated.)
–	–	34. Earthworks – works involved in digging or breaking the ground and backfilling.

Works in which minors of 16 years and over but under 18 years of age may be employed	Works in which women may be employed	
		<i>Works connected with the chemical industry</i>
–	–	35. Works involved in the production and/or use of any type of irritant and/or caustic acid such as chloric acid, sulphuric acid, nitric acid, etc., and alkalis, such as sodium and potassium hydroxide, ammonia, etc.
–	–	36. Works involved in the manufacturing and/or use of aldehydes, ketones, ethers, carbon sulphide, aniline, alcohols, solvents, thinners, trichloroethylene and other such volatile and inflammable substances.
–	–	37. Works involved in the distilling of crude oil and tars and in the refining of bitumen, mineral oils and all types of liquid fuels. (Women and minors may be employed in work involved in the use of these substances such as small-scale lubrication and wiping works.)
–	–	38. Works involved in the gasification and coking of wood and coals and in the distillation of intermediate products and derivatives thus obtained, such as bitumen, tar, etc.
–	–	39. Works involved in the production of town gas, natural gas, biogas and acetylene.
–	–	40. Works involved in the manufacturing of asphalt and roof insulation materials, as well as liquid and solid oils which are used specifically for lubrication and which cannot be obtained in petroleum refineries.
–	–	41. Works involved in the manufacturing, storage and transport of any type of explosive substance and ammunition.
–	–	42. Works involved in the manufacturing, utilization, storage and transport of any type of toxic and active ... gas.
–	–	43. Works involved in the impregnation/infiltration of activated carbons, other activated substances and various chemicals.
		44. Works in which any type of explosive substance is used and work for which it is compulsory to wear dust and/or gas masks, protective helmets and/or protective clothing.

Works in which minors of 16 years and over but under 18 years of age may be employed	Works in which women may be employed	
–	–	45. Works involved in the manufacturing and preparation of pyrotechnic materials (lighting and flares, rockets, fireworks and squibs, pistol cartridges, etc.)
–	–	46. Works involved in the manufacturing of matches. (Women and minors may be employed in work other than those involved in the mixing of chemicals, the preparation of paste and drying processes.
–	–	47. Works involved in the manufacturing of paints and varnishes composed of any type of toxic or irritant organic or inorganic substances and in the use of toxic and/or irritant paints thus created.
–	–	48. Works involved in the production and preparation of chemical fertilizers.
–	–	49. Works involved in the manufacturing of cellulosic paints.
–	–	50. Works involved in the manufacturing of celluloid and of various chemicals made from nitrocellulose lacquers.
–	–	51. Works involved in the production and preparation of insecticides, pesticides and agricultural substances.
–	–	52. Works prepared in the production of fluorine, chlorine and iodine and in the manufacturing of irritant derivatives obtained from those substances.
–	–	53. Works involved in the manufacturing of organic and inorganic pigments.
–	–	54. Works involved in the loading, unloading and transport of chemicals which are detrimental to human health.
–	–	55. Works involved in the manufacturing of accumulators and in serialised accumulator maintenance and charging
–	W	56. Works involved in the manufacturing of narcotics.

Works in which minors of 16 years and over but under 18 years of age may be employed	Works in which women may be employed	
M	W	57. Work connected with the production of vegetable and animal oils and with the manufacturing of the substances made from those oils. (Women and minors must not be employed in the extraction stages of work involved in the production of oil by extraction from ... and similar hostile substances in which process inflammable or irritant solvents such as carbon sulphide are used.
–	–	58. Works involved in the manufacturing of plastics substances in which artificial and other synthetic fibres are used.
–	–	59. Tanning, transport and storage works involved in tanneries and all types of leather factories and plants.
–	–	60. Works involved in the processing and dyeing of raw hides/furs.
–	W	61. All works involved in the caoutchouc and rubber industry from the preparation of rubber dough to the making of all types of moulded goods. (Women may not be employed in the preparation of rubber dough.)
M	W	62. Works involved in the moulding of plastic substances and in the manufacture of plastic goods. (However, women and minors may not be employed in work where, due to their size and weight, the intermediate or main products produced in this type of production cannot be handled by one person alone.)
<i>Works connected with the spinning and weaving industry:</i>		
M	W	63. Works performed in ginning mills.
–	W	64. Works involved in the cleaning and shredding of cotton, linen, wool and silk rags and in the separation and teasing of the fabric shreddings.
–	W	65. Works performed on fluffing, sizing, combing and starching looms processing cotton, linen, wool, silk and similar textiles and shreddings of such textiles.

Works in which minors of 16 years and over but under 18 years of age may be employed	Works in which women may be employed	
M	W	66. Works involved in spinning mills which are separate and isolated from fluffing, combing and starching looms processing cotton, linen, wool, silk and similar textiles and shreadings of such textiles and which are equipped with scientific air-conditioning and suction apparatus, and work involved in preparations for weaving.
–	W	67. Works involved in the dyeing, gassing and bleaching of all types of primary or finished material.
–	–	68. Preparatory and production works involved in the manufacturing of artificial silk.
–	W	69. Works involved in the manufacturing of taffeta, varnished and/or waterproof fabrics and oilcloth/linoleum.
–	W	70. Works involved in the manufacturing of hair textiles and all types of felt and aba.
<i>Works connected with the paper and cellulose industry:</i>		
M	W	71. Works involved in the production of pulp and wood pulp.
M	W	72. Works involved in the production of cellulose.
–	–	73. Works involved in the production of irritant and toxic substances in paper and cellulose production, such as chlorine, hypochlorite and sulphur dioxide and in the preparation, utilization and recuperation of solutions of those substances.
–	W	74. Works involved in the mass production of paper, pasteboard and cardboard with automatic machinery.
<i>Works connected with the food and beverages industry:</i>		
M	W	75. Works performed in cereal warehouses and in flour mills and rice-processing factories.
–	–	76. Works involved in the preparatory and manufacturing processes in bread and yeast bakeries and factories.
–	–	77. Works performed in abattoirs and in offal (... <i>sakadat</i> ) workshops and factories.

Works in which minors of 16 years and over but under 18 years of age may be employed	Works in which women may be employed	
M	W	78. Works performed in fish-processing plants/wholesale fish markets.
–	–	79. Works performed in cold-storage plants.
–	–	80. Works in salt pans which have to be performed in water and work involved in the filling and carrying of salt.
M	W	81. Preparatory and production works in sugar refineries.
–	W	82. Works involved in the manufacturing of alcohol and all types of alcoholic beverages.
<i>Works connected with the tobacco industry:</i>		
–	–	83. Work involved in the transport of bales to warehouses.
–	–	84. Works involved in the transfer of tobacco to tobacco plants and warehouses.
–	W	85. In cigarette plants and factories, works performed in the rooms in which leaf tobacco is wetted and on sorting and cleaning machines, and work connected with tobacco filters.
–	W	86. Works involved in tobacco blending and works performed in shredding rooms.
<i>Works connected with the production, transport and distribution of energy:</i>		
–	–	87. Works involved in production processes powered by steam, gas, etc.
–	–	88. Works involved in the production, transport and distribution of energy and all types of work performed in accumulator rooms.
–	–	89. Works such as the lubrication, repair and cleaning of moving machinery, engines or parts and traction gear.
–	–	90. Works involving the unassisted carrying, unloading and loading of loads weighing from twenty-five kg up to and including fifty kg.

Works in which minors of 16 years and over but under 18 years of age may be employed	Works in which women may be employed	
–	–	91. Works performed with handcarts/barrows, etc., involving the carrying, unloading and loading of loads weighing more than fifty kg.
–	–	92. Works performed with three- or four-wheeled pedal vehicles and involving the carrying, unloading and loading of loads weighing over sixty kg.
–	–	93. Work performed with the use of industrial cars on gradients of maximum 10 per cent and involving the carrying, unloading and loading of loads weighing over 300 kg.
M	W	94. Sacking, barrelling, stacking and similar works.
–	W	95. Works involving the piloting, steering or driving of transport vehicles designed to carry passengers and/or goods and auxiliary works.
–	W	96. The work of engine driver, driver/cabman, brakeman or pointsman on any type of transport vehicle and auxiliary works.
<i>Miscellaneous works:</i>		
–	–	97. Works involved in the hunting, gathering and production of fish and other animals and plants in seas, lakes and rivers, and fishery works.
–	–	98. Works involved in sponge gathering.
–	–	99. Fire brigade works.
–	–	100. Stoker and firemen works involved in the cleaning of furnaces and sweeping of chimneys.
–	W	101. Works performed in laundries.
–	–	102. Sewage works.
–	–	103. Works involved in garbage disposal.
–	–	104. Animal manure works.
–	W	105. Works involved in the collection and processing of rags.

Works in which minors of 16 years and over but under 18 years of age may be employed	Works in which women may be employed	
–	–	106. Works involved in the draining of marshland, underwater and underground works, and all works which require that the worker enter water in order to perform them.
–	–	107. Construction and repair works performed at heights entailing considerable risk of falling.
–	W	108. Radiological works and works carried out with radium and/or radioactive substances.
–	W	109. Works in parks containing wild or venomous animals and works in establishments where animals are trained.
–	W	110. Works involved in the making and use of film, plat and other similar materials with substances of an inflammable nature and projection works.
M	W	111. Works involved in the manufacturing of printer's ink.
–	W	112. Works involved in the manufacturing of string, cord and rope from flax, hemp and jute and weaving works carried out with those materials.
–	W	113. Works involved in hospital, bacteriological and chemical laboratories and pharmacy works.
–	W	114. Animal ... works.
–	W	115. Works performed in production processes involving bones, horn, nail and animal blood.
M	W	116. Works involved in the manufacturing of glue, gelatine and starch.
–	–	117. Works involved in the manufacturing of metal letterpress type and metal stereoplate.
–	W	118. Works involved in the preparation of skins which are to be used as chamois leather.
–	W	119. Works involved in the cleaning, teasing and sorting of the hairs of bird and animal down and similar works.
–	W	120. Works involved in the cleaning, washing, bleaching and dyeing of sponges.



Works in which minors of 16 years and over but under 18 years of age may be employed	Works in which women may be employed	
M	W	121. In the leather-making industry, works involved in the finishing and buffing of manufactured leathers.
–	W	122. All works involved on non-motor-driven maritime transport vessels (barges, lighters, etc.).
–	–	123. Works performed on floating cranes and dredgers.
–	W	124. Pre-flight preparatory works, ground services and maintenance works performed at airports.
–	W	125. All works performed on aircraft.

# TURKEY

## Regulations on the Fundamentals and Principles of the Employment of Children and Young Workers of 2004, prepared on the basis of Article 71 of Labour Law 4857 (Official Gazette 25134 of 10 June 2003)

### Original language

Turkish

Non-official English translation (prepared in 2004 for the ILO) available in NATLEX database.

### Abstract

**Appendix 3** regarding **jobs in which children** (under 15 years according to article 4) and **young workers** (between 15 and 18 according to article 4) **may not be employed**.

### Text of legal provisions

➤ **Appendix 3: Jobs in which children and young workers may not be employed**

- “1. Jobs done in the night period defined in Article 69 of Labour Law 4857,
2. Jobs in mines and jobs which are done underground or underwater such as laying cables, sewage systems and tunnel construction,
3. Jobs in which people who are not yet 18 are forbidden to work in the Regulations on Heavy and Dangerous Work,
4. Jobs that fall under the Regulations on Preparation, Completing or Cleaning Jobs,
5. Jobs which fall under the Regulations on Jobs which must be done in only 7.5 hours or less per day from the point of view of Health Rules,
6. Jobs in the production and wholesale of alcohol, cigarettes or addictive materials,



International  
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International Programme on the Elimination of Child Labour (IPEC)  
Fundamental Principles and Rights at Work (FPRW) Branch

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7. Jobs in wholesale or retail of flammable, explosive, harmful or dangerous materials or jobs in the manufacture, processing or storage of such materials and every type of job which may leave them exposed to these materials,
8. Jobs which are done in an environment which is noisy and/or has a lot of vibration,
9. Jobs which must be done in an extremely hot or cold environment and jobs which are carried out with materials which are harmful to health or lead to occupational illnesses,
10. Jobs which may expose them to radioactive materials or harmful rays,
11. Jobs which are done by the use of electrically powered machinery,
12. Jobs which require extra vigilance and which require continuous standing up,
13. Jobs where the salary is paid on commission and on a bonus system,
14. Jobs in the transport or revenue or money,
15. Jobs which do not provide the opportunity to go home and be with the family at the end of work (excluding jobs which are for the purposes of education),
16. With the exception of jobs done as an internship required in a vocational training programme, jobs in facial and bodily care and aesthetics, depilation and massage which are carried out in beauty salons,
17. Jobs requiring a clear level of physical or psychological adequacy or with expert medical reports,
18. Jobs involving toxins, carcinogens, materials which harm the genes of offspring or are harmful to unborn children or which influence human health harmfully in any way,
19. Jobs that carry a risk of work accidents believed impossible to avoid or notice which could expose young workers because of a lack of education and lack of attention to safety”.

# TURKEY

## COMMITTEE OF EXPERTS ON THE APPLICATION OF CONVENTIONS AND RECOMMENDATIONS (CEACR) - Worst Forms of Child Labour Convention, 1999 (No.182) - Minimum Age Convention, 1973 (No. 138)

### ➤ 2013 Observation, Convention No. 182

- Article 7(2) - Effective and time-bound measures.

Clause (b). Necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration.

#### **1. Children working in the agricultural sector.**

The Committee noted previously that the protection afforded by the Labour Code does not cover children who work in agricultural undertakings employing fewer than 50 workers. It noted that, according to the Labour Inspection Board, 87 per cent of working children are employed in small enterprises with between one and nine workers. The Committee also noted that in 2006, 41 per cent of the 958,000 working children between the ages of 6 and 17 years were engaged in agriculture.

The Committee noted the indication by TÜRK-İŞ according to which one of the most important sectors in which children are engaged in hazardous work is seasonal agricultural work.

The Committee noted the Government's indication that Circular No. 2010/6 of the Prime Minister respecting the improvement of the social and professional life of nomadic seasonal agricultural workers and the project entitled "Improving the social and professional life of nomadic seasonal agricultural workers" (METIP project) envisage significant measures with a view to eliminating child labour in seasonal agricultural work and promoting their access to education. Furthermore, in towns producing nuts, where there is a high density of seasonal workers, a plan of action for the elimination of child labour in seasonal agricultural work for the production of nuts has been implemented. While noting the measures adopted by the Government, the Committee observed with concern that the engagement

of children in hazardous types of work in the agricultural sector remains a problem in practice.

**The Committee requests the Government to intensify its efforts to ensure that children under 18 years of age are not engaged in hazardous types of work in the agricultural sector, particularly in seasonal agricultural work and the nut harvest.** In this respect, the Committee requests the Government to indicate the results obtained through the METIP project and Circular No. 2010/6 in terms of the number of children who have been removed from work in the agricultural sector and who have benefited from rehabilitation and social integration services.

## ***2. Children working in the furniture sector and other industrial sectors.***

The Committee previously noted that the results of the survey on the worst forms of child labour, contained in the Government's report, showed that, while generally the proportion of working children engaged in the furniture industry is fairly low, in some provinces a significant number of children continue to be engaged in this dangerous work. The survey indicated that, in the province of Çankiri, 5.1 per cent of the children surveyed worked in the furniture industry.

The Committee noted from the communication of the TÜRK-İŞ that the worst forms of child labour continue to exist in this sector, as well as in the auto mechanic industry.

In this respect, the Committee noted the Government's indication that in the industrial sector children generally work in small enterprises and workshops for the repair and maintenance of cars, the production of furniture and shoes. The Government indicated that in 2009 the Labour Inspection Board conducted 639 inspections in furniture making, 143 inspections in shoemaking and 1,910 inspections in car repair workshops. In 2010, the number of visits in furniture-making and car repair workshops was 1,810. The Government indicated that, as a result of these inspections, the working conditions of 2,087 children and young workers have been improved, that no child under 15 years of age is employed in these sectors and that hazardous and arduous types of work are no longer performed by children and young workers. The Committee further noted that a project came into force in May 2011 in the furniture-making sector in Adana, Ankara, Çankiri, Eskişehir and Bursa with the objective of improving working conditions in enterprises, eliminating unlawful work by children and guiding children towards education.

**The Committee requests the Government to continue taking measures for inspections to be carried out in the furniture-making, shoemaking and car repair sectors with a view to ensuring that children under 18 years of age do not perform hazardous types of work in these sectors.**

The Committee requests the Government to continue providing information on the number of children performing hazardous types of work in such workshops or enterprises who have been identified in this way and removed from such work. It also requests the Government to provide information on the impact of the project that entered into force in May 2011 in the furniture-making sector in terms of the number of children who have been removed from hazardous types of work in the sector and then rehabilitated and socially integrated through educational measures.

○ **Part V of the report form - Application of the Convention in practice.**

In its previous comments, the Committee noted that, with technical support from the ILO and funding from the European Union, the Government had undertaken a study on the worst forms of child labour in seven provinces which covered 99,356 families in 103 districts and 330 towns. The Committee noted that the results of the study indicated the proportion of children in each of the provinces working in four hazardous sectors: work on the streets, tanning and shoemaking, furniture making and car repair. The Committee noted that of all the provinces surveyed, Van appeared to have the highest proportion of children working in these hazardous sectors (with 9.1 per cent of working children between the ages of 6 and 17 years working in one of the four sectors), followed by Elazığ (7.1 per cent) and Çankiri (6.2 per cent).

The Committee noted the Government's indication in its report under the Minimum Age Convention, 1973 (No. 138), that it is planned to conduct a survey to update the statistics on child labour towards the end of 2011 or the beginning of 2012, as the last national study was undertaken by the Institute of Statistics of Turkey in 2006.

**Expressing the hope that the study on child labour in Turkey will include statistics on the worst forms of child labour, and particularly on hazardous types of work in street work, tanning and shoemaking, furniture making and car repairs, the Committee firmly encourages the Government to take measures to ensure that the study is conducted and completed within the envisaged time frame.** It requests the Government to provide the results of this study with its next report. The Committee also requests the Government to continue providing information on the number and nature of the contraventions reported and the investigations undertaken, prosecutions, convictions and penal sanctions applied. To the extent possible, all information provided should be disaggregated by sex and age.

➤ **2013 Observation, Convention No. 138**

- **Article 1 of the Convention - National policy designed to ensure the effective abolition of child labour.**

In its previous comments, the Committee noted the indication of TÜRK-İŞ that no national policy was being pursued in Turkey to ensure the effective abolition of child labour and that the number of child workers was increasing. It noted the Government's statement that the framework for a national programme and policy for the elimination of child labour had been elaborated by the Child Labour Unit (CLU), in response to feedback received from various parties consulted, to create a wide-ranging and integrated national policy that is participative and time-bound. The Committee noted the information in the Government's report that measures to progressively eliminate child labour have been integrated into a wide variety of governmental initiatives and policies, including the Government's Ninth Five-Year Development Plan and the Ministry of Labour and Social Security's strategic programme for the years 2009–13. The Committee also noted that the issue of child labour is included as a priority in the Government's Joint Inclusion Memorandum with the European Union (EU), and that the EU has provided pre-accession assistance to address this phenomenon. In addition, the Committee noted that on 10 February 2009, the Government signed a Memorandum of Understanding with the ILO on the implementation of a Decent Work Country Programme, which includes the elimination of child labour as a priority. While taking note of these measures, the Committee observed the statement in the UNICEF draft country programme document of 5 April 2010 that, despite progress, child labour continues to be a serious issue in Turkey, particularly in the agricultural sector (E/ICEF/2010/P/L.6, paragraph 4).

The Committee noted the observations made by TÜRK-İŞ, according to which child labour in Turkey is found in the urban informal sector, in the domestic service, and in seasonal agricultural work.

The Committee noted the Government's information, in its report, on the activities and measures it has adopted in order to combat child labour in Turkey. In particular, the Committee noted that the Ministry of Food, Agriculture and Livestock, in collaboration with related agencies and institutions, prepared a Rural Development Plan which covers the years 2010–13 and which aims to improve the working conditions and life standards of mobile seasonal agricultural workers. In this regard, significant measures are taken to prevent children from taking part in mobile seasonal agricultural work and to provide children of compulsory education age with access to education. Furthermore, a plan of action was prepared to remove children from child labour in seasonal agriculture in provinces where hazelnuts are produced, which is a sector where children accompany their parents and are exposed to unfavourable conditions that are not appropriate to their age and development.

Moreover, the Committee noted the Government's information that the Ministry of National Education is implementing, since 2008, the Programme of Raising Class Teaching (YSÖP) which introduces certain children aged 10–14 back to education, such as those who have been out of the education system due to economic or traditional reasons. The Committee observed that, with YSÖP, 28,559 students were introduced to schools between 2008–11, among which 7,677 in 2010–11 alone. The Committee also noted the Government's statement that the Ministry of Education has signed a Memorandum of Understanding in 2011 to enhance collaboration among agencies and institutions on the issue of providing children with access to quality education and removing the obstacles to access to education, including child labour. While taking due note of the measures taken by the Government, the Committee noted with concern that child labour continues to be a problem in practice, particularly in the agricultural sector.

The Committee strongly encourages the Government to strengthen its efforts to combat child labour, including through the various measures mentioned above, and to continue providing detailed information on the results achieved.

○ **Part V of the report form - Application of the Convention in practice.**

The Committee previously noted that the third Child Labour Study (conducted in 2006 by the Turkish Statistics Institution (TSI) with ILO–IPEC support) indicated that, while the proportion of working children had dropped significantly, there remained 320,000 working children between the ages of 6–14 and 638,000 working children between the ages of 15–17 in 2006. The Committee noted the statement by TÜRK İŞ that, while the number of working children has significantly decreased, there are still a number of children between the ages of 6–14 engaged in economic activity. TÜRK-İŞ indicated that to address this issue, poverty reduction is necessary and education should be encouraged.

The Committee noted the Government's information that the last Child Labour Force Survey is the one that was conducted by the TSI in 2006. There is no official updated data relating to the child labour force. However, the Government indicated that it is planned to update the child labour force data in collaboration with the TSI by the end of 2011 or beginning 2012.

The Committee strongly urges the Government to take the necessary measures to ensure that the TSI conduct its research to obtain up-to-date information on the number of working children in Turkey. The Committee requests the Government to provide this information, particularly on the percentage of children below the age of 15 who are engaged in economic activity, in its next report. To the extent possible, this information should be disaggregated by age and sex.



➤ 2013 Direct request, Convention No. 182

- **Articles 3(d) and 4(1) of the Convention. Hazardous work and excluded categories of work.**

In its previous comments, the Committee noted that Decree No. 25425 of April 2004 on the fundamentals and principles of the employment of children and young workers contains a list of hazardous types of work prohibited for persons under 18 years of age. It also noted that, under the terms of section 4 of the Labour Code No. 4857 of 22 May 2003, the following activities or categories of workers are excluded from its scope of application: (i) sea and air transport businesses; (ii) business with fewer than 50 employees or carrying out agricultural and forestry work; (iii) building work in relation to agriculture within the limits of the family economy; and (iv) domestic service. The Committee also noted that approximately 41 per cent of all working children are employed in agriculture and that, according to the Government, no new legislation has been adopted to protect children in the sectors excluded from the Labour Code. The Committee noted that Decree No. 5763 of 15 May 2008 establishes fines for those who employ children in hazardous work prohibited by the Labour Code. It further noted the various programmes of action undertaken by the Government to combat the employment of children in hazardous types of work, in both agriculture and industry, including furniture-making, tanning and work on the streets.

The Committee noted the Government's indications that children and young persons who work in sectors excluded from the scope of application of the Labour Code are subject to the Code of Obligations and to various legislative provisions. For example, section 173 of the Public Health Act No. 1593 establishes the minimum age for admission to industrial and mining work at 12 years, and section 179 of the same Act provides that children between the ages of 12 and 16 years are not allowed to work in the categories of work that are hazardous and harmful to health, as determined by the Labour Code. Furthermore, the prohibited types of work determined by Decree No. 25425 shall also be applied to children and young workers between 12 and 16 years of age who are subject to the Code of Obligations. With regard to the other sectors excluded from the Labour Code, the Government indicated that work is being carried out on a Bill on occupational safety and health, the objective of which is to comply with Framework Directive No. 89/391 of the European Union on the implementation of measures to encourage improvements in the safety and health of workers at work.

The Committee requests the Government to provide information on the progress achieved in relation to the formulation of the Bill on occupational safety and health and to indicate the manner in which this Act, when it has been adopted, will contribute to the protection of children who work in sectors excluded from the Labour Code being protected against types of work which, by their nature or

the circumstances in which they are carried out, are likely to harm their health, safety or morals.

# TURKEY

## COMMITTEE ON THE RIGHTS OF THE CHILD Concluding observations 20 July 2012

### ➤ Definition of the child (art. 1 of the Convention)

**26.** The Committee notes that the minimum age for marriage is 17 years for both boys and girls, and marriage at the age of 16 is permitted in special circumstances, with the approval of a judge. However, the Committee is concerned that the minimum age for marriage may not be observed, particularly in rural and remote areas of the State party.

**27.** The Committee recommends that the State party consider raising the minimum age of marriage to 18 years, and ensure full compliance therewith throughout the country, including in rural and remote areas.

### ➤ Education, including vocational training and guidance

**58.** The Committee welcomes the improvements in the education system since the State party's previous report, including the extension of compulsory education, efforts to increase the attendance of girls, the increase in literacy rates, the introduction of preschool education and human rights education. The Committee recognizes in particular the positive impact of the Conditional Cash Transfer programme on the school attendance of girls. However, the Committee is concerned about:

- (a) Irregular attendance and high drop-out rates in secondary schools;
- (b) Regional disparities in quality of and attendance in secondary school and beyond, whereby net secondary school enrolment rates in rural Eastern provinces are extremely low;
- (c) Serious gender inequalities in secondary school, with low enrolment among girls;

- (d) Widespread prevalence of violence in schools, ranging from verbal to physical violence;
- (e) Hidden costs in education, such as fees for exams, and poor quality of education, leading to high rates of attendance in extracurricular paid tutorials;
- (f) Lack of a system for monitoring access to education by all ethnic groups, including Roma children, and reports of Roma children's limited participation in formal education;
- (g) Unavailability of education in languages other than Turkish and languages of recognized minorities, presenting educational disadvantages for children of non-recognized minorities whose mother tongue is not Turkish.

➤ **Economic exploitation, including child labour**

**62.** The Committee takes note of the substantial progress made by the State party in developing research, policies, programmes and action plans to prevent child labour and eliminate the worst forms of child labour, as well as the significant decline in child labour in the State party. It however notes that while the prevalence of child labour has declined, the large number of children still employed, particularly in seasonal agriculture, constitutes a significant challenge to the rights of the child, including the right to education. While noting that the minimum age for employment is 15 years and the recent changes to the Law on Education have increased the years of compulsory education to 12 years, the Committee is concerned that the minimum age of employment is lower than the age when children will normally complete compulsory education.