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From the Open Space Association/Deep Poverty Network

Submission to the European Committee of Social Rights

**NGO Comment on National Report Under the Reporting
Procedure**

Turkey

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The present information note was prepared to communicate the observations of the Open Space Association/Deep Poverty Network on child poverty in Turkey and its various related findings on the grounds of the provisions of the Revised European Social Charter ratified by the government of Turkey. The information referred to in this information note is based on the findings of the *Research on Deep Poverty and Access to Human Rights During the Pandemic*¹ implemented by the Deep Poverty Network, as well as field observations gathered by NGO staff, official resources of the government of Turkey, and data from various persons and organisations operating in Turkey. The *Research on Deep Poverty and Access to Human Rights During the Pandemic* collected data through interviews held with 103 households residing in Turkey, lacking in regular income, and working as precarious day labourers.

- 1) *Article 7 of the European Social Charter* mandates the Parties to protect children against physical and moral hazards.
 - a) The European Social Charter recommends that the minimum age of admission to employment be 15 years. The Regulation of the Presidency of Turkey² on the Procedures and Principles for the Employment of Children and Young Persons allows for the employment of children over the age of 14 for the jobs approved in the same regulation on the condition that such employment does not jeopardise their health and safety; their physical, mental, moral, and social development; or their education. The “Child Labour Research”³ carried out by TürkStat in 2019 reports the employment rate among children between the ages of 5 and 17 as accounting for 4.4% of the children in the same age range. Within the children in this age range, children between 5 and 11 years of age represent 4.4%; those between 12 and 14 represent 15.6%; and those between 15 and 17 represent 79.7%. The data indicate that 34.4% of working children are not able to continue their education. 30.1% of these children work in agriculture; 23.7% in industry; and 45.5% in services.
 - b) The *Research on Deep Poverty and Access to Human Rights During the Pandemic* identified working children in 13% of the households interviewed for the research. 6% of these households are found to be sustained only with the income generated by children. These children appear to have started working due to the incapacitation of the income-generating adult by an illness or any other factor or the incapability of the income generated by working adults to meet household needs. What is more, our field experience shows that children in families living in extreme poverty work in such areas as paper and

¹ <https://derinyoksullukagi.org/raporlar/pandemi-doneminde-derin-yoksulluk-ve-haklara-erisim-arastirmasi-yerel-yonetimlere-kriz-donemi-sosyal-destek-programlari-icin-oneriler/>

² <https://www.mevzuat.gov.tr/File/GeneratePdf?mevzuatNo=5457&mevzuatTur=KurumVeKurulusYonetmeligi&mevzuatTertip=5>

³ <https://data.tuik.gov.tr/Bulten/Index?p=Child-Labour-Force-Survey-2019-33807>

scrap collection, peddling, and textile work that are all characterised by heavy working conditions and long working hours. The in-depth interviews held with families reveal work as a reason for dropping out and lack of access to equal opportunities. Other findings from the information received during the interviews are that household income dropping to such low levels that families cannot afford regular provision of food during the pandemic has forced children not previously working to take up day work; that there are children who go to work on the days they are allowed to go out of their homes; and that some households have interpreted remote education as the closure of all schools with their children starting to work instead.

- 2) *Article 11 of the European Social Charter* recognises the right to protection of health.
 - a) The findings of the *Research on Deep Poverty and Access to Human Rights During the Pandemic* underline a lack of access to adequate medication among the families interviewed with 41% explaining the reason as their lack of health insurance and 34% as their health insurance not covering the needed medication. Among the individuals interviewed in these households that underline their lack of access to healthcare services, 18.6% explain the reason as lack of access to sufficient information on available healthcare services; 7.2% as discrimination in the healthcare system; and 25.8% as lack of social security.
- 3) *Article 13 of the European Social Charter* prescribes that anyone who is without adequate resources is entitled to social and medical assistance and *Article 14 of the European Social Charter* recognises that everyone has the right to benefit from social welfare services.
 - a) The Parties undertake to grant adequate care to any person who is unable to access healthcare services either by their own efforts or by using other sources. According to the *Research on Deep Poverty and Access to Human Rights During the Pandemic*, 32.7% of the interviewed households are not covered by any social security scheme, while 46.9% are covered by the “green card” scheme made available by the state to unemployed individuals. Some of the interviewees say that as the “green card” scheme does not cover all healthcare services and medication, they have not been able to pay off their piling debt and are experiencing difficulties in access to healthcare services.
 - b) The 11th Development Plan (2019-2023) of the Republic of Turkey⁴ states: “Practices intending to meet the individual needs of children will be carried out in order to reduce the intergenerational transmission of poverty and to increase equality of opportunity.” Moreover, the Strategy and Action Plan for Roma Citizens⁵ issued by the Ministry of Family, Labour, and Social Services

⁴ <https://www.sbb.gov.tr/wp-content/uploads/2019/07/OnbirinciKalkinmaPlani.pdf>

⁵ <https://ailevecalisma.gov.tr/media/30906/roman-vatandaslara-yonelik-ii-asama-eylem-pli.pdf>

prescribe a plan to offer social, psychological, and academic support to Roma children. The field work we have carried out in neighbourhoods shows that children have not benefitted from any state-provided social or psychological support.

- c) *The Research on Deep Poverty and Access to Human Rights During the Pandemic* reveals that 49.5% of the families interviewed for the research are recipients of economic support with 40% of these families receiving support from the local government (Istanbul Metropolitan Municipality); 28% from the district governorate; and 26% from other government institutions. 90% of the households use such economic support for food; 35.2% for bills; 31.5% for childcare; and 22.2% for rent. Households that are unable to access social support explain their reasons by pointing out to their lack of access to application mechanisms or the fact that they have been rejected on grounds of ineligibility or have not heard back from the relevant institutions upon their applications. Households without fixed residential addresses or ID cards are observed not to be supported on grounds of ineligibility under social support criteria.
- 4) *Article 16 of the European Social Charter* recognises the right of the family to social, legal, and economic protection, while *Article 17* recognises the right of children and young persons to social, legal, and economic protection.
 - a) The Report of the 2014 Project on the Assessment of Social and Economic Support Services⁶ implemented by the Ministry of Family, Labour, and Social Services underlines economic and social deprivation as the most common reason for the institutionalisation of children for care and protection with 69.5%. The Child Protection Law No. 5395 provides for a range of measures, including those of education, care, healthcare, and shelter, to prioritise the protection of children with their families at home.
 - b) According to data from the Ministry of Family, Labour, and Social Service⁷s, 12.667 children were in institutional care under state protection; 71.845 children were supported with their families at home with Social and Economic Support (SES); and 4.616 children were provided with care in foster families in the year 2015. However, in 2019, the number of children in institutional care increased to 13.867; the number of children supported with their families at home with SES to 125.258; and the number of children provided with care in foster families to 7.529. SES services and at-home care systems appear to have been instrumental in the decreased number of children in institutional care; nevertheless, TurkStat data indicate that only 4.3% of the budget allocated for social protection was directed to family/child support and the rate of the same

⁶ <https://www.ailevecalisma.gov.tr/uploads/chgm/uploads/pages/yayinlar/sosyal-ve-ekonomik-destek-hizmetlerinin-degerlendirilmesi-projesi-arastirma-sonuc-raporu.pdf>

⁷ https://ailevecalisma.gov.tr/media/49934/acshb_2019_yili_faaliyet_raporu.pdf

budget in the GDP was 0.5% in 2019.

- c) We observe that the measures put in place are not sufficient to allow children living in poverty to access free education of equal quality with their peers. According to the results of the field study implemented by the Deep Poverty Network, children in 57.8% of the 103 families living in poverty could not continue to attend remote education. To account for the reasons of truancy among the children who have been unable to attend their classes, 60% pointed out to their lack of technological devices that would otherwise allow them to take part in remote education; 54% to lack of Internet access; 45% to the absence of an adult to follow up their education; 39% to their lack of adequate knowledge of access to remote education; and 7% to their need to work. 59% of children were faced with at least two of these challenges at the same time. The Ministry of National Education introduced the five-year FATİH Project in 2010 as a means to provide every school, every teacher, and every student with access to digital education materials, thereby securing equal opportunities in education. At the end of the project duration of 5 years, the announced rate of access to tablets and computers among teachers and students was 8%. According to a report published by the Education Reform Initiative⁸, a budget of 1 million TRY was allocated to the project between 2015 and 2018. The Ministry of National Education has not allocated any funds to FATİH Project in its 2021 and 2022 budgets.
 - ç) Families living in poverty are provided with conditional aid, requiring them to send their children to school. The amount offered under such conditional aid is 45 TRY and 50 TRY for boys and girls in elementary education, respectively, and 55 TRY and 75 TRY for boys and girls in secondary education, respectively. Considering the current conditions in Turkey, these amounts would only be enough to cover a child going to school for one week's food in a month.
- 5) *Article 30 of the European Social Charter* prescribes that everyone has the right to protection against poverty and social exclusion. The Parties undertake to adopt an overall and co-ordinated approach to combat poverty.
- a) 2019 Eurostat data indicate that 47.7% of the population under 16 years of age in Turkey are at risk of poverty and social exclusion. In 2015, this rate was 82.2%. According to 2019 TurkStat data, the share of the funds allocated to Social Protection spending in the GDP is 12.5%. More specifically, the funds budgeted for family/child support represent 0.5% and those budgeted for social exclusion represent 0.1% of such spending.
 - b) We observe through our work that families and children living in poverty are not able to access their basic needs due to the pandemic. 85% of the families interviewed for our field research cannot access a sufficient supply of food. 74% of the families have difficulty in sourcing baby formula and diapers,

⁸ <https://www.egitimreformugirisimi.org/egitim-izleme-raporu-2020-egitim-icerigi/>

while 21% cannot access these items at all. These families are forced to feed their children of 0 to 3 years of age with food of inadequate nutrition for this age group such as instant soup, sugared water, and rice mash. 38.7% of the households skip meals almost every day. 39% of the families interviewed for the research state that they were able to access clean drinking water even before the pandemic, while 49% state that they cannot access drinking water during the pandemic.

6) *Article 31 of the European Social Charter* recognises the right to housing.

- a) Among the families interviewed for our field research that live on daily work, 10% live in sheds/tents. Some of these families state that they have been living in sheds or tents since they lost their homes to urban transformation and some since they lost their homes during the pandemic, while others indicate that they have been living in these conditions since their arrival in Istanbul. During the in-depth interviews, the families living in sheds and tents were asked about how safe they felt in their living environments and their responses reveal how their living areas fail to meet their basic needs for safety and decent living conditions. Living conditions in sheds/tents are observed to create difficulties specifically in terms of access to heating and water, while potentially harmful vermin appear particularly to threaten the health of children.
- b) Many households in our study that live on daily and precarious work are under the risk of homelessness due to the impending demolition of their tents/sheds by the municipality/government; their inability to pay rent; and their lack of legally binding contracts for their current living arrangements. We observe a surge in the risk of homelessness during the pandemic. 38.8% of the 103 households we interviewed state that they are faced with the risk of losing their homes.
- c) The temporary shelters made available by the government for individuals facing homelessness are operated on the basis of a gender-based segregation and therefore, there is no system in place offering families a shelter where they can be accommodated safely.