

CHILD  
RIGHTS  
BUSINESS  
HUMAN RIGHTS

in  
TÜRKIYE  
UNDER  
and

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## **About Business and Human Rights Association (Minerva BHR)**

Minerva BHR, is the first independent NGO in Türkiye with a central focus on business and human rights. In light of the United Nations Guiding Principles on Business and Human Rights, Minerva BHR aims to promote responsible business conduct, combat modern slavery and advocates for corporate responsibility and accountability to respect human rights. According to this objective, it works to prevent, mitigate or remedy human rights violations arising from the business activities of multinational companies and their suppliers in global value chains.

Through bridging a dialogue between all public, private, and civil actors; Minerva BHR aspires to collaborate with all stakeholders to develop and implement viable, feasible and practical solutions using its local expertise.



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# ***Introduction***

This memorandum aims to analyse the relationship between children's rights and business while reflecting the most prominent current problems, and to guide the stakeholders, but with a limitation of scope in terms of subject matter and time. In this extent, children's rights are examined within the scope of corporate activities, and the worst forms of child labour are discussed with particular focus on international and national regulations and policies. As explained in detail below, among the worst three forms of child labour as identified in the National Programme on the Elimination of Child Labour (2017-2023), hazardous and heavy work sectors and seasonal agriculture are the areas which

the focus will be on; and "working in the street" which is another form of child labour leading to the most severe violations of children's rights, is not analysed in this memorandum. Furthermore, even though child labour has been standing as a problem on both global and national level for long years, news and reports referred to hereunder are limited only with those related to the Covid-19 period with reference to the "Covid-19 and Child Labour: A Time of Crisis, a Time to Act" report published in 2020 by UNICEF and the International Labour Organization (**ILO**) which clearly proves that Covid-19 has resulted in an increase in child labour!

***The Role of Corporate  
Responsibility for  
Respecting Human  
Rights in Combatting  
Child Labour***

Within the framework of today's global balances of power, it is accepted that states are not the only actors responsible for human rights, and that companies bear the responsibility of preventing violations of human rights arising out of their commercial activities and business relationships, and are responsible for respecting human rights. **Even though states have the duty of providing for legal regulations and deterrent punishments, developing national policies and conducting official audits for the protection of children's rights, everyone (including individuals and corporations) under the sovereignty of the state is responsible for respecting children's rights, preventing violation of rights and remedying those violations accordingly.**<sup>2</sup> On this basis, certain legal regulations that are generally of a guiding nature have been introduced:

- OECD Guidelines for Multinational Enterprises (**OECD Guidelines**)
- UN Global Compact (**UNGC**)<sup>3</sup>,
- UN Guiding Principles on Business and Human Rights (**UN Guiding Principles**),
- "Children's Rights and Business Principles" developed by UNICEF, UNGC and Save the Children<sup>4</sup>,

- "ILO-IOE Child Labour Guidance Tool For Business"<sup>5</sup>,
- UN Sustainable Development Goals (**SDGs**)<sup>6</sup> and Sub-goal 8.7 under Goal 8 "**Decent Work and Economic Growth**"<sup>7</sup>,
- Studies conducted within the scope of UN's "International Year for the Elimination of Child Labour" (2021)<sup>8</sup>.

**In addition to the foregoing, by the EU draft Directive on Corporate Sustainability Due Diligence<sup>9</sup>, it is aimed to render due diligence mandatory in human rights, environment and good governance, and put this issue into legislation across the EU.**

Even though the directive is not yet in force, legal regulations concerning the identification and prevention of abuses of human rights in global supply chains, performance of necessary audits and companies' civil and criminal liability in this respect, including special regulations on companies' child labour due diligence, have entered into force or been adopted for entry into force in Switzerland<sup>10</sup> and in several European Union Member States, including the Netherlands<sup>11</sup>, Germany<sup>12</sup> and France<sup>13,14</sup>. Thus, thanks to the above-mentioned international principles and standards, those texts that are of a guiding and non-binding nature become mandatory and legally binding.

Currently, there is no legal regulation applicable in Turkey concerning business and human rights, yet the Action Plan on Human Rights announced on March 2, 2021 is noteworthy<sup>15</sup>. In this extent, Aim 8 on "**protecting vulnerable groups and strengthening social wealth**" refers to children's rights and rights of the youth, and contains considerable goals such as fighting against child abuse, developing execution processes so as to prevent violation of children's rights, securing participation of the youth in the decision-making processes. One of the steps included in Goal 9.3 on "**Raising Public Awareness in Human Rights**" is the development of a national guide with regard to business and work life, and organisation of activities for raising awareness on human rights, whilst taking the UN Guiding Principles into consideration. It is considered that such a national guide, which is expected to be completed by the Ministry of Labour and Social Security (**MLSS**), will function as a significant step in clearly revealing corporate responsibility in fighting against child labour and avoiding the risk of child labour found in supply chains. A guide of this scope will, beyond doubt, contribute to ensuring that companies, who have so far combatted child labour with their own initiative and resources, compete with their rivals under equal circumstances.



***In summary, in the light of international and national regulations, Turkey bears duties such as setting forth legal regulations and sanctions, developing national policies and conducting official audits for the protection of children's rights.***

Companies' primary responsibilities, on the other hand, include complying with both those regulations and international legal instruments and thus securing the prevention of child labour throughout supply chains and avoiding any activities that may result in child labour and, in this extent, taking the necessary measures to secure convenient working conditions for those below the age of 18, who are allowed to work only under certain conditions. To this end, companies need to conduct human rights due diligence within their commercial activities, develop policies which will also be abided by their suppliers and business partners,

and continuously conduct audits on those policies and violations of human rights throughout their supply chains. It is also among companies' responsibilities for human rights to establish the necessary organisational remedial mechanisms for the protection of children's rights.

Within this framework, the announcement that a "National Working Group" under the coordination of the MLSS will be brought together for the prevention of child labour within the scope of the project of "Supporting Children's Rights" developed by the Ministry of Family and Social Services with its stakeholders in 2022, a national workshop will be created for monitoring child labour, personnel will be trained, corporate capacity will be improved and cooperation with the civil society will be increased with the goal of forming public opinion; is a step in the right direction.<sup>16</sup>

***Legal Framework  
in the Fight Against  
Child Labour  
in Turkey***

The Convention on the Rights of the Child and the International Covenant on Economic, Social and Cultural Rights as well as various other binding international conventions to which Turkey is a party; regulate the duties of the states in terms of protection of human rights and children's rights in the working life, and minimisation and elimination of child labour and exploitation of child labour.

**In fact, as a party to the ILO's Minimum Age Convention No. 138 (ILO 138)<sup>17</sup> and the Worst Forms of Child Labour Convention No.182 (ILO 182)<sup>18</sup>, Turkey has undertaken to fight against child labour and support children's rights.**

In Turkey, employment of children below the age of 15 is prohibited, and employment of children between the ages of 15-18 is allowed, only provided that such employment is for works where their health and safety is fully secured, and does not impede their education.<sup>19</sup> As per the Turkish Penal Code, violation of the freedom of work and labour is punished with imprisonment from six months to three years, and under Article 104 of the Labour Law, breach of the minimum employment age and employment of child workers is punished with a fine of TRY 4,173. Furthermore, the Regulation on Labour Intermediation in Agriculture<sup>20</sup> and the Misdemeanours Act provide for the imposition of an administrative fine of TRY 581

per child on those who employ children below 16 and does not notify -through mukhtar's offices- the security departments of identity details of those workers they employ.

**Even though, within the framework of those regulations mentioned, child labour is clearly prohibited and punished under the Turkish law, child labour has become one of the considerable human rights problems of Turkey for long years since sanctions are not deterrent and audits to be performed by public institutions in charge of effective implementation of the legislation remain insufficient.**

On the other hand, it is observed that, in the light of the state's international duties; national policies and programmes have been developed and put into effect in the recent years for fighting against child labour. As a matter of fact, Turkey is one of the six countries which have attended the ILO's International Programme on the Elimination of Child Labour (IPEC) commenced in 1992. Until 2006, 101 action plans have been implemented and 50,000 children have been directly reached within the scope of the IPEC.<sup>21</sup>

**As per ILO 182, MLSS developed the National Programme on the Elimination of Child Labour (2017-2023) in 2017 for the elimination of the worst forms of child labour. In this extent, "Working in the Street", "Heavy**

**and Hazardous Work in Small and Medium-scale Enterprises" and "Seasonal and Migrant Work in Agriculture for Pay, Other than Family Farming" have been accepted as the worst forms of child labour in Turkey.**

Thus, upon evaluation under ILO 182, employment in (1) works such as *"shining shoes, selling things such as paper tissue, gum, water, simit, national lottery ticket, stationery supplies, etc., cleaning car glasses, carrying water in graveyards, cleaning graves, collecting trash, selling flowers, religious books and materials, etc."*<sup>22</sup> within the scope of working in the street, (2) small- and medium-scale enterprises lacking an infrastructure fitting to the purpose of production in the industry sector within the scope of heavy and hazardous works and (3) seasonal agricultural sector has been increased to the age of 18. It should be noted that those three areas included in the National Programme are accepted as the worst forms of child labour not only because the severity of the working conditions, but also due to the fact that the living conditions suffered by the children violate children's rights. Particularly in seasonal agriculture, in addition to working conditions being dangerous for children; children, who are so young that cannot work in gardens or yards, travel to different provinces with their parents for long durations, and are forced to live in hazardous working conditions with poor or without safety

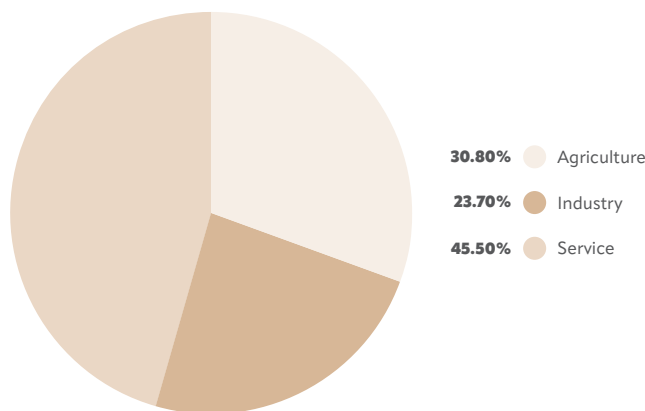
at all or with no access to clean water and hygiene.

Within the framework of the National Programme, it is aimed to entirely eliminate the worst forms of child labour and decrease child labour in other areas below 2%, with an attempt to develop a multidimensional and multilateral approach addressing children, together with their social circle in fighting against child labour.<sup>23</sup>

The 2012 data of the “Child Labour Survey” of the Turkish Statistical Institute (TSI), which is the latest survey conducted prior to the entry into force of the National Programme, indicates that, among 15 million 247 thousand children in the age group of 6-17 in Turkey, 890 thousand children are working and out of those children, **44.7%** (399 thousand children) are working in the agriculture sector, **24.3%** (217 thousand children) in the industry sector, and **31%** (277 thousand children) in the service sector.<sup>24</sup>

Considering that the TSI’s official statistical programme does not include any study covering the 2011-2016 period, the National Programme states that a survey on child labour should be included in the official statistical programme of 2017-2021 for implementation.<sup>25</sup>

Accordingly, in line with the data provided in the “Child Labour Survey” published on March 31, 2020, it is determined that, among 16 million 457 thousand children in the age group of 5-17 constituting **20.3%** of the non-institutional population in 2019, 720 thousand children are in the workforce. Out of those 720 thousand children, **30.8%** are working in the agriculture sector, **23.7%** in the industry sector and **45.5%** in the service sector, and among them, 146 thousand children are in the age group of 5-14 (32 thousand being in the age group of 5-11) whose employment is prohibited.<sup>26</sup>



**Table 1. Children Working in Economic Activities by Sectors**  
(Resource: Turkish Statistical Institute, Child Labor Survey Results, 2019.)

**The survey is being criticised for having been conducted in the periods when agricultural activities ended and schools were opened, and for not including Syrian children who constitute a significant part of child labour, and it is noted that, contrary to the official data, more than 2 million children are indeed working in Turkey.**<sup>27</sup> Moreover, in response to the request for information forwarded to the MLSS in 2017, it is

stated that there were 152 thousand 434 agricultural worker children in 2014, 167 thousand 342 in 2015 and 155 thousand 234 in 2016; and 500 thousand children immigrated with their parents as agricultural workers in 2017.<sup>28</sup> Considering the uptrend observed throughout the years and the increase in the population of Syrian children, any decrease in the number of child workers in the period without any official research data does not seem realistic.<sup>29</sup>

For this reason, even though the launch of the National Programme is an important step, the policies developed and their implementation are not sufficient in offering a solution.

**Additionally, increase of the employment age in those areas to 18 has exposed those in the age of 15-18 (the TSI's 2019 data indicates that 574 thousand working children are in the age of 15-17) to informal employment, leading to another violation of human rights. Development of policies (e.g. the National Program) not conforming to the legislation and insufficiency of audit systems are criticised in the international arena.**<sup>30</sup> Indeed, the fact that

agriculture and forestry works with 50 or less workers, where children are commonly employed, are not subject to the Labour Code and therefore

provisions concerning minimum age and working conditions and audits are not applicable to such works, appears as a drawback in the National Programme in terms of the fight against child labour.<sup>31</sup>

In 2018, the Joint Declaration on Combatting Child Labour, signed by four ministries and seven social parties<sup>32</sup>, was published with the cooperation of the ILO and the MLSS in order to increase awareness on combatting child labour in line with the goals for 2023 within the National Programme and to contribute the programme's policies and goals to the maximum extent.<sup>33</sup> Accordingly, 2018 was declared as the "Year to Combat Child Labour" in Turkey, and it was announced that combatting child labour would be prioritised in all

activities of the relevant authorities and organisations. However, despite those policies and action plans, child labour has increased in the recent years and became an ever-growing problem in Turkey, with the adverse impact of the involvement of Covid-19 as well as explained in detail with up-to-date examples in Section 2. In fact, in the country-based Due Diligence comparisons in the Children's Rights and Business Atlas developed by UNICEF, the index of Turkey's legal regulations on workplace, marketplace, community and environment is well below the average when compared to the other countries. On the other hand, its above-the-average application and enforcement index is a promising picture for the implementation of policies in the favour of children.<sup>34</sup>

***Current Situation  
in Turkey with  
Examples***



It is an important example of prevalence of child labour in the textile sector that one out of every three people interviewed in a research of the Clean Clothes Campaign Association on the effects of Covid-19 on the textile sector reported that they started working in a textile workshop during their childhood.<sup>49</sup>

The fact that, throughout the Covid-19 period, those working informally got laid off their jobs due to the decreasing production volume and employers showed on paper as if their workshops had been closed despite having their workers work in order to take advantage of the short-time working allowance stands as aggravating factors in that sector where violation of human rights is already common. As remarkable examples of this situation, a young worker working with a mask due to the requirements of the Covid-19 measures told that he could not breathe with the mask as he needed to work very fast<sup>50</sup>, and in a period when those below the age of 20 without a certificate of employment were subject to curfew, a ready-wear worker was killed while trying to run from the police.<sup>51</sup>

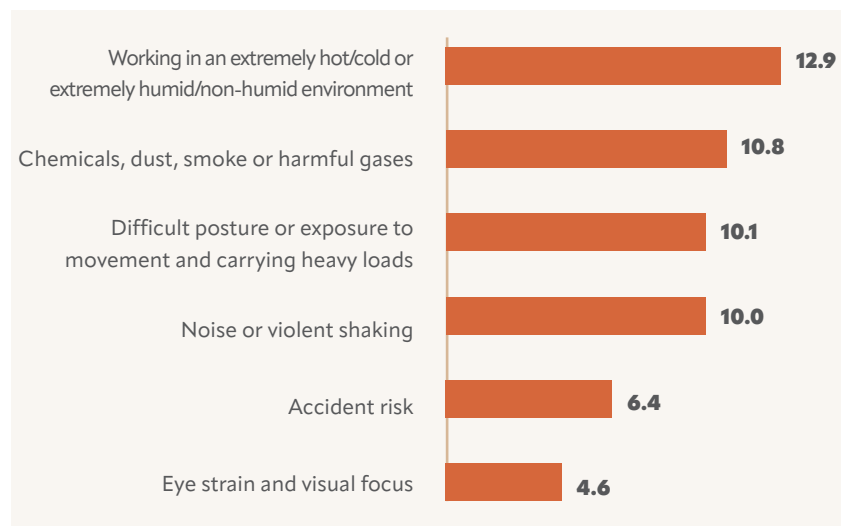
It is striking that workers in textile workshops working for large brands stated that brands provided no support during the Covid-19 period.<sup>52</sup> Considering that most of those textile workshops are within the production chains of large-scale

international companies, both local and international companies should not tolerate this situation and must fulfil their responsibilities in line with international standards.

Besides, considering that EU constitutes 41.3% of Turkey's total volume of textile export and ranks the first in Turkey's export<sup>53</sup>, exporting companies which operate in Turkey and are included within global supply chains will have to abide by the regulations of the countries, with which they have commercial relationships, concerning protection of human rights and children's rights and prevention of child labour in order to carry on their activities.

## Working Conditions of Children

Working conditions of working children reveal that a substantial part of them are working under conditions that endanger their health and development in breach of the legislation.<sup>54</sup> The ratio of children exposed to accident risk is 6.4%, and the TSI has recorded that 1.3% of working children suffer injury or disability and 4.4% witness injury or disability at their place of work.<sup>55</sup> On the other hand, only for formally employed



**Table 2. Factors Affecting Physical Health of the Children in the Working Environment**

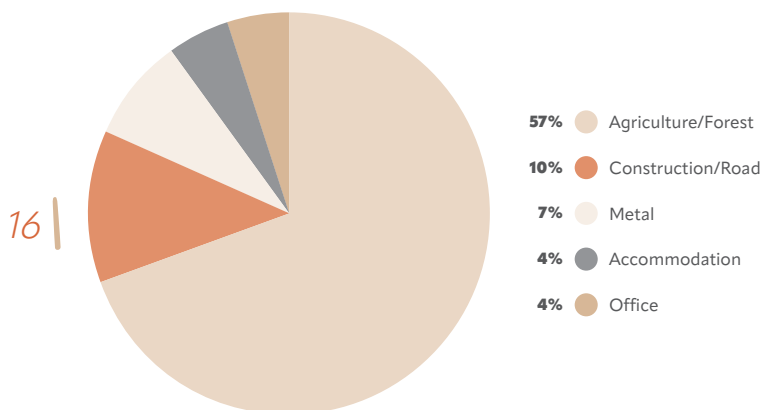
(Resource: Turkish Statistical Institute, Child Labor Survey Results, 2019.)



children, the Social Security Institution's data indicates a ratio of 15%<sup>56</sup>, which addresses to an inconsistency between the records of public institutions.

Likewise, official data indicates death of around 5 child workers every year, whereas according to the report of the Health and Safety Labour Watch (HESA Labour Watch), 513 child workers passed away between 2013 and 2021.<sup>57</sup>

Occupational accidents and deaths suffered by children due to working under dangerous conditions not suitable for them are among the matters with the widest coverage on the media.<sup>58</sup>



**Table 3. Deaths in Child Labour Occupational Accidents by Sectors**  
(Resource: HESA Labour Watch, Child Labor Deaths Research Results, 2021.)

## Child Labour in Seasonal Agriculture

Another significant reason behind injuries and deaths is the lack of convenient health, accommodation and hygiene conditions especially in the common living conditions for seasonal agriculture labour, violating fundamental human rights and children's rights. Besides prevalence of child labour in seasonal agriculture, children who do not work also migrate between provinces by travelling with their families during the harvest seasons. Accidents that children, who come to work with their families have

during such migration due to living tents or similar unsafe structures<sup>59</sup> or washing themselves in rivers due to limited hygiene standards<sup>60</sup> have become very common. Geographic extent of such circumstances is noteworthy as well. Strikingly, it was reported in April 2021 that eight children lost their lives in three days in irrigation canals in Adana, Kahramanmaraş ve Şanlıurfa.<sup>61</sup> The current situation shows that convenient living conditions are not provided for working families including for children, necessary safety measures are not taken, and fundamental rights are violated. Those rights are protected under the constitution, and factors like informal employment hinder effective implementation of legal and criminal liability processes.

Seasonal agricultural labour generates from financial constraints caused by the need for labour and competitive market conditions in agriculture in Turkey. For this reason, preventing employment of children in agriculture sector is complicated even where such employment is not desired by farmers whose families are informed within the scope of the programmes conducted or by agricultural intermediaries. Furthermore, it is important to improve accommodation conditions of workers, take infrastructure-related measures for the need of water and toilet, and

develop solutions for children's needs such as education and games.<sup>62</sup> In global supply chains, projects are conducted through the cooperation of public sector, private sector, non-governmental organisations, and international organisations for the purposes of preventing child labour and improving working and living conditions by achieving the aforementioned goals. For instance, in a project conducted by stakeholders consisting of leading companies of Turkey in hazelnut export<sup>63</sup>, the Fair Labour Association (FLA) and public authorities as project partners, 2,470 workers working in hazelnut harvesting were reached and given trainings with respect to their rights; children whose families were working were provided with a safe area, houses where workers were staying were repaired so as to provide access to hot water, and trainings were given to agricultural intermediaries, yard owners, public officers, and teachers.<sup>64</sup> Such good practices of companies are significant for preventing children who come with their families, especially those in young ages, from entering into yards and gardens and ensuring that they stay in a safe area and continue their education under the supervision of experts while their families are working. Yet, those practices must be continuous and solution-oriented.

**Most of multinational companies mainly procure their hazelnut supply from Turkey. In 2019, BBC addressed the role of all actors from the exporting company to families of child workers, farmers, and agricultural intermediaries; drawing attention to the monitoring of working conditions in supply chains as a corporate responsibility.<sup>65</sup>**

Within this framework, even though the supplier company of Italian origin targeted reaching the entire supply chain by the end of 2020, it could reach only 39%, reported to have reached only 44% in the end of 2021, and extended the same target to 2023.<sup>66</sup> For this reason, in order to efficiently combat child labour, companies need to increase such practices, and carry on their activities by attaching particular importance to human rights due diligence, especially in sectors where child labour is observed to be prevalent such as seasonal agriculture.

## Education and Child Labour

Finally, a point to be noted is also the link between education and child labour. It is observed that the switch to the 4+4+4 education system affects the continuity of children's educational life and facilitates casting children into labour. According to the statement of the Ministry of National Education (MEB), there are 440 thousand children who -as determined by MEB- are working while they should be attending the school, but "could not be reached".<sup>67</sup> Additionally, past experiences show that loss of income leads to a decrease in school enrolment and attendance, resulting in an increase in child labour; and again in the Covid-19 period, both loss of income and issues in access to remote education have deepened the existing problem and caused an increase in child labour.<sup>68</sup> Families state that their already existing financial difficulty has reached to the level of hunger due to Covid-19, and therefore it became necessary for their children to work.<sup>69</sup> There is a bilateral relationship between children's employment and lack of access to education. Children working in the field stay away from education; and also, reasons such

as inability to access education due to reasons such as poverty and insufficient facilities in rural areas push children to work. Especially during the Covid-19 period, children with no access to the Education Information System (**EBA**) due to lack of tools like tablets, phones, computers begin working. In a news report based on interviews with the children of seasonal agricultural workers who came to Denizli from Şanlıurfa to work in thyme crop, an eight-year-old child<sup>70</sup> told that "I don't want to work, I want to go to school. I would be in the school if I was not working in the field." and another child in the age of 11 stated that he missed his school and teachers a lot and he started working in the field after his phone broke down and he could not access EBA.<sup>71</sup>

*"I don't want to work, I want to go to school. I would be in the school if I was not working in the field."*

Likewise, it is noteworthy that another child stated that all his classmates are child workers and their

teachers do not "mark them absent" as they know this situation. On the other hand, the provision of an EBA Mobile Support Vehicle for students working in the field in Urfa stands as an example of wrong policies since it legitimates child labour.<sup>72</sup> Similarly, when the former Minister of National Education visited the seasonal agricultural workers and brought books to the children in the field, this was criticised by organisations on the grounds that this was an approach legitimating child labour instead of drawing attention to this problem.<sup>73</sup>

It is suggested that the increase caused by Covid-19 in staying away from school and in child labour may become permanent.

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**According to a research made in Diyarbakır, one of the provinces of the Eastern and South-eastern Anatolia with the lowest income level on a regional basis, 26 out of 155 children stated that they will not be able to return to school even if Covid-19 ends.<sup>74</sup>**

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On the global scale, the current reports of UNICEF and ILO indicate that the number of child workers

has risen to 160 million in the beginning of 2020, being the first increase in two decades.<sup>75</sup> Factors such as quarantine practices, closing of schools and economic setbacks stand as the primary reasons behind such increase. UNICEF emphasises the requirement to increase social protection programmes to prevent worsening of this situation, and invites governments and international development banks to invest in programmes that can get children out of the workforce and back into school.<sup>76</sup>

In conclusion, providing access to education and fighting against the conditions generated by Covid-19 constitute the state's primary duties, yet it should not be disregarded that companies also bear responsibility in this respect. Within this framework, companies should first conduct human rights due diligence and child labour risk analyses on a regular basis throughout their operational activities, and make sure that children of school age are not employed. Besides, it is another important requirement for them to support public institutions and non-governmental organisations and contribute to education programmes in the countries they operate.

***Suggestions***

In the light of the international regulations, the national legislation and particularly the current examples covered in the press with respect to child labour as explained above, our recommendations on the necessary actions to be taken in the triangle of state-private sector-civil society for protecting children's rights, avoiding child labour within commercial activities particularly including global supply chains and preventing violation of children's rights from the perspective of business and human rights are as follows:

- National action plans are "policy documents in which a government articulates priorities and actions that it will adopt to support the implementation of legal obligations and commitments with regard to a given policy area or topic".<sup>77</sup> Following the adoption of the UN Guiding Principles in 2011, the European Union invited its member states to develop national action plans on business and human rights in order to implement the UN Guiding Principles by the end of 2012.<sup>78</sup> This invitation was repeated by the UN Human Rights Council in its decision dated June 2014. The UN Human Rights Council underlined the important role that national action plans could play as a tool for encouraging comprehensive and effective implementation

of the UN Guiding Principles, and encouraged states to develop an action plan or a similar framework.<sup>79</sup> In the same year, the UN Working Group on Business and Human Rights published the Guidance on National Action Plans on Business and Human Rights that include recommendation on development, implementation and updating of national action plans.<sup>80</sup> In 2016, the Council of Europe called its member states to develop and adopt national action plans addressing three pillars of the UN Guiding Principles.<sup>81</sup> In response to those and other several calls<sup>82</sup>, many governments across the world have adopted national action plans or carried into effect the processes of development of national action plans concerning business and human rights.<sup>83</sup> Action plans to be developed with respect to business world and human rights are essential as they directly reveal country-specific risks of human rights and also contain the steps through which actions will be taken with a holistic approach in terms of matters linked to and/or overlapping each other. In this extent, human rights problems which are closely related with and cause regeneration of each other including but not limited to child labour problem, informality, irregular migration,

discrimination, gender inequality, human trafficking, freedom of association, and access to primary education and health services in Turkey should be taken into consideration while developing action plans. To this end, a national action plan should be prepared after conducting a risk assessment on fundamental human rights (*baseline assessment*) within the framework of business and human rights with a rights-based approach by means of tools to be developed in line with the country-specific context by taking examples of good practice into consideration.

- Generalising human rights due diligence activities, which constitute an important tool of fighting against child labour<sup>84</sup>, throughout supply chains, developing human rights policies and directives in line with international standards and principles and implementing them at each level of supply chain, and making use of their advantageous position and acting as a stakeholder in structural solutions are among companies' responsibilities.<sup>85</sup> As parts of human rights due diligence; risk analysis, regular audit and reporting, cooperation with other organisations, effective and accessible internal complaint mechanisms and establishment of remedial systems for violations

arising from business activities are essential.<sup>86</sup> In addition to human rights due diligence, it is specifically important for companies of a certain scale or companies engaged in high-risk sectors such as industry and agriculture to conduct a process specific to child labour, particularly including the worst forms of child labour.<sup>87</sup>

In this context, children should be prioritised and solutions for children's needs such as child friendly spaces, hotlines, education grants, in-service trainings and family support should be generated. In addition to generalising such practices for companies, regulations concerning human rights due diligence should be adopted in the national legislation taking as examples the legal regulations that have become prevalent in the EU countries, and in this extent, criminal and civil liability should be stipulated for companies giving rise to violations of human rights within the scope of their activities in supply chains.

- Both in regulations of national legislation and in studies to be conducted by different stakeholders, improvement of socio-economic structure should be set as a guiding goal, and disadvantaged groups within the society such as including but not limited to handicapped people, children, women, elders,

immigrants should be taken as the focus of those studies. Throughout this process, conscious recruitment policies, proper working conditions, individual and union rights should be publicised at each and every context of the society, and rendered a part of responsible business practices.<sup>88</sup>

- In practice, presence of child labour in many lines of work like forestry labour and fishery is a known fact, and it is remarkable that, despite this fact, no public study has been conducted on such matters until now. Those informal practices should be addressed in scientific studies so that the real and current situation can be identified.
- Civil society pressure should be increased for the change of legislation and the implementation of policies of combatting child labour, and non-governmental organisations and academicians working in these areas should be asked to make an efficient contribution to the development of new regulations.
- The Universal Periodic Review of 2020 of the UN Office of the High Commissioner for Human Rights<sup>89</sup> contains the title of "*development, environment and business and human rights*", but it is seen that child labour is not addressed in the review. For this

reason, the facts of violation of children's rights within corporate actions in Turkey are not reflected. In this context, awareness of non-governmental organisations on business and human rights should first be enhanced and accordingly capacities of judicial and non-judicial bodies like national human rights authorities should be improved so that they can provide remedies for victims of the violations of human rights arising from corporate activities.

- In raising awareness as necessary and extending the areas of use of good practices, it is also essential that companies publicise the projects and policies they develop for the elimination of child labour, children's rights and human rights so as to ensure transparency and equality of arms.<sup>90</sup>



## End Notes

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- 1 UNICEF & ILO's "Covid-19 and Child Labour: A Time of Crisis, A Time to Act", 2020, [https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---ipec/documents/publication/wcms\\_747421.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipec/documents/publication/wcms_747421.pdf)
- 2 OECD, "Ending Child Labour, Forced Labour, and Human Trafficking in Global Supply Chains", 2019, <https://mneguidelines.oecd.org/Ending-child-labour-forced-labour-and-human-trafficking-in-global-supply-chains.pdf>
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