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CHILD LABOR IN TURKEY

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Abstract

Like many other global issues, the presence of child labor in Turkey with thousands of children working in a way that is detrimental to their health, education, and development has become a social and economic ill. There are many child labor solution programs that have been put in place by both state and non-state actors, however, the practice has remained a persistent challenge due to various socio-economic forces, gaps in the existing legal structures and difficulties in their implementation. There is therefore a need to assess the reasons for this persistent trend in child labor, and thus this paper examines the current child labor laws in Turkey, their implementation, and the treatment of international law concerning the Turkish legislation on the children's working right. The present study seeks to provide practical policy proposals that are aimed at enhancing the existing government legislation on child labor in comparison with the regulation of this issue in other countries. Research Objectives. In line with the above, the case study has been designed to comprehensively achieve three important objectives in addressing the issue of child labor in Turkey: 1) The aim is to review the existing laws and policies related to child labor, pointing out the strengths and weaknesses within the Turkish legal framework. 2) Although it does not include an analysis of the effectiveness of the child labor legislation, a comparative study will be conducted with the legal frameworks of selected countries, namely the EU, Spain and the United States of America, which have established policies against child labor. 3) Thus, the expert analysis will result in proposed legislative amendments to strengthen the protection of child labor in Turkey, with an emphasis on compliance with international standards and effective enforcement mechanisms. Methodology. The approach adopted for the study is multifaceted, as it synthesizes a review of relevant academic literature, legal documents and statistical reports. An initial extensive literature review of Turkish and international sources was conducted to provide a basic understanding of child labor and the main legal framework. Academic literature on child labor, child protection and labor law forms the basis of this study. Academic literature on child labor, child protection and labor law forms the basis of this study. This includes research on the socio-economic drivers of child labor in Turkey, comparative analysis of international labor law, and historical reports related to child labor law. Central to this study is an in-depth analysis of Turkish child labor legislation, in particular, the Turkish Labor Law No. 4857 and related regulations on child labor practices, age limits, and employment conditions. The assessment also covers the Turkish Constitution, the Primary Education Law and other related secondary legislation/circulars. To provide a comparative overview, the study provides an overview of child labor laws in jurisdictions such as the EU, Spain, and the United States, each of which is active on issues related to child labor. This comparison is made with the aim of finding best practices that could be implemented in the Turkish context. The study focuses only on the legal and socio-economic aspects of child labor and does not involve primary data collection through surveys or interviews. Instead, the study is dependent on secondary data sources, which may undermine the breadth of coverage of the research questions regarding real-time enforcement outcomes or public perceptions of child labor in Turkey.

Key words: Child labor, Turkish law, protections for children.

Introduction. Relevance of the Topic. Child labor is one of those intractable problems of the world that affects in no small measure the developing and transition economies such as Turkey. Thousands of children undergo painful experiences working

in agriculture, manufacturing, and construction under conditions that prevent their physical, mental, and emotional bodies from developing appropriately. The prevalence of child labor forces long-term implications on Turkish society for encouraging vicious circles of poverty and setting limits to educational attainment, where direct impacts become visible in hindering economic and social development in Turkey.

Problem Statement. Although Turkey has signed several international conventions regarding chil-

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dren's rights and the ban on child labor, including conventions by the ILO, significant problems still remain. While the legal framework of the country can boast a far-reaching scope, it yet suffers from large deficiencies in effective mechanisms of enforcement, particularly in rural areas and in informal sectors. Moreover, poverty and a lack of access to education push children, especially from poor families, into work. These factors underline the need for more robust laws and enforcement strategies to address root causes and perpetuation of child labor.

Purpose of the Study. The purpose of this study is to provide a comprehensive analysis of Turkey's child labor laws, exploring the alignment of these laws with international standards and assessing areas where Turkey can strengthen its legislation and enforcement mechanisms. Moreover, this study compares Turkish child labor legislation with that of other countries, such as the EU, Spain, and the United States of America, in an attempt to provide some recommendations that will facilitate policy improvement.

Objectives of the Research. In line with the above, the specific research has been designed with a view to attaining three significant targets comprehensively while addressing child labor in Turkey:

1) The purpose is to review the existing laws and policies related to child labor, pointing out strengths and weaknesses within the Turkish legislation framework. 2) While it does not include an analysis of the effectiveness of its child labor laws, a comparative study will be made with legal frameworks from selected countries, namely EU, Spain, and the United States of America, which have laid down policies against child labor. 3) The expert analysis will, therefore, result in proposed legislative amendments with regards to strengthening the child labor protection of Turkey, with emphasis on compliance with international standards and effective enforcement mechanisms.

Methodology. The approach adopted for the research is multi-faceted in nature in that it synthesizes a review of relevant academic literature, legal documents, and statistical reports. Initial extended literature review regarding both Turkish and international sources was carried out in order to provide the foundational understanding of child labor and the underlying legal frameworks.

Academic literature on child labor, child welfare, and labor law forms the basis of this research. These include studies on the socio-economic drivers of child labor in Turkey, comparative analyses of international

labor laws, and historical accounts related to child labor legislation. Central to this study are the in-depth analyses of Turkish child labor laws—particularly, the Turkish Labor Law, No. 4857, and its connected regulations with respect to the practice of child labor, age limits, and conditions for employment. The assessment further extends to the Constitution of Turkey, the Law on Primary Education, and other related secondary legislation/circulars.

To obtain a comparative overview, the research provides an examination of child-labor laws in jurisdictions like EU, Spain, and the United States, each being proactive in matters concerning child labor. This comparison is done with the purpose of trying to find the best practices that could be instituted in the Turkish context. The study has only chosen the legal and socio-economic aspects of child labor, and it does not entail primary data collection through surveying or interviewing. Instead, the research depends on secondary data sources, which may undermine the latitude of coverage for coverage that pertains to the study with respect to real-time enforcement outcomes or societal perceptions about child labor in Turkey.

1. Definition of Child Labor

The International Labour Organization (ILO) defines the term as «work that deprives children of their childhood, their potential, and their dignity and that is harmful to physical and mental development.» It refers to work that:

- is mentally, physically, socially or morally dangerous and harmful to children; and/or
- interferes with their schooling by: depriving them of an opportunity to attend school; obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work.

Whether or not certain types of «work» can be referred to as «child labour» depends on the age of the child, the type and hours of work carried out, the conditions under which it is carried out, and the objectives pursued by individual countries. The answer varies from country to country, as well as among sectors within countries (The International Labour Organization (ILO)).

Child labour means work which, by its nature or the circumstances in which it is carried out, is harmful to a child's health, safety or morals. Contrary to activities enhancing development for children—for instance, allowing them to participate in light housework, or taking up employment during holidays—official child labor has negative impacts on their health, safety, and moral development.

In their most malignant forms, child labour can take the form of slavery or practices akin to slavery, including the sale and trafficking of children. In other places, children may be exceedingly made to join armed conflict, be used in the production and trafficking of drugs, or even offered into prostitution (Unicef).

Other international frameworks develop further the legal stand on child labor, emphasizing protection against work that is exploitative. According to Article 32 of the UNCRC, a child has the right to protection from work likely to be hazardous or interfere with the child's education or health. Within the context of Turkish law, child labor is defined and subject to several legal frameworks, essentially consisting of Labor Law No. 4857 and the Regulation on the Procedures and Principles of Employing Child and Young Workers.

Key Definitions and Provisions. Minimum Working Age: According to Labour Law No. 4857, for Turkey, the minimum age for employment shall be 15 years. The law provides an exception by allowing children between the ages of 14 and 15 years to do light work which does not interfere with their education, health, or overall development, as stated under Article 71. This is in close relation with international standards set to keep children off hazardous work and ensure that work does not interfere with their schooling.

Light Work: For a child to be involved in «light work,» according to the definition by the law in Turkey, it is an employment which will not be prejudicial in his health, whether physical or mental, and shall not interfere with his studies. According to Article 71 of Labour Law: Children who have completed 14 years of age are allowed to do light work except in the establishments covered under this Act, assist in nonhazardous family businesses, or do part-time works without exceeding prescribed total daily or weekly hours.

The employment ban in dangerous industries or occupations seen to jeopardize the health and safety of a worker below 18 years of age, under Article 85 of the Labor Law, prohibits. In addition, limitations are made from participating in works using heavy machinery, dangerous chemicals, or prolonged physical exertion common among young workers.

Education and Vocational Training: The Regulation on the Procedures and Principles of Employing Child and Young Workers' (2004) allows children and young workers to be employed in work that supports their education or vocational

training. The regulation provides that work of young workers (15-18 age group) shall not interfere with their schooling (Labor Law No. 4857). It is important to understand what defines a 'child laborer' in order to have proper legislation and policies that protect children from exploitation, but at the same time allow them proper work experiences. Yet, these definitions also do vary between countries due to socio-economic, cultural, and legal contexts.

2. Social and Economic Factors Influencing Child Labor

Social Factors Influencing Child Labor. In Turkey, the existing social-cultural context acts as a predisposing factor for most of the children who are engaged in economic activities. Traditional family systems, conservatism and gender roles have placed many children in the labor market.

Cultural Norms and Gender: As noted by Dildar (2015) and Göksel (2013), the cultural values observed in a patriarchal setting denote that there are very few females participating in the labor force, and this promotes child labor. Almost all regions within Turkey expect full compliance to the patterns of gender roles whereby men are expected to earn incomes, mostly boys of school age, while women take care of the house. As a result, children primarily bear the financial responsibility, especially in poor families with low adult wages. Furthermore, Göksel (2013) emphasizes that this is most pronounced in the marginal areas where sociocultural attitudes are very conservative and hence child labor is viewed as an acceptable means for the family to economically function.

Impact of Child Marriage on Child Labor: Yüksel-Kaptanoğlu, Ergöçmen & Koç (2014) grow anxieties over the micro phenomenon of child marriage prevalent in Turkey as it promotes entry into waged work for girls. The report also shows that the phenomenon of child marriage often leads to school dropouts for girls and younger women that are forced by circumstances to get into roles much beyond their age. Most of the time, as grown-up duties pile up, younger boys and girls or other children within the house may have to work in order to provide financial support to the family. This aspect leads to deterioration in educational standards among families and serves a reinforcing mechanism for perpetuation of child labor.

Inadequate Social Welfare Systems: Institutional Childcare Kumar, (2014) outlines the lack and inadequacy of social services like institutional childcare/early childhood education as a few existing limits of state funding resulting into increased depend-

ence of families in search for other care alternatives. Children may take on caring for younger siblings, or looking for some means of making money. Another possibility is that the relatively low level of government assistance in childcare services, especially in Turkey, when compared to other almost all OECD countries, makes it difficult for very earners and promotes tendencies for child labour to exist.

Further, Varol (2017) considers the effects of rising education levels on the probabilities of being in the labour force in Turkey and draws attention to differences between men and women. One major factor is poverty that leads many children especially girls, to work rather than go to school. In the same vein, Dildar (2015) researched into this area and noted that limited participation of women in the delivery of labor services forces many women to stay at home, which indirectly leads to more child labor as the family relies on children for economic sustenance.

Economic Factors Influencing Child Labor.

Direct economic factors influence child labor in Turkey, including family poverty, limited female employment opportunities, and insufficient access to education, all of which make child labor a survival strategy for low-income families.

Families in poverty and economic distress: In a study, Edmonds (2015) has stated that poverty is the most important factor explaining the incidence of child labor in poor countries such as Turkey. There are also claims by some economists that families are generally in economic distress which is why people resort to child labor. Memiş and Kızıllırmak (2013) recognize that the family-centered economic system existing in stamped m, particularly in the countryside of America, conceals a lot of risks for families thus forcing them to include children in the work. In the informal economy which mostly comprises low-paying jobs without any regulatory measures to protect workers, children tend to work at a low cost for cheap labor thus making it almost impossible to regulate or restrict child labor.

Low Feminine Labor Participation Rate and Its Bearing on Child Labor: Varol (2017) and Erten & Keskin (2018) discuss one of the reasons, which has a drastic effect on children among others, the low female workforce participation in the MENA region. This is so because, in most cultures, if the women in a household do not work either due to cultural or economic reasons, children have to work in order to contribute to the family income. According to Varol, (2017) there are types of families where there are no women earning a living, thus most of them rely on

their children's income, more so in the type of families that do not have outside help. Erten & Keskin (2018) pointed out that lack of education and its attendant poverty enhances child domestic labor, bringing the attention to young families and the burdens imposed upon them financially.

Access to and Quality of Education: It is reported that the quality of education available to the populace is determined by region as well as one's economic status in Turkey. The authors note that as a result of poor educational infrastructure in the case of very poor regions, children end up going to work rather than attending schools; thus, cycles of poverty and low social mobility are reinforced (İlkkaracan et al., 2015). Educators hold that access to education is one of the important factors in the fight against child labor if this will ease the economic burden on the families that depend on children's income (Tansel, 2001).

Labor Market Structure and Child Labor Demand: The case of Child labor is more pronounced in the informal and low-skilled labor sectors in Turkey due to the nature of her labor market. In some labor-intensive industries like agriculture and in enterprises that involve the whole family, children are easily found engaged in cheap unregulated work. Şener (2011) argues that, children, in particular, labor is encouraged in small family businesses because they are considered helpful and in fact, this encourages child labor. Therefore the use of informal channels in recruiting children for work expedites the linkage between the structure of the economy in Turkey and the societal acceptability of children helping the family by working.

Intersections of Social and Economic Factors: Social and economic factors affecting child labor in Turkey are deeply intertwined. Cultural expectations reinforce economic limitations, and vice versa. For example, in regions where patriarchal norms limit women's participation in the workforce, economic burdens fall on children. Similarly, economic hardships may push families toward traditional practices, such as early marriage, that perpetuate child labor. İlkkaracan et al. (2015) emphasize this interdependency, noting that Turkey's reliance on family structures rather than public support for childcare increases the likelihood of child labor.

3. Current Legislation on Child Labor in Turkey.

Child Labor Legislation: An Overview. The Turkish legal framework has put in place a number of regulations over time with the aim of protecting children from the vice of child labour, and has even included those organizations and standards cre-

ated specifically for that purpose, such as the ILO (International Labour Organisation). The establishment Of Child Labor and Employment in Turkey is primarily guided by the Constitution of the Republic of Turkey 1982, Turkish Labour Act (2003), Law of Occupational Health and Safety (2012) and numerous changes made to Turkish Criminal Code which all tend to aim in prohibition and control of child labour for instance.

Hindman (2014) argues that there is legislative compliance with ILO conventions in the area of prohibition of employment of children below the age of 15 in any sectors, and 18 in case of work considered hazardous. The Labor Law No. 4857 stipulates that certain age limitations shall apply and permit employment of minors aged 14 – 15 years only in light work and non-hazardous work under a close supervision. This law corresponds with Article 50 of the Constitution of the Republic of Turkey where children are to be protected from being exploited.

Recent Revisions and Defensive Actions. Recent amendments have aimed to enhance the existing provisions about child labor contained in the Turkish Labor Law. İcduygu and Şimşek (2016) elaborate on the changes in Turkish policies triggered by the social problems including the radical increase in the number of Syrian refugees resulting in new problems with the enforcement of child labor. The researchers recommend Law 6458 on Foreigners and International Protection, which requires the provision of educational opportunities and limits the child labor among the refugee population. Nevertheless, they point out that enforcement problems continue to exist especially in the informal sector where a lot of Syrian and other child refugees face adverse circumstances due to lack of regulation and poverty.

In Turkey's wider welfare regime, Euğra and Keyder (2013) assess the implications on child labor. They contend that there are laws that outlaw children working in Turkey, but it does not address the social issues, like poverty and lack of services, that give rise to it, due to the Turkish system of social assistance. This helps to explain why child labor persists especially in the rural and depressed economic areas.

The Influx of Refugees and Gaps in the Legislative Framework. With more than three million Syrians living in Turkey, it is no exaggeration to state that the true extent of Turkey as the Syrian refugees' host country is unparalleled. These numbers haven't come without pressure to the fellow host

nation's market and welfare systems which has also resulted in composite set of challenges including pro-legislation and social concerns geared towards child protection. Koca (2016) traces out the legal standing of the Syrian refugee children where in particular, the author observes that while there is a legal provision in Turkey on the accessibility of education, implementation in respect with the eradication of the worst forms of child labor within such population is difficult. Attempts have been made to revise Turkish labor codes to reflect the existence of some level of migration; however, these alterations tend to be 'child centered' – as in most refugee children in Turkey are shoe-horned into various informal economic activities such as agriculture, textile and small scale factories. Crul et al. (2019) further this argument and assert that strategies employed in Turkey to assimilate Syrian children into the normal school system, plays a critical role in addressing the issues of child labor. However, there are factors such as language barriers, lack of materials, and socio-economic conditions that make these families work fast to earn and not focus on the education of the children for long term.

External Efficacy and Enforcement. On the example of Turkey, the efforts of local legislatures concerning the child labor law may also be seen as a response to the international treaties, which the country seems to be bent to follow. Güneş (2015) analyses how Turkey has been compliant with ILO conventions on least age for employment and prohibition of hazardous work to children, which suggests that Turkey is progressing in its efforts of harmonizing national labor policy with existing standards. However, this concern has more to do with enforcement which continues to be a challenge as the informal economy, which includes employment opportunities that in most cases the law does not reach in the concern of child labor issues, especially in areas where poverty levels are high.

Prohibitions and Informal Employment. There are also major factors inhibiting the fight against child labor in Turkey, which include the lack of policing of labor laws in the informal sector. Del Carpio and Wagner (2015) note that Turkish law is descriptive and since many children work for unregistered family businesses or in agriculture, an area that is hard to regulate. They point out the need for more effective monitoring and greater government active participation in those industries which are still not controlled by the present laws against child labor.

Education Driven Solutions. Most research works recognize the importance of compulsory edu-

cation in addressing child labor as a legal tool. Erten and Keskin (2018) argue that in Turkey, child labor rates have been reduced due to the increase of compulsory schooling ages from five to eight years since children are compelled legally to remain in school until they are teenagers. However, challenges remain, especially for those families living on the margin, as effort may be made to earn money rather than letting a child attend school. This, in theory, reduces the amount of child labor, but its practical application does not work in regions where the child is an economic unit in the family, and there is an expectation for children to earn money for the family.

The analysis of the available literature pertaining to development of present-day child labor laws in Turkey reveals that there is an adequate legal framework in place as per the international benchmarks, however there remains the issue of enforcement. The informal nature of employment, the economic challenges facing the lower classes, and the presence of displaced people all make it difficult to implement such law and exacerbate the condition of child labor. There is clear evidence of emerging child labor prevention strategies in terms of revising laws and guidelines in Turkey, but these need to be more in number and with better efficacy in order to combat the growing culpability.

4. International Comparisons

The International Labour Organisation has laid down basic principles on child protection as shown in various conventions and this includes Convention No. 138 regarding the minimum age for employment and Convention No. 182 on worst forms of child labor. Even though these are international commitments and standards, the degree of implementation and enforcement differs from one state to another depending on the local economic forces, social culture, and the capacity or ability of the administration to regulate that particular economic activity. This part looks at the child labor index and legislation in Turkey, the United States, the European Union, Spain, and in other countries along with their regional characteristics.

Turkey: Legal Framework and Challenges.

Turkey has made considerable progress regarding the alignment of its child labor legislative framework with that of ILO standards. Turkish labor law No. 4857 bans employment of children under the age of 15 years and further prohibits any form of hazardous employment for children under the age of 18 years. Unfortunately, most of the laws tend to be more on paper than practical, especially looking

at the large informal sector. As noted by İçduygu and Şimşek (2016), the law enforcement in Turkey has faced serious difficulties owing to the influx of over three million Syrian refugees and the fact that most of the refugee children work within the country's agricultural and petty industry sectors. Turkey's system, on the other hand, is unlike those developed countries owing to the economic dynamics that constrain the implementation of labor laws in industries where child labor is rampant.

United States. With respect to child labor laws, all 50 states in the USA can be said to be governed primarily by the Fair Labor Standards Act (FLSA) and its provisions, which denies employment of persons under the age of 14 years even in non-hazardous work, limits this category of work to those aged above 14 years but below 18 years and imposes a total ban on employment within hazardous work placements to those below 18 years of age, and older than 16 years. However, Menjivar and Perreira (2019) bring to light the glaring exceptions in the agricultural sector, where the minimum age of employment could be as low as 12 on condition that there is news of consent from the parents. This concession is quite fundamentally propelled by the lobbying politics of the agricultural sector and is reflective of particular social stratification in the United States. Moreover, Hindman (2014) notes that while laws in the United States are generous in curbing the menace of child labor, the practice is still rampant and mostly goes unpunished in the countryside; such labor is largely engaged in agriculture.

European Union. The European Union has also adopted Directive 94/33/EC, which stipulates that the minimum age for employment is 15 and no persons under the age of 18 are permitted to engage in dangerous work. Nevertheless, States could adopt the directive in a cavalier manner due to its permissive nature and as a result, child labor practices differ from one country to the next (Brazier, 2017). In this regard, while Spain is an EU member, the economy governs a fair and strictly EU compliance in the formal sector, and ensures its high levels of non-compliance deterrents (Hammer et al. 2015). Rather in countries that have a high proportion of the population working in the informal economy such as, for example, Romania and Bulgaria children from poor families are often working as they help increase the household income, while implementation of the regulation is not so effective. It is discussed by Crul et al. (2019) that the countries of the EU historically known to incorporate a lot of migrants in their economies such

as Spain are now undergoing demographic changes, where the rate of excess child labor of migrants' children has increased owing to poverty.

Spain. Spain is compliant with the EU policy concerning child labor, where there are proper laws against the employment of anybody who is less than sixteen years of age, and especially prohibiting working in risky jobs (Hammer et al., 2015). Social assistance, as well as overzealous regulation in Spain has ensured almost none if any child labor practiced in Spain as compared to other Countries in Southern Europe. Also, Crul et al. (2019) observe that in Spain, when it comes to child labor, migrant communities, especially those originating from North Africa and Eastern Europe, are more prone to informal children working. Often, economic pressure within these communities forces children to work, especially in unskilled labor sectors like agriculture or building, which is hard to police.

Regional Compliance and Enforcement

India and China: It is important to view the issue of child labor in China and India in the context of the two countries' immeasurable informal economic sectors. Weiner (2021) notes that although India has passed many laws against childhood employment over the years, the problem persists because such laws are barely enforced, especially in rural areas and certain sectors of the economy such as textiles and agriculture, where the practice is often seen as socially acceptable. Likewise, Bartley (2018) portrays the issue of child labor in China, and remarks that even though there are laws on paper, enforcement is not effective in many areas including family business and small scale industries where children are allowed to work without contracts.

Latin America: Countries within the region such as Brazil and Mexico are prone to differences in child labor tendencies. Bartosch et al. (2020) state that education programs that economically motivate families like Brazil's Bolsa Família program have helped reduce child labor practices. On the other hand, Mexico, just like many other countries, has a significant problem attributed to poverty levels and a large informal economy that makes it hard to enforce boundaries. The results indicate that child labor is an issue that all the Latin American states are addressing; however, realities of the context especially economic factors create lack of adherence to policies, especially in the countryside (Abbott & Snidal, 2021).

Africa: As for Africa facts and figures about child labor in sub-Saharan countries in particular, are some

of the worst in the world, particularly due to tensions that sometimes compel them to go to work. In relation to that, Haufler (2013) observes that although ILO child labor prohibition conventions have been acceded to by countries like Ghana and Kenya, political will is lacking due to poor infrastructure and capacity. Gereffi and Lee (2016) refer to child labor widely found in farming, especially the cocoa industry in the western part of Africa where stringent enforcement capabilities are barely existent and economic activities rely on children performing household tasks.

Comparative Analysis of Enforcement Strategies. Role of Social Welfare Systems: Several studies have demonstrated how strong social welfare systems contribute to the reduction of child labor by ensuring economic assistance to poor families. Child labor laws and their enforcement differ within the United States and Turkey's agricultural labor economies. Employment regulations are not fully imposed in the farming sector of America and Turkey for different reasons including policies exclusions and social factors. On the contrary, countries such as Spain and those in the EU have wide ranging family support systems which reduce the need for families to depend on children's income, thus lowering their employment rate in the child labor sector (Van Bueren, 2021).

Migrant and Refugee Influences: It is essential to highlight that the presence of migrant and refugee populations can complicate efforts to enforce child labor laws. İcduygu and Şimşek (2016) point to economic difficulty as one of the reasons why supervision of enforced child labor is almost non-existent in Turkey, especially in the case of children doing informal work for which there are no legal safeguards. Likewise, in Spain, enforcement of child labor provisions in the migrant population is reported to be a challenge as well due to high levels of poverty, and low levels of access of such migrants into the 'formal' jobs (Abbott & Snidal, 2021).

Agricultural Exemptions and Informal Economy Gaps: Child labor exemptions relating to agriculture seem to be prevalent in most countries with significant farming activities such the US and Turkey. As Locke et al. (2013) explain the issue of agricultural exceptions promotes child labor in the U.S., for instance, enabling children to start working at a very tender age. This sectoral exemption reflects the call for harmonization of enforcement at a global level for those industries which have a high level of informal work such as in this case (Trebilcock & Kirton, 2017).

Conclusion. This research paper devotes a lot of attention to the topic of child labor in Turkey by identifying the social, economic and legal contingencies sustaining child labor in Turkey. Although child labor in Turkey is a ever-emerging problem, because of the purging of almost all the child labour laws and the passing of Labor Law No. 4857 and the Regulation on the Procedures and Principles of Employing Child and Young Workers, many changes have been made in Turkey. Social and economic reasons like poverty infrastructure and high rate of enrollment in education among others compel children to work particularly in the informal sectors such as agriculture and small family owned businesses. Although quite a number of laws addressing the issue of child abuse and other forms of violence against children have been developed in Turkey, issues of implementation particularly in the rural areas end up proving difficult especially with regards to the poor communities where there are refugees from places like Syria and working is out of the law restrains.

The other side of the analysis indicates that the level of child labor in Turkey is a challenge in a sense that it does have differences which are not found in the United States and developed European countries such as Spain. Since Turkey's law is in principle compliant with the ILO conventions, the implementation is limited by the prevailing socio economic conditions and the presence of a large migrant and refugee population. In Spain due to provision of comprehensive social services which includes putting an economic safety net for families, the incidence of child labor is lowest, verging on near

non existence. Yet even in the US this acceptance of child labor remains in practice by legal loopholes in agri-business where the latter is a household sector within which child labor is constructively accepted. This shows that there are structural problems even within developed countries concerning the implementation of child labor prohibitions.

The research emphasizes that in Turkey, combating child labor is not merely a matter of legislative reform. There is a pressing need for economic and social reform. In order for any real transformation to take place, support for low-income families as well as educational provision to all children, including those within refugee communities, better enforcement of the law in the informal sector, and finally enhancing the social welfare system in Turkey are some of the primary measures to be put in place. It is also necessary to deal with specific societal expectations, such as the divisions of gender roles within families, that subtly endorse child labor.

In order to address the concerns mentioned, Turkish authorities should not only step up enforcement of the existing laws but consider also social measures that will help shift the economic burden from the parents. Through the use of specialized educational programs and providing job opportunities to previously disadvantaged groups, the underlying conditions allowing the existence of child work within Turkey can be dealt with more effectively in accordance with international practice. Such findings would not only safeguard children but also help in the overall social and economic growth of Turkey by interrupting a cycle of poverty that leads to child labor from one generation to another.

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ДИТЯЧА ПРАЦЯ В ТУРЕЧЧИНІ

Анотація

Актуальність теми. Дитяча праця є однією з тих нерозв'язаних проблем світу, яка не в останню чергу зачіпає країни, що розвиваються, і країни з перехідною економікою, такі як Туреччина. Тисячі дітей переживають болісний досвід, працюючи в сільському господарстві, виробництві та будівництві в умовах, які заважають їхньому

фізичному, психічному та емоційному тілу розвиватися належним чином. Поширеність дитячої праці створює довгострокові наслідки для турецького суспільства щодо заохочення замкнених кіл бідності та встановлення обмежень на рівень освіти, де прямі наслідки стають очевидними у перешкоджанні економічному та соціальному розвитку в Туреччині. **Постановка задачі.** Незважаючи на те, що Туреччина підписала кілька міжнародних конвенцій щодо прав дітей та заборони дитячої праці, включаючи конвенції МОП, значні проблеми все ще залишаються. Хоча законодавча база країни може похвалитися далекосяжними масштабами, вона все ж таки страждає від значних недоліків ефективних механізмів примусового виконання, особливо в сільській місцевості та в неформальному секторі. Крім того, бідність і відсутність доступу до освіти підштовхують дітей, особливо з бідних сімей, до роботи. Ці фактори підкреслюють потребу в більш надійних законах і стратегіях правозастосування для усунення корінних причин і збереження дитячої праці. **Мета дослідження.** Метою цього дослідження є всебічний аналіз законодавства Туреччини про дитячу працю, вивчення відповідності цих законів міжнародним стандартам та оцінка сфер, у яких Туреччина може посилити своє законодавство та механізми правозастосування. Крім того, у цьому дослідженні турецьке законодавство про дитячу працю порівнюється з законодавством інших країн, таких як ЄС, Іспанія та Сполучені Штати Америки, у спробі надати деякі рекомендації, які сприятимуть вдосконаленню політики. **Задачі дослідження.** Відповідно до вищезазначеного, конкретне дослідження було розроблено з метою всебічного досягнення трьох важливих цілей при вирішенні проблеми дитячої праці в Туреччині: 1) Мета полягає в тому, щоб переглянути існуючі закони та політику, пов'язані з дитячою працею, вказавши на сильні та слабкі сторони в рамках турецького законодавства. 2) Хоча він не включає аналіз ефективності законодавства про дитячу працю, буде проведено порівняльне дослідження з законодавчими рамками окремих країн, а саме ЄС, Іспанії та Сполучених Штатів Америки, які встановили політику проти дитячої праці. 3) Таким чином, результатом експертного аналізу стануть запропоновані законодавчі поправки щодо посилення захисту дитячої праці в Туреччині з акцентом на відповідність міжнародним стандартам та ефективним механізмам правозастосування. **Методологія.** Підхід, прийнятий для дослідження, має багатогранний характер, оскільки синтезує огляд відповідної наукової літератури, юридичних документів та статистичних звітів. Початковий розширений огляд літератури щодо турецьких та міжнародних джерел був проведений з метою надання базового розуміння дитячої праці та основних законодавчих рамок. Академічна література з питань дитячої праці, захисту дітей та трудового законодавства становить основу цього дослідження. До них належать дослідження соціально-економічних чинників дитячої праці в Туреччині, порівняльний аналіз міжнародного трудового законодавства та історичні звіти, пов'язані із законодавством про дитячу працю. Центральне місце в цьому дослідженні займає глибокий аналіз турецького законодавства про дитячу працю, зокрема, Закону про працю в Туреччині No 4857 та пов'язаних з ним нормативно-правових актів щодо практики дитячої праці, вікових обмежень та умов працевлаштування. Оцінка також поширюється на Конституцію Туреччини, Закон про початкову освіту та інші пов'язані вторинні законодавчі акти/циркуляри. Щоб отримати порівняльний огляд, дослідження надає огляд законодавства про дитячу працю в таких юрисдикціях, як ЄС, Іспанія та Сполучені Штати, кожна з яких є активною у питаннях, що стосуються дитячої праці. Це порівняння проводиться з метою пошуку найкращих практик, які можна було б запровадити в турецькому контексті. У дослідженні було обрано лише правові та соціально-економічні аспекти дитячої праці, і воно не передбачає збору первинних даних шляхом опитування чи інтерв'ювання. Натомість, дослідження залежить від вторинних джерел даних, що може підірвати широту охоплення питань, що стосуються дослідження, щодо результатів правозастосування в режимі реального часу або суспільного сприйняття дитячої праці в Туреччині.

Ключові слова: дитяча праця, турецьке законодавство, захист дітей.

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