Child’s Rights as Protection

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Abstract: The concept of children's rights, including social, philosophical, moral and legal aspects, is fundamentally a philosophical approach; welfare rights, protection rights, adult rights, against parenthood rights and children's rights in the legal sense. The term "Child Protection System" refers to the legal and organizational structure in which services aimed at the continuation of a child's full well being are organized to protect children from neglect and abuse in a society. Child protection system in Turkey, has been shaped by the Social Services Child Protection Agency. Today, child protection systems in Turkey and other countries; is the legal and organizational structure in which services are based on the 'high benefit of the child', such as the state's child welfare services are organized, the protection of children from neglect and abuse in accordance with the Convention on the Rights of the Child, and socialization. Support for the participation of Turkey in 2005 before children's rights and girls' education level with the development and the principle of equality to serve children in 2005 after the development plan, however, gain and activities that will contribute to increase the youth service. The research is a qualitative study obtained by using the literature survey model. The content of the content analysis is all text content. Research on the overall quality of child care and protection centers in Turkey and other countries were discussed by comparing the perspectives of these centers with samples. The results of the research, metatekstual review examples from other countries in child rights protection and maintenance methodology overview of Turkey; Countries: For the protection and care of the child, they prefer family structure first. There are various systems for the protection and care of the child. Child protection systems have been created taking into account the ideal conditions for the child, taking into consideration the child's age and development. They have observed care, development, education, health, social rights principles for the child at the family or institutional level in the common and state structure. Alternative care systems are being implemented for the child with the family and for the child with institutional care.

Keywords: Children, Rights of the Child, Child Education and Care Centers

Abbreviations: US: United States, Fri.: Friends, LiLT: Learning to live together, Tra.: Transmitter

1. PURPOSE OF THE CHILD PROTECTION SYSTEM IN TURKEY

The term "child protection system" refers to the legal and organizational structure in which a child is provided with services aimed at maintaining the full wellbeing of the child in order to protect children from neglect and abuse. Child protection system in Turkey, has been shaped by the Social Services Child Protection Agency. It can be said that each country's own level of development, economic practices and social policies are reflected in Child Protection Systems in the same way [1]. For example; Improvement homes in the US, public houses in England, D group schools in Scotland, ... [2].

Basic principles of the Child Protection Law in Turkey [3]; Article 4 – [1] In the implementation of this law, in order to protect the rights of the child, the child's right to life, development, protection and participation is ensured. Care is taken to ensure that the child and his / her family are not subjected to discrimination for any reason, taking into account the child's well-being and well-being. Children and their families are informed and their participation in the decision process is ensured. It is essential that the child, his / her family, concerned persons, public institutions and non-governmental organizations cooperate in a just, effective and speedy manner based on human rights. In the course of investigation and prosecution, it is encouraged to take appropriate measures for the child's situation and to improve
the education and training, personality and social responsibility of the child in accordance with the child's age and development. It is the last resort to imprisonment for children with restrictions on freedom. When a decision is taken, it is ensured that the institutional care and institutionalization are the last resort, sharing of social responsibility in giving and implementing the decisions. It is ensured that the institutions in which the injunctions are applied are kept separate from the adults where the children are looked after and supervised. In the same procedure, the principle of taking measures to prevent the identification of others in the execution of judgments and judgments is observed.

The provision of accommodation suitable for pregnant women who are in danger of childhood or for survival without shelter, shelter, etc. as provided for in the Child Protection Law. The identity and address of the persons who apply for the remedial measures are kept confidential. If it is understood that there is no danger or that the danger will be removed by supporting the parent or guard or the person responsible for the maintenance and supervision together with being in danger; the child will be handed over to them and the child will be given appropriate care.

Today, child protection systems in Turkey and other countries; is the legal and organizational structure in which services are based on the 'high benefit of the child', such as the state's provision of child welfare services, protection of children from neglect and abuse by the Convention on the Rights of the Child and socialization. Child protection systems have taken their place in contemporary social welfare systems with the aim of meeting their needs and preventing child neglect in the face of risk factors threatening the wellbeing of children, such as social problems in the countries, immigration, refugee problems, unemployment and poverty [1].

2. **EXAMPLES FROM OTHER COUNTRIES WITH THE PROTECTION AND CARE OF CHILDREN'S RIGHTS IN TURKEY**

Children between the ages of 0 and 18 are referred to as children in laws legally prescribed. In a broad sense, the concept of children's rights, including social, philosophical, moral and legal aspects, is fundamentally a philosophical approach; welfare rights, protection rights, adult rights, rights against parenthood, and children's rights in the legal sense.

3. **CONVENTION ON THE RIGHTS OF THE CHILD (1959 DECLARATION)**

Convention on the Rights of the Child [4]; because of the lack of physical and intellectual disabilities, it means that the child needs security and care including adequate legal protection before birth as well as after birth. Your need for this special security 1924 Geneva Declaration of the Rights of the Child and taking the pride of being in the Universal Declaration of Human Rights and in respect of children's well-being and in the bylaws of international organizations, that they are obliged to give to the child the best things humanity has: By the General Assembly, declares this Declaration of the Rights of the Child in order to ensure that the child has a prosperous period of childhood and to benefit from the rights laid down therein for his own sake and for the sake of society, and parents, men and women, as individuals; private institutions, local authorities and national governments to accept these rights and to make efforts to enforce them with the laws and measures to be laid down in accordance with the following principles. Canons 4, 6, 8, 9, 10 of the Convention on the protection and care of the child:

**Canon 4:** The child must take advantage of social security. He must have the right to grow and develop healthily. Therefore, the child and mother must be entitled to appropriate special care and protection before and after childbirth. The child has the right to adequate nutrition, retirement, rest and medical consultation.

**Canon 6:** In order for your personality to develop in a complete and harmonious manner, the child needs love and understanding. The child should have the opportunity to grow as much as possible under the care and responsibility of his parents, and probably in a sense of attachment and a moral and material security environment. A young child should not leave his or her mother except in exceptional circumstances. Community and public authorities are obliged to give special care to children who are in families and in need. It is the supply of the State and the prosperity to the families with many children.

**Canon 8:** The child must be the first to receive protection and assistance under all circumstances.
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**Canon 9:** Children should be protected against all types of irritation, irritation and abuse. The child cannot be traded in any way. The child shall not be employed before the appropriate minimum age and must not be forced into employment or employment in a profession or work which would interfere with his health or education or his or her body, mind or moral development.

**Canon 10:** The child must be protected against the treatment required by the child, the racial, religion or other privileges (degrading situations). The child must be educated in understanding, patience, universal peace, friendship, universal fraternity spirit and thought so that he can dedicate his energy and his talents to the service of his fellowmen.

When these canons are evaluated in general, the Convention on the Rights of the Child; the basic idea of the child's benefit in all activities involving children is that the child's identity, the protection of the child, including nationality and family ties, the respect for the child's freedom of thought and conscience and religion, the unauthorized attack on his private life, dignity and respect, the right of every child to attain the best health, the right to benefit from medical care and healing services, children are entitled to the right to benefit from social security including social insurance, physical, mental, spiritual, moral and social development, right to education, leisure, leisure time, play and entertainment for the age of the child and the right to participate freely in cultural and artistic life protection against sexual exploitation and sexual abuse [5].

The 1982 Constitution of the Republic of Turkey 41, 58, 60, 61, article 65 contains provisions generally carries the special protection of the child in the family. 1982 Constitution of the Republic of Turkey discussed the concept of the child within the family, it was stated that the state's child and family protection [Kontaş, 1992; Tra. 5].

Article 2 of the Constitution of the Republic of Turkey, located in the State of binding provisions that the social state, this provision states; the responsibility to provide the needs of the individual, to minimize poverty and inequality, to enable citizens to live in harmony with human dignity, and to take necessary measures to reduce the worries of tomorrow and to provide services [1].

For the protection of the child in the Convention; according to Article 41, titled "Protecting the Family": "The family is the foundation of the Turkish society and the Government takes the necessary precautions to protect the peace and well-being of the family and especially the protection of the mother and children." In Article 61, which regulates the right to social security, "the state takes all kinds of precautions for the congregation of children in need of protection and establishes or establishes necessary organizations and facilities for this purpose" [1].

**4. TURKISH CHILDREN’S RIGHTS DECLARATION (JUNE 28, 1963)**

The Turkish Children's Rights Declaration, inspired by the articles of the 1961 Constitution 10, 14, 35, 41, 43, 45, 48, 49 and 50 and up to that date, has been prepared in accordance with the basic commonns to be complied with all parents, this has found suggestions for children [6]. This declaration was prepared in accordance with the United Nations Declaration on the Rights of the Child. "Good care, good upbringing and education appropriate for the child, everywhere is the right of every Turkish child to see interest, love and help. Every official, private institution, every citizen is obliged to recognize this child's right and to realize it with the possibilities available. It also gives priority to the rescue of the child in distress. "In addition, according to the principle of protection of the child" Every parent is obliged to look after his child, to educate him in a knowledgeable, competent and best manner. It opens state courses to acquire the necessary knowledge and skills for those who do not continue to have moderate learning. In situations where the parents are not enough, this duty falls on the child's first-degree close relatives and the state. "With due regard to the law on the protection of the child, these laws have to be drafted and enforced without delay [7].


Atthis covenant sets the rules in this respect, acting on the basis that the child's well-being is of great importance where the child's care and custody is concerned. It recognizes the right of the child's parent to establish a personal relationship with the child as a natural remedy for the maintenance and supervision obligation [8].
6. NATIONS CONVENTION ON THE RIGHTS OF THE CHILD UNITED (NOVEMBER 20, 1989, SEPTEMBER 14, 1990 WAS SIGNED BY TURKEY.)

Approved by 191 countries outside the United States and Somalia, the four main rights of children are emphasized: the right to life, the right to full development, the right to protection from harmful effects, abuse and exploitation, and the right to full participation in family, culture and social life. The basic principle of the United Nations Convention on the Rights of the Child is the high level of the child and prescribes that the best interests of the child should be observed in all matters. In this sense, it presupposes the principle of protecting the child firstly in the family and in the family. The child orders his / her opinion to be heard in his / her own eyes and that this opinion should be taken into consideration [6]. The convention sets universally accepted standards for the protection of children and provides a valuable framework for programs aimed at improving the situation of children. In addition to setting standards for life, health and education, at home or at work, during wartime or internal conflict, to protect children against violence and abuse, including those of physical and sexual nature. From this point of view, the contract is the first document to compile universal standards on attitudes and behaviors towards children, collecting and binding in a single legal text [8].

7. TURKISH CIVIL LAW (2001)

In Turkish civil law [9]; the legal rights and qualifications of the mother, father and child are clearly stated. In the Turkish Civil Code and all other laws, mother care is required first. The placement of a family or institution on the other side requires legal compliance and processes. Expenses of the child, Article 43-1, 2: The costs of the protective and supportive measures given to the child are paid by the state. The amount payable shall be determined by a decision by the court. According to the provisions of the Turkish Civil Code, in case the financial situation of any person liable to take care of the child is available, the interest for the collection of the amount paid by the state shall be refused.

Institutions in Turkey, the Turkish Civil Code Article 45-1: Located protective and supportive measures from the Article 5 of this Act; (b) the Ministry of National Education and the Ministry of Labor and Social Security, (c) the written care in writing by the Ministry of Education, the Social Services and Child Protection Agency and the local governments, (d) the health care prescribed by the Ministry of Health shall be carried out by the Ministry of Health, Social Services and Child Protection Agency. All kinds of assistance and support requests made by the Social Services and Child Protection Agency in relation to the fulfillment of the required law enforcement services, rehabilitation of children, education and other matters falling under the mandate of the other ministries during the fulfillment of the care and accommodation measures are carried out by the Ministry of National Education, The Ministry shall be carried out without delay by other relevant ministries and public institutions and organizations. Coordination of institutions shall be provided by the Ministry of Justice in the fulfillment of these measures.

8. CHILD PROTECTION LAW (2005)

The purpose of the Child Protection Act [3] is to regulate the procedures and principles of Article 1-(1) of this Law for the protection of children who are sought or need protection, or for the protection of their rights and well-being. Scope of the Child Protection Act Article 2-(1) This Act covers the measures to be taken for children in need of protection and the principles and procedures of the security measures to be applied to juvenile-trafficked children and the establishment, duties and powers of juvenile courts.

Child who is in need of protection in the Child Protection Law: Indicates a child who has been neglected, abused or has committed crime whose physical, mental, moral, social and emotional development and personal safety are in danger. Indictment of a child who has committed a crime: Indicates a child who has committed an act defined as a crime in the law and a person who has been ordered to make a security measure for an investigation or prosecution of an investigation or prosecution. The institution providing this service shall specify the official or private institutions in which the child under the present law is looked after and in which the injunctions given are fulfilled. Social worker who provides this service: Represents graduates of educational institutions in psychological counseling and guidance, psychology, sociology, child development, teaching, family and consumer sciences and social service. The area of higher education that can provide this service is the child protection and care services program.
Protective and supportive measures stated in the Child Protection Law Article 5 - (1) The measures to be taken in the matters of counseling, education, care, health and housing to ensure that the child is protected primarily in his / her family environment. Of them:

- Advising counselor is responsible for the child raising of the child responsible for the child; not to guide children in solving their problems related to their education and development,
- Education shall be provided to the child's day-to-day or boarding education institution; for the purpose of acquiring a job or a profession, to go to a profession or to acquire an art or to be placed in a public or private sector work place,
- Care is provided to the child if he or she is unable to perform his or her duties for any reason, for the benefit of the child,
- Health care is defined as the provision of treatment for those who use addictive substances for temporary or permanent medical care and rehabilitation necessary for the protection and treatment of the child's physical and mental health.

9. EVALUATION OF PEDIATRIC CASES OF TURKEY'S DEVELOPMENT PLAN

Turkey Development Plan [10] The subject of children (1961-2009); Article 42 - 1, 2: In cases where there is no provision in this Law, the provisions of the Code of Criminal Procedure, the Turkish Civil Code, the Civil Procedure Law No. 1086 of 18.6.1927 and the Social Services and Child Protection Agency Law No. 2828 of 24.5.1983 applied. In cases where there is no provision in this law for the audit, the provisions of the Law on Probation, Freedom and Assistance Centers and Protection Boards apply.

- In 1963-1967 [10], social work activities were carried out by various voluntary organizations and public institutions in a dispersed and unscheduled manner, and the number of trained personnel was found to be insufficient. It is aimed at the care and rearing of children in need of protection, prevention of juvenile delinquency, solution of unaccompanied children and idle children, prevention of abuse of child labor and ensuring child well-being. Establishment of the "General Directorate of Social Services" under the Ministry of Health and Social Assistance (SSYB) in 1963 is an important development [1].
- In 2001-2005 [10], it is important to develop and disseminate alternative care models outside the family in the context of children who are at risk of living in orphans, families and the immediate vicinity. The Social Services and Child Protection Agency provides children's nursery and training residences. Protective family and adoption practice is ongoing. Measures will be taken to help the family comply with social and economic change, and the emphasis will be on politics to promote and encourage loyalty and solidarity among family members. It is desirable to make arrangements for the income continuity of the family, to meet the needs of health and education services, and to provide social security and social assistance to the family. In order to achieve the principles and objectives of the Convention on the Rights of the Child, the ideal and priority environment for the care and upbringing of the child is to be a family, and it is aimed to emphasize the social support programs for the families to ensure that the children with disabilities and the children in need are protected. The new Turkish Civil Code numbered 4722 in 2001 and the Child Protection Law numbered 5395 in 2005 have been introduced [1].
- In 2007-2013 (255th and 584.th): The need for services such as education, culture and health for those facing the risk of poverty, especially women, children, elderly people, people with disabilities and immigrants to the city, continues to grow. In order to spread the pre-school education, teachers and physical infrastructure needs will be met, education services will be diversified, social awareness level will be increased, early childhood and parent education will be increased [11].
- In 2014-2018 (259.): new ministries were set up and strategy documents were prepared in order to present and disseminate services for young people and children with a holistic approach. The coverage of health insurance for increasing the equal opportunity of children and young people has been expanded; conditional education and health aids, free books, school milk and transport education practices have been developed; early childhood education
has become widespread and schooling rates have been increased. In addition, opportunities for scholarships, loans and accommodation for young people have been improved, youth centers and mobility programs have been promoted. Social Support Program primarily for disadvantaged children and youth; a social development program is being implemented aiming at strengthening the human capital of our disadvantaged areas and supporting the process of social integration in order to respond to the problems of migration, poverty and unemployment in these regions and the needs of the changing social structure in a short time [12, 13].

- Common emphasis on development plans; it is stated that measures to be taken will be taken to help care for and raise children in need of protection, to ensure the prosperity of children, to protect the family, and to strengthen the family institution from every aspect and to help adapt to changes and developments in economic and social structure parallel to development. In the implementation of the policies for the protection of children in need of protection, all the related institutions are provided with an effective working union, the aim of which is to organize the services with this approach and to strengthen the family by taking care of the family as much as possible instead of institutional care [1]. However, in order to serve children in development plans after 2005, they aim to contribute to increase the youth services by supporting the participation of girls in the education levels with the development and equality principle.

10. METHOD

The study is a qualitative study in which the literature is obtained through a screening model [19]. The content of the content analysis is all text content. This method explains the basic emphasis on what the contents in text mean [20].

11. DISCUSSION

Research in this part of the overall quality of child care and protection centers in Turkey and perspectives from other countries were compared with samples of these centers.

In institutions providing early childhood education, child education and care is provided in kindergarten, pre-school education institutions, day care centers, rehabilitation centers and institutions. Children aged between 8-30 and 4-6 hours at different ages in mixed and mixed classes, half or full-time 5-6 day care and education services are given considering the request of the family. This service can be continued until the end of basic education in the same institution for private and government institutions. Younger children can spend time in these centers during the working hours of their families. These institutions are support services for children with unfavorable conditions, suitable child care centers for working families, and stimulating environments for the child's development.

The Social Services Child Protection Agency is the system of care; "Nursery homes" For children under 12 years old, "nursing homes" Organizations for children aged 13-18, "children's houses" for up to 6-8 children, "love houses" for similar structures in the family environment. For children without parental care, institutional care is a 24-hour full-time care type where the child is away from home. Institutional care can be provided in small group homes or in nursing homes and residential institutions [14]. In these institutions, individual relations with children can not be established at a satisfactory level, and individual affection and compassion are not shown. In children with aberrant deficits, inward closure, inadequate socialization problems and behavior problems arise [Bıyıklı, 1982; Ünlü, 1987; Powerray, 1983; Act. 14].

In the study of Mccabe [1950, 15], it was stated that not only in the industrial schools and reforms but also in child care, also in the boarding schools, especially in the secondary schools and in the education schools.

Institutional care for young children in the study of Browne et al. (2005, Akt 16) was not limited in transitional countries and was widespread throughout the European region: Institutions consisted of residential, health or social care facilities with 11 or more children for three months or more without children being primary caregivers It is stated that the capacities of small institutions have more than 25 children capacity for 11-24 children and large settlements.
In this study, two training programs developed with the aim of enhancing participants’ skills in supporting children's social emotional development are presented in Israel and Mexico [17]. As is known, every society makes the necessary arrangements with traditions, customs and law in order to protect the foundation family of the child and the safety of the future [5].

In the study by Rosenthal and Gatt [2013, 17], a program was developed for children working with young children and pre-school children in child care centers in Israel. Day care below 3 years is quite different from pre-school children, with 18-27 infants, 30-35 children in the crowded classrooms, 3:24 in the infant group, 3:34 in the infant group, full day or half day, 8 hours a day, 5-6 days a week, care is provided. For this age range between 2 and 3 years, the Ministry of Industry, Trade and Labor; It is a system of different aims and policies in the Ministry of Education for ages 3-6. The working conditions of the caregivers are very poor. The institution; child abuse and sometimes aggressive behavior against children, inadequate emotional environment and low quality in adult child interaction lead to high levels of conflict and violence among children and families; emotional distress and less positive peer interaction from neglect of conflict and emotional distress [Rosenthal 1991, 1994, and Zur 1993; Koren-Karie et al. 1998; Furman 1994; Act. 17].

Tensioned adult-child, adult-adult, child-child are very stressful associations in caregivers. However, participation in social-emotional issues in in-service training is low (Gatt 2008). Rosenthal and Gatt [2013; Act. 17] focuses on the active roles of caregivers who will support children's social emotional competence and their emotional environmental responsibilities in child care centers. Firstly, in the general category of "responsive responding," children are more effective in stressful moments than in empathy and positive emotions [Davidov and Grusec 2006; Act. 17]. Secondly, they must be trained to use various special interventions during various daily emotional and social events. Other objectives include evaluating opportunities for daily learning for social emotional development, and culturally based attitudes and beliefs. The early group experience has also been referred to as "the spectator case", special behaviors that raise children's socio-emotional competence. It is a work that explains and improves the situation of child care.

In the study by Browne, Hamilton-Giachritsis, Johnson, Ostergren [2006, 16], therapeutic care and repair services were offered in Norway, Slovenia and the United Kingdom (masaya) to prevent institutional care for young children. This approach is urgently required by institutional care such as Bulgaria, Latvia, Belgium and Romania for the proportion of young children in European countries.

In the study of Fasquella [2013, 18], many families in Mexico receive day care for their children, with 3 to 6 years of age serving 100 to 200 children at 9 to 12 hours, with two meals averaging 4 to 6 years in the care center. In these day care centers there is a doctor, nurse, dietician, psychologist, social worker and pedagogue for children. Child caregivers are responsible for the direct care of children. These persons are mothers, experienced personnel, the majority of whom are secondary school graduates, very few have vocational training in child care, and fewer are undergraduates. In these centers, since the knowledge of child caregivers about child development and playfulness is limited, even 6-month-old children are expected to obey group norms and learn through direct teaching. The game is presented to children after the activity as a reward, and the caregivers do not see it as a learning opportunity. At the National Autonomous University of Mexico, the practical basic education program brings together mentors, educational psychology students, carers who have received basic training in common learning and professional development. The main point of the program is; the intervention must be based on the identification of needs and the participants must be active in the process. Strong relations between trainees and participants should be established. A safe learning environment built on trust and non-judgmental approach should be design, competence, attainable goal and interest, non-judgmental environmental standards. In order to be able to reflect on the practices of the carers who are trained, they are required to be abundant opportunities, respect, learning, ideas, emotions, actions, immediate solutions. As a result; Pastor Fasquelle emphasizes the importance of mentoring and supporting child caregivers. This includes understanding empathy with the child caregiver and the adult learning process [18].

12. RESULT

Research on child rights protection and maintenance methodology of investigation in Turkey metatekstual review examples from other countries; Countries: For the protection and care of the
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Child, they prefer family structure first. There are various systems for the protection and care of the child. Child protection systems have been created taking into account the ideal conditions for the child, taking into consideration the child’s age and development. They have observed care, development, education, health, social rights principles for the child at the family or institutional level in the common and state structure. Alternative care systems are being implemented for the child with the family and for the child with institutional care.

Table

The sociodemographic characteristics of teachers and their institutions in the sample of the year 2015 are presented in table 1 [22] in a thesis study comparing preschool teachers’ empathy tendencies and communication skills in early childhood education institutions [21].

<table>
<thead>
<tr>
<th>DEMOGRAPHY</th>
<th>Subgroups</th>
<th>Demographic Distribution of General Participation Information</th>
<th>Demographic Distribution of Information Analyzed *</th>
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<td>N total</td>
<td>145</td>
<td>%100</td>
<td>145 %100</td>
</tr>
</tbody>
</table>

*: Obtain the total number of individuals in the subgroups of the total number of samples, the sum of the stable markers of the participants, the unstable markings, the markings, and the individual numbers of these groups. In the modified distribution, the frequency and% value are indicated. The total number of individuals in the age and working age groups, which consist of subgroups, is 145 person.

APPRECIATION

Turkey Altınbaş University Children and Youth Services Program of the Department of Child Protection and Care Program prepares instructors for this study compiled instructor course contentI present my respects to Lect. Gül Kocyigit and Lect. Barış Tuncer.
Comparison of empathy tendencies and communication skills of pre-school teachers in pre-primary education institutions in early childhood education sample thesis study in case study sample 4, 5, 6, mixed 4-5, mixed 4-5-6 in kindergarten, primary and middle school. It was reported that between 10-30 students were served half-day and full-day [21]. In this study, the results of analysis in 2016 at the International Early Childhood Education Congress was presented in Istanbul, Turkey, [22] and the First International Academic Research Congress INES, Antalya has been reported [23] study of Turkish Studies [24] is located in the magazine index.

REFERENCES

Child’s Rights as Protection


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