



Turkey

Content of Protection

Country Information Pack

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Glossary and Abbreviations

AFAD	Disaster and Emergency Management Authority
<i>Ahrar al Sham</i>	armed Islamist insurgent group
ASAM	Association for Solidarity with Asylum seekers and Migrants
AVR	Assisted Voluntary Return
AVRR	Assisted Voluntary Return and Reintegration
CCTE	Conditional Cash Transfer for Education
DGIP	Directorate General for Internal Policies
DGMM	Directorate General of Migration Management
EC	European Commission
ECHO	European Commission's Humanitarian Aid and Civil Protection Department
<i>E-Devlet Kapisi</i>	on-line system for applying for work permits (by the employer)
ESSN	Emergency Social Safety Net
EU	European Union
EUTF	EU Regional Trust Fund for Syrian Refugees
FIN	Foreigners Identification Number
FRT	Facility for Refugees in Turkey
GEM	Temporary Education Centres [<i>Geçici Eğitim Merkezi</i>]
GSS	General Health Insurance [<i>Genel Sağlık Sigortası</i>]
IcSP	Instrument contributing to Stability and Peace
IDP	Internally Displaced Person
IP	International protection
IPA	Instrument for Pre-Accession
IS	Islamic State
LFIP	Law on Foreigners and International Protection
LGBT	Lesbian, Gay, Bisexual, Transgender
NGO	Non-Governmental Organisation
NOAS	Norwegian Organisation for Asylum Seekers
PDMM	Provincial Directorate of Migration Management
RSD	Refugee Status Determination
SGDD	<i>Sığınmacılar ve Göçmenlerle Dayanışma Derneği</i>
SIHHAT	<i>Geçici Koruma Altındaki Suriyelilerin Sağlık Statüsünün ve Türkiye Cumhuriyeti Tarafından Sunulan İlgili Hizmetlerin Geliştirilmesi</i>
SUT	Health Implementation Directive [<i>Sağlık Uygulama Tebliği</i>]

SuTP	Syrians under Temporary Protection
T6 Formu]	Administrative Surveillance Decision Form [<i>İdari Gözetim Kararı Sonlandırma Tebliğ</i>]
TAC	Temporary Accommodation Centres
TP	Temporary Protection
TPID	Temporary Protection Identification Document [<i>Geçici Koruma Kimlik Belgesi</i>]
TPR	Temporary Protection Regulation
TRP	Turkey Resilience Project
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
YKN	Foreigner Identification Number [<i>Yabancı kimlik numarası</i>]
YTS	Foreign Terrorist Fighters [<i>Yabancı Terörist Savaşçı</i>]

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Introduction

Sources

In the draft of this report, and in line with EASO COI Report Methodology¹, a variety of public sources was used, including the Turkish government, the European Commission and European institutions, NGOs and academia.

The drafting of this report was finalised on 1 June 2019.

Structure and use of the report

The report opens with a brief introduction on the Turkish International Protection system for the different types of applicants for international protection, including the rights associated with the types of protection granted. The main distinction in the protection system refers to the rights of Syrians and non-Syrians. Thus, Chapter 2 discusses the specific regulations, procedures and rights for Syrians under the Temporary Protection system. Chapter 3 focuses on the regulations, procedures and rights for non-Syrians. Both chapters also provide information on removal/detention centers, and discusses alleged push-back and refoulement, voluntary returns, and readmission for the respective groups discussed in these chapters. The fourth chapter briefly discusses the EU-supported projects related to the situation of applicants for international protection in Turkey.

¹ EASO, Country of Origin Information (COI) Report Methodology, June 2019, https://coi.easo.europa.eu/administration/easo/PLib/2019_EASO_COI_Report_Methodology.pdf

1. The International Protection System

The Law on Foreigners and International Protection (LFIP), adopted in April 2013 (entered into force in April 2014), created a comprehensive legal framework for Turkey's international protection system as well as a new dedicated civilian institution, the Directorate General of Migration Management (DGMM), under the Ministry of Interior.² DGMM is responsible for the implementation of Turkish legislation related to foreigners, migrants and refugees.³

Protection systems (LFIP and Temporary Protection Regulation) and associated rights

Turkey has a dual legal protection system, providing for international protection (IP), and temporary protection (TP). Table 1 below shows the different status granted under each regime, and the rights associated to each of them:⁴

Forms of Protection	Status	Nationalities & No. Beneficiaries	Access to Health, Education, and Work	Family Reunification	Identification Document	Long Term Legal Integration
Temporary Protection	Applicants/registered Beneficiaries	- Syrians (<i>prima facie</i>) - Stateless Palestinians from Syria No: c. 3.6 million Syrians	yes	At discretion of DGMM Suspended since 2017	Temporary Protection Identification Card	Document does not serve as residence permit
International Protection	Applicants	Non-European Origin No: c. 370 000 ⁵	Yes (work after 6 months)	no	International Protection Identification Card	No official residence permit
	Conditional Refugees	Top 4: Afghanistan 46%, Iraq 39%, Iran 10%, Somalia 1,5%	Yes (work after 6 months)	no	1 year - International Protection Status Holder Identification Document	Document does not serve as residence permit
	Refugees	European Origin No: less than 100 ⁶	yes	yes	3 years - International Protection Status Holder Identification Document	Document serves as residence permit
	Subsidiary Protection	No: Less than 100	yes	yes	1 year - International Protection Status	Document does not serve as

² Turkey, Law No 6458 on Foreigners and International Protection, 4 April 2013, [url](#); Turkey, Law No 6458 on Foreigners and International Protection, 4 April 2013, amended 29 October 2016, [url](#)

³ Turkey, Law No 6458 on Foreigners and International Protection, 4 April 2013, [url](#), artt. 103-104; EC, Report from the Commission to the European Parliament and the Council, Second report on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap, 4 March 2016, [url](#); Prior to the adoption of the LFIP, asylum was governed by the 1994 Asylum Regulation (amended in 2006) while the Foreigners' Department of the Turkish National Police was responsible for its implementation.

⁴ Turkey, Law on Foreigners and International Protection (LFIP), English translation, May 2014, [url](#); Turkey, Temporary Protection Regulation, 22 October 2014, [url](#); Turkey, DGMM, Migration Statistics, [url](#); ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019 [url](#); NOAS, Seeking Asylum in Turkey – A critical review of Turkey's asylum laws and practices, December 2018 Update, [url](#); ICG, Turkey's Syrian Refugees: Defusing Metropolitan Tensions, Europe Report no. 248, 29 January 2018, [url](#)

⁵ Data as of 10 September 2018. UNHCR, Turkey: Key Facts & Figures, April 2019, [url](#); NOAS, Seeking Asylum in Turkey – A critical review of Turkey's asylum laws and practices, December 2018 Update, [url](#), p. 11

⁶ NOAS, Seeking Asylum in Turkey – A critical review of Turkey's asylum laws and practices, December 2018 Update, [url](#), p. 11

		people ⁷			Holder Identification Document	residence permit
National Residence Permits⁸	Humanitarian Victim of Human Trafficking	Main: Iraq ⁹	n.a	no	Humanitarian/ Victim of Human Trafficking Residence Permits	n.a
n.a	Unregistered	300-400 000 (estimates) ¹⁰	no	n.a	n.a	n.a

Table 1: Protection systems (LFIP and Temporary Protection Regulation) & associated rights, © EASO

⁷ ECRE, AIDA, Country Report: Turkey, Update 2018, [url](#), p. 99; NOAS, Seeking Asylum in Turkey – A critical review of Turkey's asylum laws and practices, December 2018 Update, [url](#), p. 11

⁸ Only National Residence Permits relevant to International Protection applicants are listed in this table

⁹ NOAS, Seeking Asylum in Turkey – A critical review of Turkey's asylum laws and practices, April 2016, [url](#), pp. 22-23

¹⁰ ICG, Turkey's Syrian Refugees: Defusing Metropolitan Tensions, Europe Report no. 248, 29 January 2018, [url](#), pp. 1, 4

2. Temporary Protection for Syrians

2.1 Legal basis

The legal status of Syrians in Turkey is regulated by two legislative acts:

- Temporary Protection Regulation no 2014/6883 (22 October 2014) [based on Article 91 of the LFIP];¹¹
- Regulation no 2016/8722 (April 2016) amending the Temporary Protection Regulation (TPR).¹²

According to the Temporary Protection Regulation (TPR):

‘The citizens of the Syrian Arab Republic, stateless persons and refugees who have arrived at or crossed our borders coming from Syrian Arab Republic as part of a mass influx or individually for temporary protection purposes due to the events that have taken place in Syrian Arab Republic since 28 April 2011 shall be covered under temporary protection, even if they have filed an application for international protection’.¹³

All Syrians, stateless persons and refugees who have arrived directly from Syria are eligible for Temporary Protection (TP)¹⁴, on a *prima facie* group basis, as explained in the 2019 report of the European Court on Refugees and Exiles (ECRE) on Turkey.¹⁵ TP categorically applies to all persons falling under the criteria formulated in the TPR, without an individual assessment of International Protection (IP) needs. The TP is granted upon completion of the registration process (see [section 2.3 on Access to Procedures](#)).¹⁶

However, the TP does not guarantee access to individual protection; there are instances where a person who falls within the scope of the current TPR may not be considered by the DGMM as eligible for TP, including those who arrived prior to 28 April 2011 or persons who did not arrive directly from Syria (i.e. land border crossings). As of March 2019, this requirement is applied more strictly than in the beginning, according to ECRE. Since 8 January 2016, the visa-free regime for Syrians entering the borders by sea or air no longer applies, and Syrians need a visa to enter Turkey. Syrians arriving through a third country are excluded from the TP regime.¹⁷

The President (before the inauguration of the Presidential system in July 2018, the Council of Ministers was the deciding authority¹⁸) decides upon the TP regime, and can terminate the TP of Syrians at any time and determine what happens afterwards.¹⁹

TP is obtained by registering with the DGMM (in 81 Turkish provinces at the PDMMs) and obtaining a Temporary Protection Identification Document (TPID - *Geçici Koruma Kimlik Belgesi*).²⁰

There is no set time limitation on TP. However, it foresees grounds for exclusion, cancellation, and cessation of the TP status. Cessation of TP occurs, when the person leaves Turkey voluntarily, seeks

¹¹ Turkey, Law No 6458 on Foreigners and International Protection, 4 April 2013, amended 29 October 2016, [url](#), art. 91

¹² At the time of writing, the official text of Regulation no 2016/8722 was not available in English. The Turkish text is available at: [url](#)

¹³ Turkey, Temporary Protection Regulation, 22 October 2014, [url](#)

¹⁴ For ease of use, ‘Temporary Protection’ will be referred as ‘TP’ throughout the document.

¹⁵ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#), p. 17

¹⁶ Turkey, Temporary Protection Regulation, 22 October 2014, [url](#)

¹⁷ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 53

¹⁸ Law No 6458 on Foreigners and International Protection, 4 April 2013, [url](#), art. 9(1), 10(1); see also ECRE, AIDA, Country Report: Turkey, December 2015, [url](#)

¹⁹ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 14

²⁰ Turkey, Temporary Protection Regulation, 22 October 2014, [url](#)

protection from a third country (see [2.8 Readmission](#)), or is admitted to a third country on humanitarian grounds or for resettlement. Exclusion or cancellation is in practice applied for TP holders designated as foreign terrorist fighters (*Yabancı Terörist Savaşçı* - YTS) or serious criminals. There are also cases in which the TP status was cancelled due to inconsistencies between the personal details in the TPID and the passport of the beneficiary.²¹

2.1.1 Changes in legal basis as of 31 December 2018

The LFIP, which governs TP and IP alike, has been amended several times:²²

- Emergency Decree No 676, 29 October 2016 (on alleged members of terrorist organisations²³)²⁴
- Law No 7070, 1 February 2018 on the regulation of emergency provisions²⁵
- Decree No 703 on the harmonisation of laws, 9 July 2018²⁶
- Law No 7148 amending several acts, 26 October 2018²⁷

Other laws relevant to IP and TP relate to access to work, court procedures and the roles of attorneys and notaries. Below are the main implementing decrees and administrative guidelines and regulations regarding TP and IP (as summarised in ECRE's 2019 report):²⁸

- Presidential Decree No 4 on Organisation of the Ministries, Affiliated, Linked and Related Agencies and Other Institutions and Agencies, 15 July 2018²⁹, (after the inauguration of the presidential system) specifying the roles and responsibilities of DGMM and AFAD. The Presidency is now responsible for the 'declaration and termination of a temporary protection regime under Article 91 LFIP'.³⁰
- Regulation No 29656 on the Implementation of the Law on Foreigners and International Protection, 17 March 2016
- Temporary Protection Regulation 2014/6883, 22 October 2014, amended by several regulations:
 - DGMM Circular 2016/8 on the Implementation of Procedures and Principles of Temporary Protection, 5 April 2016
 - DGMM Circular 2017/10 on Principles and Procedures for Foreigners under Temporary Protection, 29 November 2017
 - DGMM Circular 2019/1 on Cessation of Status of Syrians due to Voluntary Return, 7 January 2019
 - Regulation No 29695 on Work Permit of Applicants for International Protection and those Granted International Protection, 26 April 2016

²¹ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) pp. 114-116

²² ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 11

²³ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 14

²⁴ Turkey, Emergency Decree No 676, 29 October 2016, (available in Turkish) [url](#)

²⁵ Turkey, Law No 7070 on the regulation of emergency provisions, 1 February 2018 (available in Turkish) [url](#)

²⁶ Turkey, Decree No 703 on the harmonisation of laws, 9 July 2018, (available in Turkish) [url](#)

²⁷ Turkey, Law No 7148 amending several acts, 26 October 2018, (available in Turkish) [url](#)

²⁸ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) pp. 11-12

²⁹ Turkey, Presidential Decree No 4 on Organisation of the Ministries, Affiliated, Linked and Related Agencies and Other Institutions and Agencies, 15 July 2018, Published in the Official Gazette Number 30479 of 15 July 2018 ((available in Turkish) [url](#)). An English translation was not found in the limited timeframe of drafting this report.

³⁰ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 14

- Regulation No 29594 on Work Permit of Foreigners under Temporary Protection, 15 January 2016
- Regulation No 28980 on the Establishment and Operations of Reception and Accommodation Centres and Removal Centres, 22 April 2014
- Union of Notaries Circular 2016/3 on the Documents and Identification Cards issued on the basis of LFIP, 2 March 2016

Another recent legal change in the Turkish IP system refers to removal. Please see [section 2.6](#) on Removal/Detention centres for TP applicants and [section 3.6](#) on Removal/Detention centers for IP applicants.

Changes in access to rights such as housing and education are noted as well. Please see [section 2.4](#) on the rights of TP beneficiaries/applicants.

2.1.2 Citizenship

Citizenship is regulated by Citizenship Law no. 5901.³¹ Time spent in Turkey under the TP does not count towards fulfilment of residency requirements (5 years of uninterrupted legal residence) and does not entitle a person to apply for Turkish citizenship. TP beneficiaries can only acquire citizenship by marrying a Turkish national or through the 'exceptional circumstances procedure'.³²

The exceptional circumstances procedure entered into force in November 2017 by Amendment Article 12-(1) b) and stipulates:

'Provided that there is no obstacle with regard to national security and public order, foreigners set out below, may be received into Turkish citizenship upon a proposal by the Ministry of Interior and decision of the Council of Ministers:

b) (Addition: 28/7/2016-Law No. 6735 art. 27) Those who obtained a residence permit as per article 31 of the Law No. 6458 on Foreigners and International Protection dated 4/4/2013³³ and foreigners holding Turquoise Card³⁴ and their foreigner spouse, his/her or his/her spouse's minor or dependent foreigner child. [...]

d) Those who are admitted as migrants.³⁵

The exceptional procedure only regards certain profiles and skills that can contribute to Turkey. The government has initiated a preliminary study to offer Turkish citizenship to qualified Syrians and has started to examine the situation of 10,000 families (20 000 persons) with the Citizenship Commission.³⁶ It is not clear whether this would imply a system of dual citizenship, as was proposed in 2016 and 2017 by the president.³⁷

³¹ Turkey, Citizenship Law (As Amended in 2018) [Turkey], Law No. 5901, April 2018, available at: [url](#)

³² See Art. 12 (1) b of the Citizenship Law. Turkey: Citizenship Law (As Amended in 2018) [Turkey], Law No. 5901, April 2018, available at: [url](#)

³³ This refers to the beneficiaries of short-term permits for study, medical treatment, establishing businesses etc. Turkey, Law No 6458 on Foreigners and International Protection, 4 April 2013 (as amended 29 Oct 2016), available at: [url](#) Art. 31

³⁴ The Turquoise card is an employment permit system designed to grant residence for qualified foreign labour force. Turkey, International labour force law (law no. 6735), 28 July 2016, available at: Turkish Labor Law, Turkey's New Law On International Workforce, 2 August 2016, [url](#)

³⁵ Turkey: Citizenship Law (As Amended in 2018) [Turkey], Law No. 5901, April 2018, available at: [url](#) Art. 12 (1) b

³⁶ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 124

³⁷ Al Monitor, Erdogan's citizenship offer fans flames of anti-Syrian sentiment in Turkey, 12 July 2016, [url](#); Al Jazeera, Erdogan offers citizenship to Syrian and Iraqi refugees, 7 January 2017, [url](#)

According to an NGO cited in the 2019 ECRE report, ‘despite these initiatives, the majority of Syrians remain ineligible for naturalisation under the aforementioned exceptional circumstances.’ In March 2019, there were close to 80 000 naturalised Syrians in Turkey.³⁸

2.2 Information provision on TP

Turkish institutions provide information and support to Syrian and non-Syrian applicants for protection. As of March 2018, ‘595 280 individuals [had been] reached through information campaigns, participatory assessments, activities to raise public awareness on rights, entitlements, services and assistance.’³⁹

If by November 2016 International Crisis Group reported that most Syrians were unaware about the introduction of work permits, or access to education and health services and internal travel regulations,⁴⁰ by 2017 UNHCR had put in place ‘an assistance helpline in partnership with ASAM [...] in Arabic, Farsi, English, and Turkish. As of January 2017, UNHCR reported that the counselling lines had been equipped and staffed and were expected to be operational within weeks’.⁴¹ See also UNHCR’s Help website.⁴²

2.3 Access to procedures

2.3.1 Access to the Turkish territory

The Turkish authorities had maintained an open-door policy for all Syrians fleeing the conflict since 2011. However, since August 2015, access to the Turkish territory has been ever more tightly controlled, with entry restricted to humanitarian cases (medical emergencies) or family reunification.⁴³ Since 8 January 2016 Turkey no longer applies a visa-free regime for Syrians who enter by sea or air.⁴⁴

In 2015, Turkey launched the construction of a 828 kilometers border wall along the 911 kilometers border with Syria.⁴⁵ In June 2018, 764 kilometers had been completed (border provinces of Şanlıurfa, Gaziantep, Kilis, Hatay, Mardin and Sirnak). The border wall project includes physical, electronic and advanced technology layers.⁴⁶ In addition to the wall, Turkey has fortified its borders with Syria with minefields and ditches.⁴⁷ The wall makes access to the Turkish territory for the sake of seeking protection and shelter more difficult, although, according to ECRE, there are still possibilities to enter Turkey irregularly, by climbing over the wall or bribing border guards. In March 2019, Turkey opened a border-crossing point (Olive Branch Customs Gate) in Hatay province, connecting to the Syrian town

³⁸ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 124

³⁹ EC, Assistance to Syrian refugees in Turkey, n.d. [March 2018], [url](#)

⁴⁰ ICG Turkey’s Refugee crisis, Europe Report N°241, 30 November 2016, [url](#) p. 4.

⁴¹ Refugees International, “Except God, we have no one”: Lack of durable solutions for non-Syrian refugees in Turkey, February 2017, [url](#) p. 7.

⁴² UNHCR Help, Information for Refugees, Asylum-seekers and Stateless People – Turkey, n.d. [url](#)

⁴³ HRW, Turkey: Open Border to Displaced Syrians Shelled by Government, 20 April 2016, [url](#); EC, Humanitarian Implementation Plan (HIP), Turkey, Last update 13 November 2017, [url](#); ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 126

⁴⁴ DW, Turkey imposes visa regime on Syrians arriving from third countries, 8 January 2016, [url](#); ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), pp. 23, 112-113

⁴⁵ Hürriyet, Turkey-Syria border wall to be completed by end of September, 22 September 2017, [url](#)

⁴⁶ Anadolu Agency (AA), Turkey installs 764 km security wall on Syria border, 9 June 2018, [url](#); ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 117

⁴⁷ Human Rights Watch, Turkey: Mass Deportations of Syrians, 22 March 2018, [url](#); Reuters, Syrians refugees head home on foot from Turkey for Eid holiday, 15 June 2017, [url](#)

of Afrin, mainly for humanitarian aid.⁴⁸ For more details on alleged push-backs and refoulement, see [section 2.7 Alleged pushbacks/refoulement](#).

Turkey is also building a border wall along its frontier with Iran.⁴⁹ For further details see [section 3.7 Alleged pushbacks/refoulement](#) for IP applicants.

Interceptions, push-backs, arrests

In 2018, Human Rights Watch released a report documenting the interception of Syrians at the Turkey-Syria border since at least December 2017, with subsequent deportation to Idlib governorate in Syria, as well as the shooting of Syrians trying to enter Turkey using smuggling routes. Based on interviews with Syrians, Human Rights Watch documented 137 incidents between mid-December 2017 and early March 2018, in which Turkish border guards intercepted Syrians after they crossed the border. Another 10 incidents occurred between September 2017 and March 2018, during which border guards reportedly shot at Syrians as they tried to cross, killing 14 including 5 children, and injuring 18.⁵⁰

In response to Human Rights Watch's report, DGMM issued a statement in March 2018 explaining that since the conflict in Syria, the Islamic State and other terrorist organisations had threatened and targeted Turkey, forcing the country to limit its open door policy. As a result, Turkey 'started to accept only Syrians in need from the determined border gates' and increased security measures, especially along the borders. In such context, DGMM noted that 'law enforcement units maintaining the border security warn against coming close to the border in order to prevent terrorist elements and continue maintaining the security.' DGMM specified that Syrians may enter Turkey from Hatay and Kilis border gates. According to DGMM, in 2017, 58 082 Syrian were registered in Hatay, 43 435 in Gaziantep, 11 030 in Kilis and 56 479 in Şanlıurfa, and in 2018 a total of 91 866 were taken under TP. Finally DGMM highlighted that Turkey applies the non-refoulement principle.⁵¹

Data made available to International Crisis Group reveals that in 2018 the Turkish army had apprehended at least 224 358 persons who attempted to cross the Syrian border to Turkey.⁵²

Earlier, in 2015-2016, human rights organisations and media articles also reported on a number of incidents in which Syrians were shot at by Turkish border guards when attempting to cross the border. There were also reports of cases of push-backs of Syrians detected as they tried to cross the border, or detained immediately after crossing the border, and forced to return to Syria.⁵³ On April 2016, the Turkish authorities refuted allegations of forced push-backs of Syrians and reaffirmed that it had been implementing an 'open door policy' for Syrians fleeing the war for over five years, and that there was no change in this attitude.⁵⁴

According to DGMM, the number of irregular migrants captured (not specified where they had been found) had increased steeply, from nearly 40 000 in 2013 to 268 000 in 2018. The large majority of

⁴⁸ MEMO (Middle East Monitor), New Turkish-Syrian border gate opens for aid supply, 15 March 2019, [url](#); Yeni Safak, Olive Branch border gate to be 'more than just customs crossing', Daily Sabah, Commercial life in Afrin to be revived through cooperation with Turkey, 2 May 2019, [url](#)

⁴⁹ Reuters, Afghans make long trek west before Turkey secures border, 19 April 2018, [url](#)

⁵⁰ Human Rights Watch, Turkey: Mass Deportations of Syrians, 22 March 2018, [url](#)

⁵¹ Turkey, DGMM, responses to the allegations submitted to the Ministry of Interior by Human Rights Watch on 15 March 2018, n.d., [url](#)

⁵² ICG, Mitigating Risks for Syrian Refugee Youth in Turkey's Şanlıurfa, February 2019, available at: [url](#) p. 5

⁵³ See for example, Human Rights Watch, Turkey: Syrians pushed back at the border, 23 November 2015, [url](#); AI, Turkey: Illegal Mass Returns of Syrian Refugees expose Fatal Flaws in EU-Turkey Deal, 1 April 2016, [url](#); Human Rights Watch, Turkey: Open Borders to Syrians Fleeing ISIS, 14 April 2016, [url](#); The Times, Turks shoot to kill as refugees cross border, 31 March 2016, [url](#)

⁵⁴ Turkey, Ministry of Foreign Affairs, No: 83, Press Release Regarding the Allegations that Turkey Has Sent Some Syrians Back to Their Countries by Force, 3 April 2016, [url](#)

them were Afghans, and about 34 000 were Syrians.⁵⁵ For further details see section [2.7 Alleged pushbacks/refoulement](#).

2.3.2 Access to procedure at airports and removal/detention centres

In principle, applying for TP and IP is possible at the airport and in removal/detention centres. The transit zones of Istanbul Atatürk Airport and Ankara Esenboğa Airport dispose of detention centers to detain persons intercepted in transit or when attempting to enter Turkey. As the new Istanbul Airport (IST) has become operational, as of 7 April 2019, Istanbul Atatürk Airport was shut down to all commercial flights.⁵⁶ Among all sources consulted, no information could be found on access to procedure at the new Istanbul Airport. When a person lodges an application for protection at the airport border gates, or in removal/ detention centers, ‘the PDMM shall be notified “at once” and shall process the application’. The applicant is released from the removal center or police station and receives ‘an Administrative Surveillance Decision Form (*İdari Gözetim Kararı Sonlandırma Tebliğ Formu*), also known as T6, requesting them to regularly report to a designated PDMM.’ Such T6 forms were particularly issued to Afghans.⁵⁷ For more details see [section 2.3 on Access to procedure](#) for non-Syrians.

Despite the legal provisions in the LFIP, the 2019 ECRE report notes ‘severe difficulties’ for people in removal centers, at the border and airport, to register their applications for IP as ‘PDMM reportedly refuse to register applications and lawyers have no access to detention facilities’.⁵⁸

Although there is no provision in the TPR governing deprivation of liberty of persons falling within the scope of TP, there are a number of situations where TP beneficiaries may be subject to administrative detention, such as in the case of persons excluded from the benefit of TP.⁵⁹ For more details see [section 2.6 Removal/Detention centres](#) for TP beneficiaries.

2.3.3 Pre-registration

A new pre-registration system was set up in March 2016 and delegated to the provincial police.⁶⁰ Foreign Identification Numbers (FINs, or YKN in Turkish) are assigned to all categories of legally residing foreign nationals, including TP beneficiaries, and start with the digits 99.⁶¹

The pre-registration process involves the provision of basic data, fingerprints and photos as well as a security check to be conducted within a 30 days period. This also applies to Syrians readmitted to Turkey from Greece under the EU-Turkey statement.⁶² For more information on Readmission under the EU-Turkey statements please see [section 2.10 Readmission](#).

During pre-registration, applicants are provided with a preliminary pre-registration document which specifies that the person needs to approach the adequate PDMM in 30 days to receive the Temporary Protection Identity Document (TPID). The pre-registration document entitles legal stay in the country and grants access to emergency health service during the pre-registration period. The 2019 ECRE report notes that depending on the province, applicants may receive appointments for pre-registering with several months of delay. During that period, applicants do not possess a pre-registration

⁵⁵ Turkey, DGMM, Irregular migration, last updated 29 April 2019, [url](#)

⁵⁶ Business Insider, Turkey's national carrier moved all its flights from Istanbul's old airport to its shiny replacement in a single, stressful, 41-hour 'big bang', 9 April 2019, [url](#)

⁵⁷ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) pp. 30-31

⁵⁸ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) pp. 30-31

⁵⁹ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#)

⁶⁰ ECRE, AIDA Country Report: Turkey, December 2015, [url](#); HRW, EU: Don't Send Syrians Back to Turkey, 20 June 2016, [url](#)

⁶¹ ECRE, AIDA Country Report: Turkey, December 2015, [url](#); ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 124

⁶² ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 119

document which grants access to health care and other services.⁶³ For further details see [section 2.4 Rights of TP beneficiaries/applicants](#).

However, vulnerable persons (children aged 0-12 years, unaccompanied children, pregnant women, person in need of urgent medical treatment, and elderly persons) receive a TPID without waiting for the 30-days period of pre-registration.⁶⁴

After the pre-registration phase has been completed, applicants are required to present themselves at the designated PDMM within 30 days, to complete registration as applicant for TP, and to receive the TPID. If the applicant fails to do so within 15 days after the expiry of the 30 days time limit without a valid reason, the registration procedure will be suspended (code V71) until the PDMM confirms continuation of the procedure, or the person has been found and apprehended (and registered in the PDMM database).⁶⁵

2.3.4 Registration

Registration follows the above-described pre-registration phase. Syrians seeking protection go to the PDMM in the province where they reside. Registration is conducted by PDMMs throughout Turkey except for a few provinces.⁶⁶ Applicants are expected to provide correct identification information and submit any available documents they may have from Syria and they should cooperate with the Turkish officials. If they do not have any documents from Syria, the registration will be based on their testimony. Applicants have the right to an interpreter.⁶⁷

Upon completion of the registration, Syrian refugees are beneficiaries of Temporary Protection and receive the Temporary Protection Identity Document (TPID).⁶⁸

Whereas initially, registration of TP and IP applicants was done by UNHCR and its local partner SGDD-ASAM⁶⁹ this was changed on 10 September 2018 when UNHCR announced the end of its registration activities in Turkey. Since then, the entire process of registration and granting documents is undertaken by DGMM. The end of UNHCR's registration activities and the takeover by DGMM/PDMMs in September 2018 'has resulted in severe obstacles to access to the asylum procedure', according to ECRE. Waiting times have increased considerably due to a lack of capacity of the PDMMs.⁷⁰ Delays in the registration process have already been reported in 2017 and 2018, partly due to the introduction of the pre-registration phase.⁷¹ For further details see [section 2.3.3 on pre-registration](#).

As of 5 February 2019, Turkey hosts 3.6 million registered Syrian refugees under TP - of whom around 137 000 reside in 13 camps established by the Turkish government.⁷²

In this context, in November 2017, the EU noted that 'almost 80% of Syrians are registered in 10 provinces (in descending order): Istanbul, Şanlıurfa, Hatay, Gaziantep, Adana, Mersin, Kilis, Bursa, Izmir and Mardin. In certain provinces (such as Kilis, Gaziantep, Hatay and Şanlıurfa), the number of Syrians registered represents over 15% of the host population'⁷³.

⁶³ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 119

⁶⁴ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 119

⁶⁵ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 119

⁶⁶ UNHCR, Registration with the Turkish authorities, n.d., [url](#)

⁶⁷ UNHCR, Registration with the Turkish authorities, n.d., [url](#)

⁶⁸ UNHCR, Registration with the Turkish authorities, n.d., [url](#)

⁶⁹ Sığınmacılar ve Göçmenlerle Dayanışma Derneği (SGDD)-Association for Solidarity with Asylum Seekers and Migrants (ASAM), website: [url](#)

⁷⁰ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 28

⁷¹ MPI, Thinking Outside the Camp: Syrian Refugees in Istanbul, 9 August 2017, [url](#); ECHO, Humanitarians in the field supporting Syrian refugees in Turkey, 12 January 2018, [url](#); EC, Humanitarian Implementation Plan (HIP) Turkey, updated 13 November 2017, [url](#)

⁷² Turkey, DGMM, Temporary Protection, last updated 5 February 2019, [url](#)

⁷³ EC (ECHO), Humanitarian Implementation Plan (HIP), Turkey, update 13 November 2017, [url](#)

According to the 2019 ECRE report, registrations have stopped in several provinces: ‘in 2018, large provinces such as Istanbul, Hatay and Mardin have *de facto* stopped registering and granting documents to newly arriving Syrian refugees, with the exception of vulnerable cases.’⁷⁴ The report considers these changes serious challenges to Syrian applicants seeking protection.⁷⁵ For further details see [section 2.7 Alleged pushbacks/refoulement](#).

A DGMM led verification project completed in 2018 aimed at verifying whether TP beneficiaries had been rightly granted TP, and to ‘update and verify all existing data recorded since registration commenced in 2011 as well as identifying and collecting data on occupational skills, educational backgrounds, and specific needs, amongst other needed data fields’.⁷⁶ According to UNHCR, the project was completed with 96% of the verification target. However, it was reported that in cities like Istanbul, Şanlıurfa or Hatay only 50-60% of the TP beneficiaries had been reached for verification.⁷⁷

Unregistered Syrians

Not all Syrian refugees are registered. Estimation on their number varies, but the number could be as high as 300-400 thousand, according to 2017 figures.⁷⁸ Research conducted in April-May 2017 showed that the number of unregistered Syrians has been increasing since 2013, with ‘extremely high’ numbers since 2016.⁷⁹

According to ECRE, stopping the registration of Syrians in large provinces such as Istanbul, Hatay and Mardin has generated serious challenges for Syrian applicants seeking protection.⁸⁰ HRW indicates that ‘since late 2017 or early 2018’ Istanbul and other nine provinces near the border with Syria stopped registering Syrian applicants. HRW notes that ‘the suspension of registration is Turkey’s latest effort to deny new asylum seekers protection.’⁸¹

HRW notes in July 2018: ‘Turkey’s travel permit system for registered Syrians prohibits unregistered Syrians from traveling from border provinces to register elsewhere. Seven Syrians told Human Rights Watch they paid smugglers to drive them from Antakya, in Hatay province, to Istanbul to register. But security officials at migration authority offices in Istanbul told them registration had been suspended for newly arriving Syrians.’⁸²

Cancellation

By means of DGMM Circular 2017/10 of 29 November 2017, TP beneficiaries can be required to report themselves with the PDMM via ‘signature duty’, and the ‘failure to comply with reporting obligations for three consecutive times without valid excuse may lead to implicit withdrawal and cancellation of temporary protection status and to the issuance of a “V71” code based on “unknown location” of the person.’ For traveling outside the province where beneficiaries are registered, they need a travel authorisation document, valid for 90 days plus 15 days extension. The traveller must notify the Governorate upon return to the province. ECRE reports that ‘failure to do so after the expiry of the 90-day period leads to a “V71” code, as a result of which the person’s status is considered to be

⁷⁴ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 15

⁷⁵ ECRE, AIDA, Turkey: European Commission publishes latest report on Refugee Facility, 19 April 2019, [url](#)

⁷⁶ UNHCR, Turkey Operational Update October - December 2016, 20 February 2017, [url](#)

⁷⁷ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 119

⁷⁸ EC, Humanitarian Implementation Plan (HIP) Turkey, Last Update 13 November 2017, [url](#); INGEV (Human Development Foundation/IPSOS, Syrian Refugee Livelihood Monitor, Summary Assessment, July 2017, [url](#)

⁷⁹ INGEV (Human Development Foundation/IPSOS, Syrian Refugee Livelihood Monitor, Summary Assessment, July 2017, [url](#)

⁸⁰ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) pp. 15, 118

⁸¹ The nine provinces are Adana, Gaziantep, Kahramanmaraş, Kilis, Mardin, Mersin, Osmaniye, Hatay, and Şanlıurfa. HRW, Turkey Stops Registering Syrian Asylum Seekers, 16 July 2018, [url](#)

⁸² HRW, Turkey Stops Registering Syrian Asylum Seekers, 16 July 2018, [url](#)

implicitly withdrawn. The “V71” code is deactivated if the person approaches the PDMM with valid justification, following an assessment of the case.’⁸³

Cessation

In 2018, 315 000 Syrians have reportedly returned to their country and the Minister of Justice, quoted in the ECRE 2019 report, expects this number to increase as several ‘safe zones’ have been created in Syria. However, the report notes concerns about the voluntary character of some returns. A DGMM circular dated 7 January 2019 stipulates that ‘persons returning to Turkey as of 1 January 2019 after having signed a “voluntary return document”, especially pregnant women, elderly persons and children, should be allowed to re-access services.’⁸⁴ For further details see [section 2.8 Voluntary Return](#).

2.3.5 Appeal and legal representation

According to Article 81(1) of the LFIP, ‘applicants and international protection beneficiaries may be represented by a lawyer regarding activities and actions stipulated in this Part, provided that the [attorney’s] fee is covered by them.’⁸⁵ If an applicant is not able to pay the attorney’s fee, Article 81(2) provides for the possibility of free legal assistance under the state-funded legal aid scheme (‘pursuant to the provisions on legal assistance stipulated in the Attorneyship Law No 1136’) for procedures related to an IP application and in appealing administrative detention decisions (Article 57(7)).

There is no specific regulation for applicants or beneficiaries for TP concerning legal representation. Legal decisions and practises fall under general rules of accountability based on Turkish administrative law. An exception is made for cases of removal/deportation, for which, according to Article 53 of the TPR, state-funded legal aid is guaranteed.⁸⁶

Lawyers often experience difficulties obtaining power of attorney for Syrians under TP, a requirement for those seeking legal remedy. Notaries do not always consider the documents issued to Syrians in Turkey as official identification documents and will not accept sworn statements of identity. TP beneficiaries are instead requested by notaries to present their passports or identity documents issued in Syria. Those who cannot do so are not able to give power of attorney to legal representatives.⁸⁷

An EU- funded project (under the Facility for Refugees in Turkey) in January 2018 has led to improved access of applicants for international and temporary protection to legal aid. In 18 provinces (Ankara, Izmir, Istanbul, Gaziantep, Şanlıurfa, Antakya, Kayseri, Adana, Denizli, Aydın, Bursa, Çanakkale, Kilis, Mersin, Trabzon, Edirne, Van, Erzurum) lawyers have been trained in IP and TP cases. Only specialised and trained lawyers are eligible to take on a case, according to the ECRE 2019 report. However ECRE also notes that ‘the actual supply of free of charge and quality legal assistance to asylum seekers in Turkey remains limited mainly due to practical obstacles.’⁸⁸

The EU-funded project had received 653 legal aid applications via the 18 bar associations, between January 2018 to 15 February 2019. Most of these cases came from Şanlıurfa, Izmir and Istanbul. In addition, the first Refugee Law Clinic was opened in Şanlıurfa in 2018.⁸⁹

⁸³ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) pp. 126-127.

⁸⁴ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 15

⁸⁵ Turkey, Law No 6458 on Foreigners and International Protection, 4 April 2013, [url](#), Art. 81(1), 81(2), 57(7)

⁸⁶ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 120; Turkey, Law No 6458 on Foreigners and International Protection, 4 April 2013 (as amended 29 Oct 2016), available at: [url](#) Art. 53

⁸⁷ RRT, Barriers to effective legal remedy: The problem faced by refugees in Turkey in granting power of attorney, February 2016, [url](#); See also ECRE, AIDA Country Report: Turkey, 2018 update, [url](#) p. 38

⁸⁸ ECRE, AIDA Country Report: Turkey, 2018 update, [url](#) p. 39

⁸⁹ ECRE, AIDA Country Report: Turkey, 2018 update, [url](#) p. 40

2.3.6 Freedom of movement

Since August 2015 a range of measures has been introduced to control and prevent the movement of Syrians inside Turkey. Any Syrians identified as unregistered are to be referred to the nearest registration centre, while any identified as having left the province where they were registered without written permission are referred to or taken back to the province of legal residence.⁹⁰ The EC refers to Note 2016/8 issued on 15 March 2016 which ‘limits the unauthorised mobility beyond the limits of the province of registration to prevent possible attempts to reach and depart from the Aegean coasts’.⁹¹

The Istanbul Policy Center notes that very few Syrians who want to change their province of registration were successful. ‘For this reason, many Syrians residing in Istanbul remain officially unregistered in a different city and excluded from services’.⁹² This is also true for many Syrians residing in other big cities. For further details see [section 2.4 Rights of TP beneficiaries/applicants](#).

Travel

For traveling outside the province where beneficiaries are registered, they need a travel authorisation document, valid for 90 days plus 15 days extension. The traveller must notify the Governorate upon return to the province. ‘Failure to do so after the expiry of the 90-day period leads to a “V71” code, as a result of which the person’s status is considered to be implicitly withdrawn. The “V71” code is deactivated if the person approaches the PDMM with valid justification, following an assessment of the case.’⁹³

Voluntary return

TP protection ceases when a person leaves Turkey voluntarily. As mentioned above, in 2018, 315 000 Syrian nationals have reportedly left Turkey to return to their country of origin, according to the Minister of Justice.⁹⁴ However, Human Rights Watch cautions: ‘This statement, however, should be read with caution vis-à-vis the voluntariness of returns to Syria, and re-entries to Turkey of persons who have travelled to Syria.’⁹⁵ For further details see [section 2.8 Voluntary Return](#).

2.4 Rights of TP beneficiaries

As of 9 May 2019 there are 3 606 208 Syrian TP beneficiaries in Turkey.⁹⁶ They are distributed within the country as shown in Map 1 below, with Istanbul hosting the largest number, followed by the southern provinces of Sanliurfa, Hatay, and Gaziantep.⁹⁷ Reportedly, at the end of 2017, another 300-400 thousand were unregistered and residing essentially in urban centres, mainly Istanbul.⁹⁸

⁹⁰ ECRE, AIDA Country Report: Turkey, December 2015, [url](#)

⁹¹ EC, Commission Staff Working Document, SWD (2016) 1621 final, 4 May 2016, [url](#)

⁹² Istanbul Policy Center (IPM)/IPC, Engaging Syrian Communities: the role of local government in Istanbul, January 2017, [url](#)

⁹³ ECRE, AIDA Country Report: Turkey, 2018 update, [url](#) pp. 126-127.

⁹⁴ ECRE, AIDA Country Report: Turkey, 2018 update, [url](#) p. 15

⁹⁵ HRW Mass deportations of Syrians, 22 March 2018, [url](#) p. 114

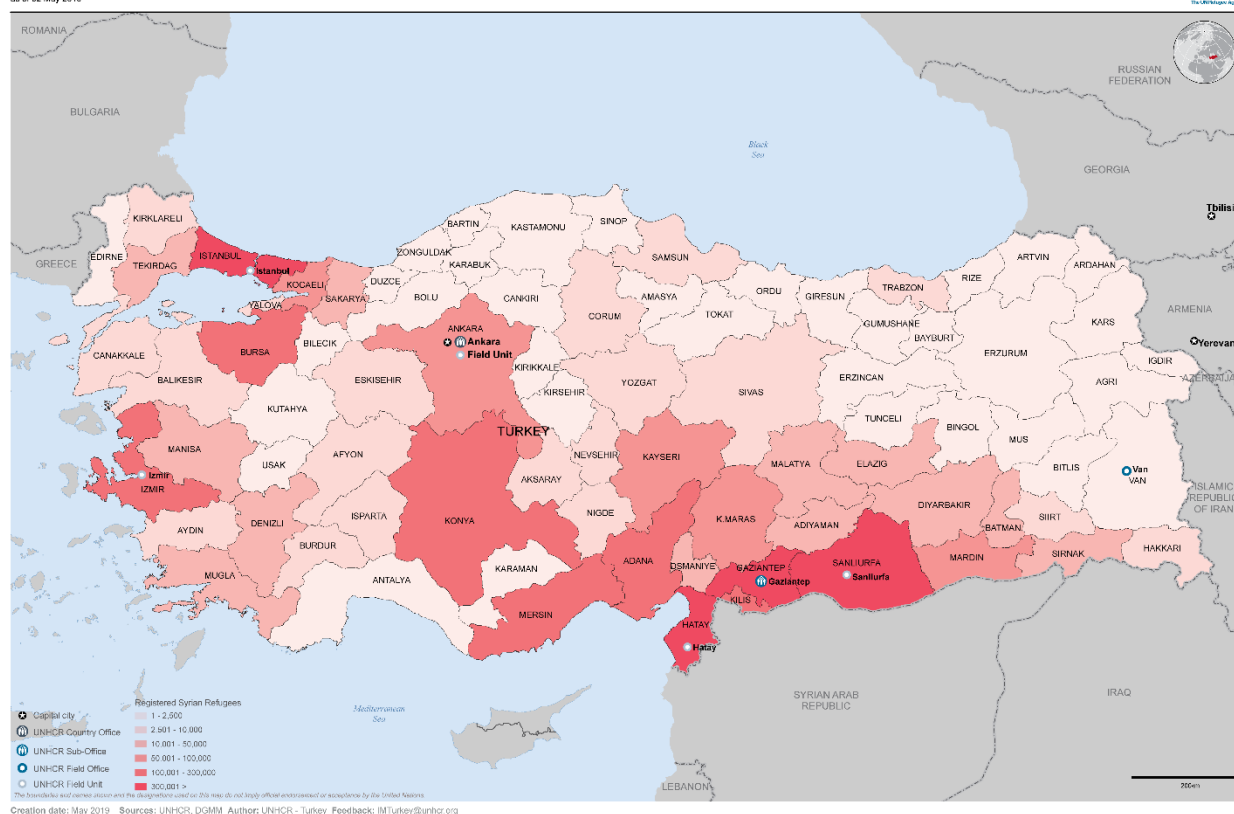
⁹⁶ Turkey, DGMM, Migration Statistics, Temporary Protection, [url](#)

⁹⁷ UNHCR, Provincial Breakdown Syrian Refugees in Turkey, 31 March 2019, [url](#)

⁹⁸ ICG, Turkey’s Syrian Refugees: Defusing Metropolitan Tensions, Europe Report no. 248, 29 January 2018, [url](#), pp. 1, 4

UNHCR Turkey:**Provincial Breakdown Syrian Refugees in Turkey**

as of 02 May 2019

Map 1 UNHCR, Provincial Breakdown Syrian Refugees in Turkey [Map], 2 May 2019, [url](#)

All TP beneficiaries have access to health, education, work and social assistance, although within limits and provided that certain conditions are met. A preliminary requirement for accessing these rights is the possession of a Temporary Protection Identification Card, which is issued to the TP beneficiaries upon their registration in Turkey by the PDMM. This card contains the Foreigner Identification Number (*Yabancı kimlik numarası*, YKN), assigned to all foreigners legally residing in Turkey – which proves essential in accessing social services. In general, Syrians living outside reception centres/shelters can only access social services and other rights in the province where they are registered.⁹⁹

Syrians' mobility within the country remains one of the main challenges for accessing social services.¹⁰⁰ Moreover, as reported by NOAS '[t]he post-July 2016 period saw an increasingly hostile environment for NGOs, human rights defenders and the civil society in general'.¹⁰¹ This has sensibly impacted on the work of NGOs: 'NGO workers working in Turkish provinces along the Syrian border state that their work is strictly controlled and monitored' while 'they need to get special permissions to contact Syrians (for example, to assess their assistance needs) [...] and that the rules are applied in such an

⁹⁹ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), pp. 126-127; EC, Commission Staff Working Document, Accompanying the document, Report from the Commission to the European Parliament and the Council Third Report on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap, SWD (2016) 1161 final, 4 May 2016, [url](#), p. 15

¹⁰⁰ Daily Sabah Turkey, Mobility makes access to social services hard for Syrian refugees, 22 January 2019, [url](#)

¹⁰¹ NOAS, Seeking Asylum in Turkey – A critical review of Turkey's asylum laws and practices, December 2018 Update, [url](#), p. 12

inconsistent way that they cannot be certain what is allowed and what is not allowed'.¹⁰² For further details see [section 2.5 Integration](#).

Along with other actors (ECHO, WFP, UNICEF, ASAM, AFAD),¹⁰³ Türk Kızılay, the Turkish Red Crescent, plays an important role in assisting Syrian TP beneficiaries in accessing their rights. As of February 2019, it runs, in collaboration with other national and international partners, a number of relevant projects/programmes, including: the Emergency Social Safety Net (ESSN; for further details see [chapter 4. EU-supported Projects](#)), and the Extension of Conditional Cash Transfer for Education (CCTE, see for further details [section 2.4.3 Education](#)).¹⁰⁴ Additionally, it runs 15 Community Centers in the cities of Şanlıurfa, İstanbul (both Anatolian and European Sides), Konya, Ankara, Kilis, Bursa, İzmir, Adana, Mersin, Gaziantep, Hatay, Kayseri, Kahramanmaraş and Mardin. These centres are meant for both local and displaced people. They provide referral services, training, livelihood support, nutrition and health, social activities, advocacy, protection and volunteer activities.¹⁰⁵

2.4.1 Accommodation

By law, TP beneficiaries do not have the right to accommodation, but it remains a possibility/opportunity granted to them by the DGMM.¹⁰⁶ As reported by the official website of DGMM, as of 9 May 2019, the number of sheltered Syrians is 130 881, while the unsheltered are 3 475 327.¹⁰⁷

The large majority of Syrian beneficiaries of TP arrange for their own accommodation. As of May 2019, almost 3.5 million Syrians had found accommodation in residential areas across Turkey, while only a small portion, about 130 000, were accommodated in Temporary Accommodation Centres (TAC), which fall under the responsibility of DGMM.¹⁰⁸

As of 9 May 2019, the distribution of Syrian refugees accommodated in shelters across the country's provinces is as follows: Sanliurfa (32 845), Adana (26 922), Kilis (14 723), Kahramanmaraş (13 567), Hatay (16 539), Osmaniye (14 044), Malatya (8 623), and Gaziantep (3 618). These TAC are mostly located near the Syrian border (south and south-eastern regions of Turkey).¹⁰⁹

Reception centres (camps)

As mentioned above, a limited percentage of Syrians under TP - about 130 000 beneficiaries – are accommodated in 13 TACs established and run by DGMM in collaboration with Türk Kızılay and NGOs. Since March 2018 DGMM has taken over responsibility from the Disaster and Emergency Management Authority (AFAD) for accommodation and other services.¹¹⁰

However, the overall number of TACs is decreasing, mainly due to financial constraints rather than a reduction in the actual reception needs.¹¹¹ There used to be 25 camps in November 2015 accommodating an overall population of 276 384 TP beneficiaries.¹¹² In 2018 6 camps have been closed:

¹⁰² NOAS, Seeking Asylum in Turkey – A critical review of Turkey's asylum laws and practices, December 2018 Update, [url](#), p. 12

¹⁰³ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#)

¹⁰⁴ Türk Kızılay, Migration Service Directorate, Syria Crisis, Humanitarian Relief Operation, February 2019, [url](#)

¹⁰⁵ Türk Kızılay, Migration Service Directorate, Syria Crisis, Humanitarian Relief Operation, February 2019, [url](#), p. 17

¹⁰⁶ Turkey, Temporary Protection Regulation, 22 October 2014, [url](#), Artt. 23-24

¹⁰⁷ Turkey, DGMM, Migration Statistics, Temporary Protection, [url](#)

¹⁰⁸ Turkey, DGMM, Migration Statistics, Temporary Protection, 9 May 2019, [url](#)

¹⁰⁹ Turkey, Ministry of Interior, Directorate General for Migration Management, Migration Statistics, Temporary Protection, 9 May 2019, [url](#)

¹¹⁰ Turkey, 2018-11208 Geçici Koruma Yönetmeliğinde Değişiklik Yapılmasına Dair Yönetmelik [Regulation 2018/11208, 16 March 2018, amending the Temporary Protection Regulation], 22 October 2014, [url](#)

¹¹¹ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 130

¹¹² ECRE, AIDA, Country Report: Turkey, December 2015, [url](#), p. 128

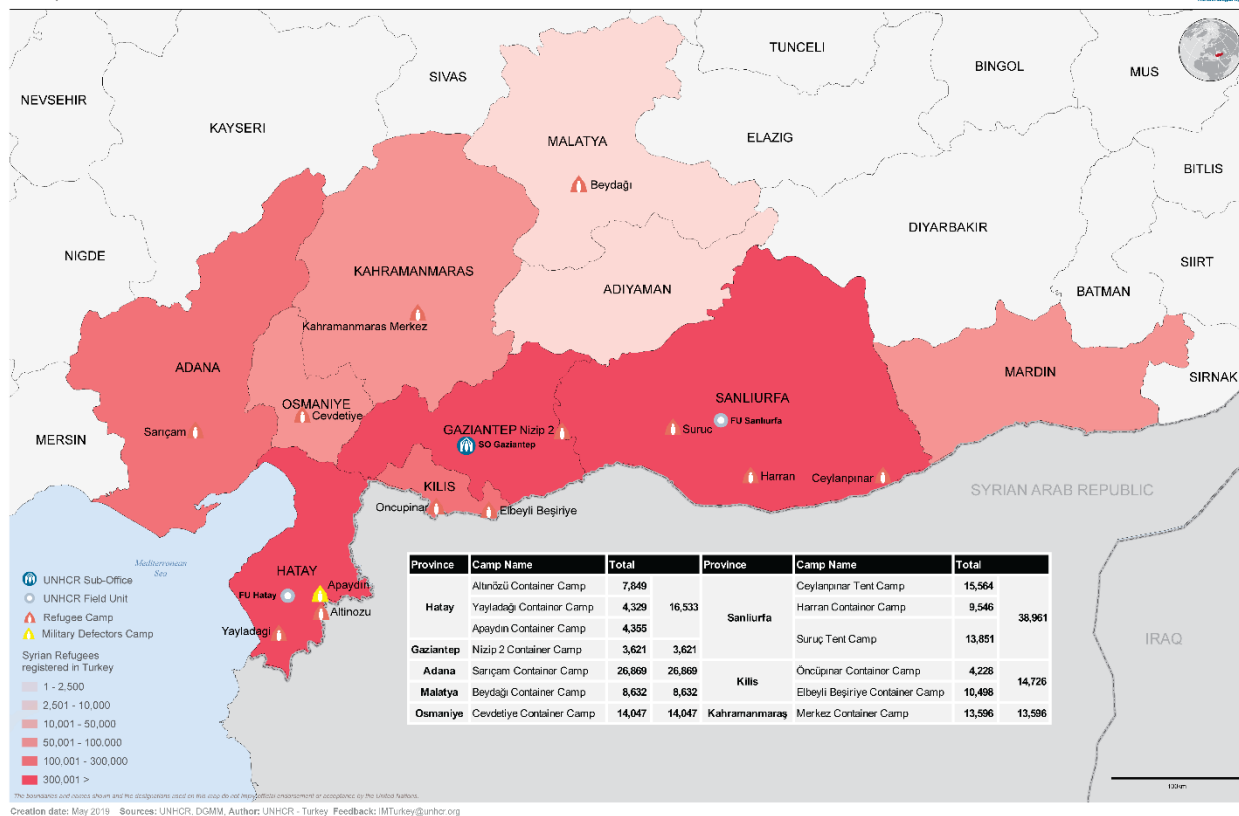
three in Gaziantep, one in Mardin, one in Adyaman and one in Sanliurfa. At the same time the Turkish authorities are in the process of setting up a large camp in Cilvegozu, in Hatay province.¹¹³

TACs, sometimes referred to as ‘camps’, are concentrated at the Syrian border. For an overview of their distribution in the country, see Map 2 below.¹¹⁴

UNHCR Turkey:

Syrian Refugee Camps and Provincial Breakdown of Syrian Refugees Registered in South East Turkey

as of 02 May 2019



Map 2 UNHCR, Syrian Refugee Camps and Provincial Breakdown of Syrian Refugees Registered in South East Turkey [Map], 2 May 2019, [url](#)

Articles 23 and 24 of the TPR authorise DGMM to determine whether a TP beneficiary is to be referred to one of the TAC or to reside outside the camps.¹¹⁵ The Norwegian Organisation for Asylum Seekers (NOAS) reported in 2016 that ‘persons with special needs are given priority’;¹¹⁶ the same finding is indicated in the 2019’s ECRE report.¹¹⁷

Overall conditions in TACs are considered to be good.¹¹⁸ On various accounts Turkey has been praised by observers for the quality of their reception system, although ‘the standards among the various camps in Turkey are known to vary greatly’.¹¹⁹

¹¹³ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 130

¹¹⁴ UNHCR, Syrian Refugee Camps and Provincial Breakdown of Syrian Refugees Registered in South East Turkey, 2 May 2019, [url](#)

¹¹⁵ Turkey, Temporary Protection Regulation, 22 October 2014, [url](#)

¹¹⁶ NOAS, Seeking Asylum in Turkey – A critical review of Turkey’s asylum laws and practices, April 2016, [url](#), p. 26

¹¹⁷ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), pp. 146-153

¹¹⁸ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 130

¹¹⁹ NOAS, Seeking Asylum in Turkey – A critical review of Turkey’s asylum laws and practices, April 2016, [url](#), p. 26

Access to camps by organisations other than Türk Kızılay and NGOs with formal cooperation agreements with DGMM/PDMM, is possible only upon request.¹²⁰ These camps are made up of both tents and containers for families, and include ‘Temporary Education Centres, early childhood education centres, supermarkets, health centres, psycho-social support centres, sport fields and administrative buildings’.¹²¹

A survey published by SGDD-ASAM and UN Women in June 2018 indicates decreasing quality standards in the camps. Among the women who had experienced camp life, more than a half stated they prefer to live in a city, and describing ‘conditions that are under [camps] usual standards as their main reason for leaving the camp’.¹²²

Urban residence

While TP beneficiaries can be hosted in camps, the large majority of Syrians live in residential areas - notably in private accommodation paid with their own resources. They are dispersed all over Turkey,¹²³ and, as reported by ECHO, they have ‘limited but growing access to basic services’.¹²⁴ According to ECRE, 96 % of Syrian refugees live outside TACs, mainly in urban areas in the South-eastern provinces and in the metropolitan areas of Istanbul, Ankara, Izmir, and Bursa.¹²⁵ In 2017, the Turkish National Police Academy reported that ‘a substantial part of [Syrians] [...] reside in houses they rent either through their own means or with the support of NGOs or individual citizens’, however ‘a percentage of them stay in blighted neighborhoods of cities... Their living spaces are mostly small, dark, humid and unhealthy apartments on the ground or basement levels’.¹²⁶

The average quality of accommodation can be quite variable from province to province and from family to family. Whereas Syrians with support network in Turkey or with Turkish relatives might be able to access good accommodation facilities, ‘a large portion with fewer financial means find accommodation in basements, warehouses, and storage and shanty houses closed with plastic or nylon covers’.¹²⁷

According to International Crisis Group’s 2018 report on the situation of Syrian refugees, Istanbul, Ankara and Izmir host approximately 23 % of the Syrians in Turkey. The province of Istanbul hosts the largest number of TP beneficiaries, 546 182 registered Syrians as of May 2019,¹²⁸ and about another 200 000 unregistered or registered in other provinces.¹²⁹ The Istanbul Policy Center claimed in 2017 that ‘outside of basic legal rights to services, there is little state support for urban refugees in Turkey [...] beyond those areas near the camps’,¹³⁰ and, ‘even with documentation or legal protection (which many do not have) urban refugees are often left on the margins of society, treading a fine line between legal and illegal’.¹³¹

¹²⁰ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 131

¹²¹ EC, Action Document for EU Trust Fund to be used for the decisions of the Operational Board, 30 June 2017, [url](#), p. 3

¹²² SGDD-ASAM and UN Women, Needs assessment of Syrian women and girls under temporary protection status in Turkey, June 2018, [url](#), p. 21

¹²³ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 131

¹²⁴ ECHO, Factsheet Turkey, 11 June 2018, [url](#)

¹²⁵ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 9

¹²⁶ Turkish National Police Academy, Mass Immigration and Syrians in Turkey, November 2017, [url](#), pp. 20-21

¹²⁷ SGDD-ASAM and UN Women, Needs assessment of Syrian women and girls under temporary protection status in Turkey, June 2018, [url](#), p. 21

¹²⁸ Turkey, Ministry of Interior, Directorate General for Migration Management, Migration Statistics, Temporary Protection, 9 May 2019, [url](#)

¹²⁹ ICG, Turkey’s Syrian Refugees: Defusing Metropolitan Tensions, Europe Report no. 248, 29 January 2018, [url](#), p. 4

¹³⁰ Istanbul Policy Center (IPM), Engaging Syrian Communities: the role of local government in Istanbul, January 2017, [url](#), pp. 41, 7.

¹³¹ Istanbul Policy Center (IPM), Engaging Syrian Communities: the role of local government in Istanbul, January 2017, [url](#), p. 5.

High rental prices and onerous deposit requirements make access to private accommodation even more challenging. As a result ‘two or three families [live] together in one place to be able to afford rent’ while ‘deposits are not paid back when the tenancy contract comes to an end’.¹³²

2.4.2 Health services

All registered TP beneficiaries – regularly possessing a Temporary Protection Identification Card and an assigned YKN – whether accommodated in one of the 13 TAC or residing outside the camps, are covered by the Turkey’s General Health Insurance (*Genel Sağlık Sigortası*, GSS) with the costs covered by the Turkish authorities.¹³³ Those who have not completed their registration have access to emergency medical services only. TP beneficiaries can access health care services only within the province where they are registered and based on an ‘income test’ that determines the level of their contribution to these costs.¹³⁴

For further details about the scope and the limits of the health care please see the table below.¹³⁵

TP BENEFICIARIES	WHERE	INCOME TEST	EMERGENCY HEALTH	PRIMARY	SECONDARY (STATE HOSPITALS)	TERTIARY (PRIVATE, RESEARCH, TRAINING, AND UNIVERSITY HOSPITALS)
REGISTERED BENEFICIARIES	PROVINCE OF REGISTRATION	LEVEL G0	FREE OF CHARGE	FREE OF CHARGE	<ul style="list-style-type: none"> ▪ 20% - CONTRIBUTION ▪ 80% REIMBURED BY DGMM IF <ol style="list-style-type: none"> 1. HEALTH ISSUE WITHIN THE SCOPE OF THE SUT (SAĞLIK UYGULAMA TEBLİĞİ) - 2013 HEALTH IMPLEMENTATION DIRECTIVE 	<ul style="list-style-type: none"> ▪ 20% - CONTRIBUTION ▪ 80% REIMBURED BY DGMM IF <ol style="list-style-type: none"> 1. HEALTH ISSUE WITHIN THE SCOPE OF THE SUT 2. MEDICAL DOCTOR REFERRAL REQUIRED
		LEVEL G1	FREE OF CHARGE	PRO-RATA	PRO-RATA	PRO-RATA
		LEVEL G2	FREE OF CHARGE	PRO-RATA	PRO-RATA	PRO-RATA
		LEVEL G3	FREE OF CHARGE	PRO-RATA	PRO-RATA	PRO-RATA
WOULD-BE BENEFICIARIES PENDING THEIR REGISTRATION	PROVINCE OF REGISTRATION		FREE OF CHARGE	N.A	N.A	N.A

Table 2: Health care for TP beneficiaries © EASO

ECRE notes that ‘complications and inconsistent implementation of the SUT provisions are experienced throughout the country’. This has an impact on the actual access to the reimbursement procedure before the DGMM (responsible for medication costs invoiced after 16 March 2018, whereas AFAD remains responsible for the reimbursement of costs prior to this date).¹³⁶ Moreover, the language barrier remains an issue affecting access to health care services.¹³⁷ Interpretation and support services are offered by Türk Kızılay and the DRC.

To partially redress the challenges above, the ECHO-funded SIHHAT (*Geçici Koruma Altındaki Suriyelilerin Sağlık Statüsünün ve Türkiye Cumhuriyeti Tarafından Sunulan İlgili Hizmetlerin Geliştirilmesi*) project has established 187 Migrant Health Centres for Syrian beneficiaries of TP, in 28

¹³² ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 66

¹³³ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 143

¹³⁴ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 143

¹³⁵ Türk Kızılay, Syrian beneficiaries of Ankara community centre, September 2018, [url](#); ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), pp. 143-146

¹³⁶ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 145

¹³⁷ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 145

provinces. The project employs '790 mainly Syrian doctors, 790 nurses, 300 support staff, 84 technicians and 960 patient guides'.¹³⁸ At the same time, Türk Kızılay also runs 15 community centres offering services on health, protection and counselling.¹³⁹ For further details see [chapter 4. on EU-supported projects](#).

2.4.3 Education

All children registered as TP beneficiaries have the right to attend public schools for the purpose of basic education. In Turkey basic education consists of 12 years, divided into 3 levels of 4 years each. Essential requirement for being enrolled in public schools is the Temporary Protection Identification Card and the YKN, in line with requirements for accessing all other services and facilities. Those who have not been registered yet can attend schools as 'guest students'. The responsible authority for determining the entry level in public school and former education background is the Provincial Directorate of National Education.¹⁴⁰

Alternatively, children beneficiaries of TP and entering kindergarten or first grade could enrol, until September 2016, in Temporary Education Centres (GEM). GEM are private establishments run by Syrian charities, whose legal framework was provided with Ministry of National Education Circular 2014/21 on Education Services for Foreign nationals.¹⁴¹ As of 2018, with another circular, the Turkish Authorities have made enrolment in public schools compulsory for first, fifth, and ninth grade. As a result, the number of those attending GEM is decreasing while this type of school establishments are phasing out.¹⁴²

More in general, among the target Syrian population, 'experts estimate lack of education as a common feature'. According to a survey quoted by ECRE, '33 % of respondents reported to be illiterate, while another 13 % reported to be literate without having attended school.'¹⁴³

For an overview of the education opportunities available to TP beneficiaries see Table 3 below.¹⁴⁴

¹³⁸ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), pp. 144-145

¹³⁹ Türk Kızılay, Migration Service Directorate, Syria Crisis, Humanitarian Relief Operation, February 2019, [url](#), p. 17; ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), pp. 145-146

¹⁴⁰ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 138

¹⁴¹ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 140

¹⁴² Daily News, Gov't directs Syrian refugee children to Turkish schools, 3 September 2017, [url](#); Daily News, Over 610,000 Syrians enrolled in Turkish education system during 2017-2018 school year, 27 August 2018, [url](#); Daily News, Over 600,000 Syrian children schooled in Turkey: Ministry data, 26 September 2018, [url](#)

¹⁴³ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 40

¹⁴⁴ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), pp. 138-141; Daily News, Gov't directs Syrian refugee children to Turkish schools, 3 September 2017, [url](#); Daily News, Over 610,000 Syrians enrolled in Turkish education system during 2017-2018 school year, 27 August 2018, [url](#); Daily News, Over 600,000 Syrian children schooled in Turkey: Ministry data, 26 September 2018, [url](#); Turkey, DGMM, Migration Statistics, May 2019, [url](#); UNICEF, Turkey: 2018 Humanitarian Results, December 2018, [url](#); European University Association, Syrian women's access to higher education in Turkey, 5 March 2019, [url](#)

SYRIAN POPULATION – REGISTERED TP (AGE 5-18)	SCHOOL ESTABLISHMENTS	NO. STUDENTS ENROLLED	TEACHING LANGUAGE	STAFF	FUNDING	ENROLMENT RATE ¹⁴⁵
AGE 5-18: 1 149 920 ¹⁴⁶ (AS OF MAY 2019)	PUBLIC SCHOOLS	169 121 (2017) 489 436 ¹⁴⁷ (SEPTEMBER 2018)	TURKISH	D.N.A	CCTE TO VULNERABLE FAMILIES (see further details below)	GRADE I: 96,3% GRADE II: 58,1% GRADE III: 26,4%
	370 GEM (SEPTEMBER 2017) 282 GEM (SEPTEMBER 2018)	291 039 (SEPTEMBER 2017) 100 678 ¹⁴⁸ (SEPTEMBER 2018)	ACCREDITED CURRICULUM ARABIC TURKISH 15 HRS	D.N.A	FUNDED BY UNICEF AND NGOS	
AGE 19-29: 895 566 ¹⁴⁹ (AS OF MAY 2019)	UNIVERSITIES	27 606 (2017-2018)	TURKISH, ENGLISH	D.N.A	TUITION FEES COVERED BY THE PRESIDENCY FOR TURKS ABROAD AND RELATED COMMUNITIES SCHOLARSHIPS: YTB, UNHCR, SPARK, ETC.	HIGHER EDUCATION

Table 3: Education available to TP beneficiaries, © EASO

While GEM are phasing out, the Ministry of National Education is planning the construction of 220 new schools in 19 provinces, with EU funding, while another 57 schools are planned to be built in 2021 in 12 provinces with World Bank funding.¹⁵⁰ Moreover, in order to promote children's integration, the government launched in 2016 the project Promoting Integration of Syrian Children into the Turkish Education System (PICTES), in the framework of the Facility for Refugees in Turkey. The project funded about 6 000 Syrian teachers for counselling and language training to Syrian children.¹⁵¹

Finally, as a way to promote children's access and participation, the Turkish authorities through ECHO's funding, assist Syrian families with the Conditional Cash Transfer for Education (CCTE). The programme is meant to provide assistance to vulnerable families with bimonthly cash payments, provided that children attend schools regularly. It is implemented in close partnership between the Ministry of Family, Labour and Social Services, the Ministry of National Education, AFAD, Türk Kızılay and UNICEF.¹⁵² As of January 2019, the total number of students/children who received at least one payment reached 487 089.¹⁵³

As reported by ECRE in 2019:

'Despite these measures, UNICEF estimates as many as 400,000 children out of school. Drop-out rates, particularly at high school level, are linked to factors such as the high level of child labour in the job market, as well as early marriages. Fear of deportation also has an impact on access to school, affecting around 8,500 children in Bursa, for example. At the same time, the rate of discrimination, prejudice and bullying remains high in public schools, both from fellow pupils and teachers. Refugee children are not offered additional Turkish language classes so as to be able to follow the curriculum effectively.'¹⁵⁴

For further details see [chapter 4. on EU-supported projects](#).

¹⁴⁵ European University Association, Syrian women's access to higher education in Turkey, 5 March 2019, [url](#)

¹⁴⁶ DGMM, Statistics, Migration Statistics, Temporary Protection, Distribution by Age and Gender of Registered Syrian Refugees, 9 May 2019, [url](#)

¹⁴⁷ UNICEF, Turkey: 2018 Humanitarian Results, December 2018, [url](#), p. 3

¹⁴⁸ UNICEF, Turkey: 2018 Humanitarian Results, December 2018, [url](#), p. 3

¹⁴⁹ DGMM, Statistics, Migration Statistics, Temporary Protection, Distribution by Age and Gender of Registered Syrian Refugees, 9 May 2019, [url](#)

¹⁵⁰ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 138

¹⁵¹ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 139

¹⁵² ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 139

¹⁵³ Türk Kızılay, Migration Service Directorate, Syria Crisis, Humanitarian Relief Operation, February 2019, [url](#), p. 10

¹⁵⁴ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 139

2.4.4 Work

In January 2016, the Turkish authorities adopted a Regulation on Work Permits of Foreigners under Temporary Protection, allowing Syrians access to legal employment (living in and outside camps). TP beneficiaries are allowed to apply for work permits in the province where they registered for TP with the Ministry of Labour and Social Security, six months after their TP registration.¹⁵⁵

An application for a work permit can be lodged to the relevant provincial governorate of the Ministry for Family, Labour and Social Services:

- By the beneficiary him/herself in case of self-employment;
- By the beneficiary him/herself and for a work permit exemption only, in case of seasonal agriculture or livestock works;
- By the employer through an on-line system (*E-Devlet Kapisi*).¹⁵⁶

The regulation established limitations. Certain professions can only be performed by Turkish nationals; the Ministry of Family, Labour and Social Services takes into consideration the particular circumstances in the relevant province of the applicant; the Ministry may set quotas; the number of beneficiaries active in a specific workplace may not exceed 10% of the workforce; in case of less than 10 employees, only one TP beneficiary can be recruited.¹⁵⁷ An official work permit requires an employer to provide a minimum wage and social security benefits (registration and payment of premiums) to the employee.¹⁵⁸

The number of work permits reportedly issued by Turkey to Syrian TP beneficiaries in the period 2016-2018 varies according to the source. ECRE, quoting Odatv.com, a Turkish media outlet, indicates that between January 2016 and 30 September 2018, 27 930 work permits were issued,¹⁵⁹ and on 15 November 2018, a total of 32 199 had been issued,¹⁶⁰ whereas academics and researchers Aysegul Kayaoglu and Murat Erdogan set the number at 39 935, as of March 2018.¹⁶¹

According to Crisis Group's January 2018 report, there were between 750 000 – 950 000 Syrian TP beneficiaries active in the informal work market.¹⁶²

Working conditions and informal employment

A 2018 report by the International Center for Development and Decent Work (ICDD) reported about a series of challenges faced by Syrians in Turkey, including unemployment, child labour, low wages, long working hours, employment without social insurance, late payment or non-payment of the wages, discrimination at the workplace.¹⁶³ Undeclared employment and substandard working conditions are on the rise, besides being particularly frequent in the agricultural sector, while poor healthy and safety conditions extend as well to the construction and industrial sector.¹⁶⁴ In 2018, 108

¹⁵⁵ Turkey, Regulation on Work Permits of Foreigners under Temporary Protection, 11 January 2016, (Unofficial translation by UNHCR Turkey), [url](#)

¹⁵⁶ DGIP (Directorate General for Internal Policies), Policy Department A, Turkey: Labour Market Integration and Social Inclusion of Refugees, IP/A/EMPL/2016-13, December 2016, [url](#), p. 11; ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 133

¹⁵⁷ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), pp. 133-134

¹⁵⁸ Refugees International, Planting the Seeds of Success? Turkey's new Refugee Work Permits, 14 April 2016, [url](#)

¹⁵⁹ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 134

¹⁶⁰ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 135

¹⁶¹ Kayaoglu, Aysegul & Murat Erdogan, M., Labor Market Activities of Syrian Refugees in Turkey, February 2019, Working Paper No. 1290, [url](#), p. 2

¹⁶² ICG, Turkey's Syrian Refugees: Defusing Metropolitan Tensions, Europe Report no. 248, 29 January 2018, [url](#), p. i

¹⁶³ ICDD, Syrian Refugees in the Turkish Labour Market, July 2018, [url](#), p. 3

¹⁶⁴ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 137

refugees lost their life in work-related accidents.¹⁶⁵ The phenomenon of child labour is also worrisome,¹⁶⁶ especially in the textile, agricultural, and restaurant sectors.¹⁶⁷ Women instead are confronted with significant challenges in obtaining access to the labour market in general.¹⁶⁸

The practice of undeclared employment, often under substandard working conditions and low wages, has been quite widespread in Turkey among TP beneficiaries. Back in 2016 the EC noted that the then new Regulation on Work Permits of Foreigners under Temporary Protection ‘paves the way to improving the livelihoods of the Syrian refugees and their prospects of integration. Syrian refugees are reported to be often employed informally without social rights and under harsh working conditions’.¹⁶⁹

2.5 Integration

According to ICG, language competences, access to education and to the labour market remain the main integration indicators.¹⁷⁰ At the beginning of 2018 ICG reported that ‘some 370,000 of nearly one million school-age Syrian children are not enrolled, and another 230,000 still attend the temporary education centres (TECs)’ while ‘an estimated 750,000-950,000 Syrians currently work in the informal sector’. Reportedly, ‘those who remain in Turkey, instead of moving onto Europe, tend to have little education and few skills. Most do not speak Turkish.’¹⁷¹

A joint SGDD-ASAM and UN Women’s 2018 report summarises the shift in the integration policies with regards to Syrian under TP in Turkey. If in the first four years the crisis situation was seen as temporary, from 2015 it became clearer that there would be no short-time solution; as a consequence, Syrians started to move from the border areas and South East Anatolia to urban centres ‘where the labor market is more active’. Additionally, more has been done in regards to ‘education opportunities, special needs of women and children, child marriage, child labor, and problems of people with chronic diseases, the disabled, and the elderly’. According to the report, ‘as a result of the mobility in Turkey and the increase in participation in the labor market in this period, Syrians have become more visible in Turkey.’¹⁷²

Within this context, ICG’s 2018 report on Turkey’s Syrian Refugees: Defusing Metropolitan Tensions, states that ‘[i]ntercommunal violence between host communities and Syrian refugees increased threefold in the second half of 2017 compared to the same period in 2016’ and that ‘[g]rowing grievances’ in Turkey’s largest metropolises, such as Istanbul, Ankara and Izmir, are propelling ‘inter-ethnic rivalries, socio-economic inequality and urban violence’.¹⁷³ Against this backdrop, if Turkish people and society had until then displayed solidarity toward Syrian refugees, ‘their compassion [is] waning’, as the host communities see Syrians as ‘a threat to their political and economic interests’.¹⁷⁴

Additionally, the situation of the Syrian youth seems to further complicate matters and proves extremely challenging.¹⁷⁵ A February 2019 ICG report on the risks youth currently faces in Turkey in reason of ‘exposure to discrimination and exploitation, unaddressed psycho-social trauma, and

¹⁶⁵ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 137

¹⁶⁶ ICDD, Syrian Refugees in the Turkish Labour Market, July 2018, [url](#), p. 3

¹⁶⁷ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 137

¹⁶⁸ ICDD, Syrian Refugees in the Turkish Labour Market, July 2018, [url](#); ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 137

¹⁶⁹ EC, Commission Staff Working Document Turkey 2016 Report, 9 November 2016, [url](#), p. 29

¹⁷⁰ ICG, Turkey’s Syrian Refugees: Defusing Metropolitan Tensions, Europe Report no. 248, 29 January 2018, [url](#), pp. i-ii

¹⁷¹ ICG, Turkey’s Syrian Refugees: Defusing Metropolitan Tensions, Europe Report no. 248, 29 January 2018, [url](#), p. i

¹⁷² SGDD-ASAM and UN Women, Needs assessment of Syrian women and girls under temporary protection status in Turkey, June 2018, [url](#), p. 65

¹⁷³ ICG, Turkey’s Syrian Refugees: Defusing Metropolitan Tensions, Europe Report no. 248, 29 January 2018, [url](#), Principal Findings

¹⁷⁴ ICG, Turkey’s Syrian Refugees: Defusing Metropolitan Tensions, Europe Report no. 248, 29 January 2018, [url](#), p. i

¹⁷⁵ ICG, Mitigating Risks for Syrian Refugee Youth in Turkey’s Şanlıurfa, Europe Report no. 253, 11 February 2019, [url](#)

lagging support for skill acquisition and job training’ states that an entire generation of young Syrians would become more vulnerable and ‘susceptible to exploitation by criminals and militant groups’, thus feeding ‘tension and heighten[ing] insecurity for both Syrian refugees and Turkish citizens’.¹⁷⁶

Already in 2017 a report commissioned by the Humanitarian Policy Group at the Overseas Development Institute (ODI), found that Syrians’ integration in the Turkish society was problematic. ‘[T]he main livelihood challenges are uncertainty regarding their status as refugees (notably work permits and citizenship), poor working conditions (low pay, informal, insecure jobs and harassment, particularly of women), and discrimination’.¹⁷⁷

2.6 Removal/Detention centres

The TPR does not foresee administrative detention of persons within the scope of temporary protection.¹⁷⁸ Article 68 of the LFIP provides instead for two types of administrative detention:

1. Administrative detention of international protection applicants during the processing of their applications; and
2. Administrative detention for the purpose of removal.¹⁷⁹

Relevant to the aforementioned point 1, art. 33 of the TPR establishes that TP beneficiaries are ‘obliged to comply with administrative requirements, failure of which will result in administrative sanctions’.¹⁸⁰ Among other requirements, art. 35 of the TPR provides that TP beneficiaries who fail to comply may be temporarily or permanently prevented from residing outside a TAC, and they may be ‘obliged to reside in the assigned province, temporary accommodation centre or other location’ and comply with ‘reporting requirements as determined by provincial Governorates’.¹⁸¹ Within this context, detention has also been imposed as a sanction against temporary protection beneficiaries who violate their obligation to stay in their assigned province.¹⁸²

Additionally, under Circular 2014/429 of the Ministry of Interior,¹⁸³ the Turkish Authorities can confine within camps those TP beneficiaries who threaten public order or security, among others by begging or living on the street. To this end, DGMM manages the camp based in the Düziçi district of Osmaniye province and since October 2015 uses it as ‘a *de facto* detention centre mainly to hold selected Syrian nationals’, according to ECRE.¹⁸⁴ Reportedly, this practice affected other groups as well, such as the Dom from Syria, who were arrested for begging or for living in tents and then transferred to the Düziçi camp, where they would be confined, unless they would sign voluntary return declarations. The ECRE report however indicates that the practice of confining selected TP beneficiaries in camps was suspended in 2018.¹⁸⁵

Relevant to point 2, administrative detention for the purpose of removal may be applied to TP beneficiaries when their status is cancelled or when they fall within the exceptions to the principle of non-refoulement (see [section 2.7 Alleged pushbacks/refoulement](#)). Article 8 of the TPR establishes

¹⁷⁶ ICG, Mitigating Risks for Syrian Refugee Youth in Turkey’s Şanlıurfa, Europe Report no. 253, 11 February 2019, [url](#), Principal Findings

¹⁷⁷ Bellamy C., Haysom S., Wake C., Barbelet V., The lives and livelihoods of Syrian refugees – a study of refugee perspectives and their institutional environment in Turkey and Jordan, ODI HPG commissioned report, February 2017, [url](#), p. 3.

¹⁷⁸ Turkey, Temporary Protection Regulation, 22 October 2014, [url](#)

¹⁷⁹ Turkey, Law on Foreigners and International Protection (LFIP), English translation, May 2014, [url](#)

¹⁸⁰ Turkey, Temporary Protection Regulation, 22 October 2014, [url](#)

¹⁸¹ Turkey, Temporary Protection Regulation, 22 October 2014, [url](#)

¹⁸² ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 121

¹⁸³ Turkey, Ministry of Interior Circular 2014/429 of 25 July 2014, [url](#)

¹⁸⁴ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 121

¹⁸⁵ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 121

the categories of people who are excluded from benefitting from TP in Turkey.¹⁸⁶ Based on ECRE's 2019 report, such cancellations have mainly taken place in the following cases:

- When TP holders were designated as foreign terrorist fighters (YTS);
- For persons who have been convicted of a serious crime and are therefore deemed to be presenting a threat against society;
- For persons who are deemed to present danger to national security, public order and public security;
- In case of inconsistencies between the personal details in the Temporary Protection Identification Document and the passport of the beneficiary (presenting misleading information to DGMM).¹⁸⁷

ECRE also reported that TP beneficiaries may have been subjected to removal procedures without their status being cancelled, as it was frequently the case in 2018.¹⁸⁸

2.6.1 Detention Facilities

Among all sources consulted, there was no updated information available on detention facilities. In June 2016, Ambassador Tomáš Boček, Special Representative of the Secretary General on migration and refugees, reported about the Düziçi camp, noting that:

'Düziçi is a container camp with a capacity of 5,000. On the day of my visit (1 June 2016), it was less than half full. Each family has a container with two rooms. Basic needs are catered for: hot meals are provided three times a day and there is electricity. However, the general conditions were not good. On the day I visited it, it was very hot; the containers, which were on a hillside, were exposed to the sun, with the result that it was very warm inside. Many of the young children I saw were barefoot and dirty. Aside from my concerns about the legality of detention of the camp's residents, it was clear to me that improvements were required to the material living conditions there.¹⁸⁹ [...] The authorities informed me that [camp's] residents had been brought there from different parts of Turkey for their own good: some were homeless and needed shelter, others had engaged in begging or criminal activity. Syrians apprehended while trying to cross the border or returned to Turkey from Greece are also often sent to Düziçi. A large number of the camp's residents were Roma. [...] Syrians returned from Greece under the EU-Turkey agreement are also flown directly to Adana and transferred to Düziçi camp. By the time I visited, the 12 Syrians who had been returned from Greece under the EU-Turkey agreement to date had either been released or had voluntarily returned to Syria.¹⁹⁰

For further details on Detention and Detention Facilities for IP applicants/beneficiaries, see section [3.6.1. Removal Detention Centres](#).

¹⁸⁶ Turkey, Temporary Protection Regulation, 22 October 2014, [url](#)

¹⁸⁷ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 121

¹⁸⁸ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 116

¹⁸⁹ SRSG on Migration and Refugees, Report of the fact-finding mission to Turkey by Ambassador Tomáš Boček, Special Representative of the Secretary General on migration and refugees, 30 May – 4 June 2016 [SG/Inf(2016)29], 10 August 2016, [url](#)

¹⁹⁰ SRSG on Migration and Refugees, Report of the fact-finding mission to Turkey by Ambassador Tomáš Boček, Special Representative of the Secretary General on migration and refugees, 30 May – 4 June 2016 [SG/Inf(2016)29], 10 August 2016, [url](#)

2.7 Alleged pushbacks/refoulement

Article 6 of the TPR provides for protection against *refoulement* to persons granted temporary protection.¹⁹¹ However, Emergency Decree 676, from 29 October 2016,¹⁹² which amended Article 54 (1 and 2) LFIP and which can be extended to TP beneficiaries, established a few exceptions. Based on this new legal provision a deportation decision may be taken at any time during the IP protection procedure against an applicant for reasons of:

- (i) leadership, membership or support of a terrorist organisation or a benefit oriented criminal group;
- (ii) threat to public order or public health; or
- (iii) relation to terrorist organisations defined by international institutions and organisations.¹⁹³

These legal provisions have been consolidated by Law No. 7070 from 1 February 2018,¹⁹⁴ within the wider State of Emergency Framework following the events of 15 July 2016.¹⁹⁵ As pointed out by NOAS, ‘it is not a judge/court but the administration that makes the assessment that a person falls into one of these three categories’ above.¹⁹⁶

Within this context Amnesty International (AI) voiced its concerns ‘that Turkey has become an even less safe space for refugees and asylum-seekers’ while ‘[s]afeguards against being sent to other countries where they face a risk of serious human rights violations have been drastically reduced as part of the measures adopted under the state of emergency’.¹⁹⁷ Similarly NOAS states that ‘while referencing “public order, public security and public health” is a common and accepted formulation in law-making, such provisions are prone to misuse in Turkey’.¹⁹⁸

Deportations of Syrians and violations of the principle of non-refoulement have been reported by a number of sources in the period 2017-2018, including NOAS, HRW and AI.¹⁹⁹ In October 2018, The Guardian indicated that there are ‘increasing barriers to access to Turkish territory for Syrian refugees’, and that people arriving at the border province of Hatay are pressured into signing “voluntary return” documents, advised by authorities that they are either to waive their right to seek protection or face indefinite detention.²⁰⁰

Based on a fact finding mission conducted by HRW in May 2018 ‘Turkish authorities in Istanbul and nine provinces on or near the Syrian border have stopped registering all but a handful of recently

¹⁹¹ Turkey, Temporary Protection Regulation, 22 October 2014, [url](#)

¹⁹² Turkey, *Karar Sayısı: KHK/676* [Emergency Decree No. 676], October 2016, [url](#)

¹⁹³ Turkey, *Karar Sayısı: KHK/676* [Emergency Decree No. 676], October 2016, [url](#)

¹⁹⁴ Turkey, Law on Foreigners and International Protection (LFIP), unofficial English translation, consolidated version, [url](#)

¹⁹⁵ Akdeniz, Yaman & Altıparmak, Kerem, Turkey: Freedom of Expression in Jeopardy: Violations of the rights of authors, publishers and academics under the State of Emergency, [url](#), p. 22; NOAS, Seeking Asylum in Turkey – A critical review of Turkey’s asylum laws and practices, December 2018 Update, [url](#), p. 24

¹⁹⁶ NOAS, Seeking Asylum in Turkey – A critical review of Turkey’s asylum laws and practices, December 2018 Update, [url](#), p. 25

¹⁹⁷ AI, Refugees at heightened risk of refoulement under Turkey’s state of emergency, 22 September 2017, [url](#), p. 1

¹⁹⁸ NOAS, Seeking Asylum in Turkey – A critical review of Turkey’s asylum laws and practices, December 2018 Update, [url](#), p. 25

¹⁹⁹ NOAS, Seeking Asylum in Turkey – A critical review of Turkey’s asylum laws and practices, December 2018 Update, [url](#), p. 27; HRW, Turkey Stops Registering Syrian Asylum Seekers, 16 July 2018, [url](#); AI, Refugees at heightened risk of refoulement under Turkey’s state of emergency, 22 September 2017, [url](#)

²⁰⁰ The Guardian, ‘It’s against the law’: Syrian refugees deported from Turkey back to war, 16 October 2018, [url](#)

arrived Syrian asylum seekers'.²⁰¹ Allegedly this suspension led to 'mass' and 'unlawful deportations' as well as 'coerced returns to Syria'.²⁰²

While, allegedly, deportation decisions are increasingly issued to Syrians,²⁰³ ECRE mentions that '[t]he Turkish Directorate General for Migration Management (DGMM) has stated to The Guardian that 250,000 Syrians have opted for voluntary return until now and that, in line with the principle of *non-refoulement*, no deportations of Syrians have been carried out'.²⁰⁴

Infringements of the non-refoulement principle had been reported already in the period 2016-2018.²⁰⁵ AI reported that, since January 2016, Turkish authorities had been expelling hundreds of Syrians (men, women and children) to Syria, more specifically from Hatay province because they were unregistered or not carrying their documents when apprehended.²⁰⁶ Both AI and the NGO *Mülteci-Der* provided accounts of Syrians (and other nationals) who had been pushed into signing voluntary return documents.²⁰⁷ In some of those cases, allegedly, the refugees were handed over to the *Ahrar al Sham* armed group (Islamist insurgent group).²⁰⁸ In a joint letter to the Parliamentary Assembly of the Council of Europe, several human rights organisations urged to reinstate monitoring of Turkey.²⁰⁹

2.7.1 Turkey – Syria Border

If during the first years of the Syrian conflict, Turkey kept its borders open to all persons fleeing it,²¹⁰ it has closed the main crossing points in the period 2016-2018.²¹¹ As of 15 May 2019, OCHA's monitoring project Turkey|Syria Border Crossing Status, portrays the situation as follows: there are 19 border crossings points, 11 are closed, 5 are restricted, and 3 are open.²¹² In June 2018, the Turkish authorities completed the securisation of the border with Syria.²¹³ In the Hatay, Kilis, Gaziantep, Şanlıurfa, Mardin, and Sirnak provinces, a 764 km concrete wall, all along the 911 km shared border with Syria, has been built and equipped with barbed wire and a surveillance system.

According to the Daily Sabah, the main characteristics of the wall are:

'The border wall project incorporates physical, electronic and advanced technology layers. The physical layer includes modular concrete walls, patrol routes, manned and unmanned towers and passenger tracks. Modular walls are being erected along the Turkish-Syrian borderline with seven-ton mobile blocks, two meters wide and three meters high. The blocks have also been topped with a one-meter-high razor wire. An electronic layer consists of close-up

²⁰¹ HRW, Turkey Stops Registering Syrian Asylum Seekers, 16 July 2018, [url](#); NOAS, Seeking Asylum in Turkey – A critical review of Turkey's asylum laws and practices, December 2018 Update, [url](#), p. 26

²⁰² HRW, Turkey Stops Registering Syrian Asylum Seekers, 16 July 2018, [url](#); HRW, Turkey: Mass Deportations of Syrians, 22 March 2018, [url](#); HRW, Turkey/Syria: Border Guards Shoot, Block Fleeing Syrians, 3 February 2019, [url](#)

²⁰³ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 123

²⁰⁴ ECRE, Turkey: Refugees at the Border Faced with Choice Between Detention and Return, Report Finds, 19 October 2018, [url](#); The Guardian, 'It's against the law': Syrian refugees deported from Turkey back to war, 16 October 2018, [url](#)

²⁰⁵ EC, Commission Staff Working Document Turkey 2018 Report, 17 April 2018, [url](#), p. 48; EC, Commission Staff Working Document Turkey 2016 Report, 9 November 2016, [url](#), p. 29

²⁰⁶ AI, Turkey: Illegal Mass Returns of Syrian Refugees expose Fatal Flaws in EU-Turkey Deal, 1 April 2016, [url](#)

²⁰⁷ Mülteci-Der's observations on refugee situation in Turkey, 22 April 2016, [url](#); Amnesty International, Amnesty International Report 2015/16 - Turkey, 24 February 2016, [url](#)

²⁰⁸ AI, Turkey: Illegal Mass Returns of Syrian Refugees expose Fatal Flaws in EU-Turkey Deal, 1 April 2016, [url](#)

²⁰⁹ Article 19, Turkey: Parliamentary Assembly of the Council of Europe should reinstate monitoring, 20 January 2017, [url](#)

²¹⁰ Meltem Ineli-Ciger, A Temporary Protection Regime in Line with International Law: Utopia or Real Possibility? 6 October 2016, [url](#)

²¹¹ OpenDemocracy, How well protected are Syrians in Turkey? 17 January 2017, [url](#); HRW, Turkey: Open Border to Displaced Syrians Shelled by Government, 20 April 2016, [url](#)

²¹² OCHA, Humanitarian Response, Turkey | Syria Border-Crossing Status, 15 May 2019, [url](#)

²¹³ Der Spiegel, EU Money Helped Fortify Turkey's Border, 29 March 2018, [url](#); The National, Syria-Turkey border wall completed, 10 June 2018, [url](#); Daily Sabah, War on Terror, Turkey finishes construction of 764-km security wall on Syria border, 9 June 2018, [url](#); NOAS, Seeking Asylum in Turkey – A critical review of Turkey's asylum laws and practices, December 2018 Update, [url](#), p. 18

surveillance systems, thermal cameras, land surveillance radar, remote-controlled weapons systems, command-and-control centers, line-length imaging systems and seismic and acoustic sensors. The advanced technology layer of the project includes wide area surveillance, laser destructive fiber-optic detection, surveillance radar for drone detection, jammers and sensor-triggered short distance lighting systems. An open access gate to Turkey, from Syria, was left in the region of Afrin, the gate called the Olive Tree.²¹⁴

Media outlets reported about Syrians trying to climb the wall with ladders, also as a reaction to an ongoing military offensive in the Syrian city of Idlib.²¹⁵

According to ICG, in 2018 a total of 224 358 people have been apprehended while trying to cross the border.²¹⁶ These numbers are in line with those stated by the Turkish Interior Minister 'that in 2018 so far 251 794 irregular migrants were held during their attempts to illegally cross borders'.²¹⁷

2.8 Voluntary Return

When TP beneficiaries express the intention to return to Syria, they are interviewed by a panel comprising DGMM, UNHCR and, only in principle, a civil society representative. A lawyer can also be present during the interview. The panel's interview is meant to assess whether return is in fact voluntary and the underlying reasons behind it.²¹⁸ According to ECRE, 'return cases are often related to people having property or a job in Syria'.²¹⁹

A 'V87' code is issued by DGMM where temporary protection is terminated based on cessation. This code marks the person as a 'voluntarily returned foreigner'. ECRE indicates that persons subjected to the V87 procedure are usually left at the border and handle the entire return process on their own.²²⁰

Between June-September 2018, DGMM reportedly asked temporary protection beneficiaries based in Istanbul whether they would be willing to return to Afrin with financial support from DGMM.²²¹

A Turkish media outlet reported in December 2018 that 'nearly 300 000 Syrians returned to their homes after the Turkish military conducted successful operations in northern Syria'.²²² Allegedly their number was 190 000 at the end of July 2018.²²³ Suleyman Soylu, the Minister of Interior, quoted by the Turkish Radio and Television, stated that 'the number of Syrians who returned to their home country after the Operations Euphrates Shield and Olive Branch is 291,790'.²²⁴ However, these data could not be verified, nor was it possible to verify whether the decisions to return were indeed voluntary (see for Removal/Detention Centres sections [2.6](#) and [3.6](#) and on alleged pushbacks/refoulement sections [2.7](#) and [3.7](#)).

UNHCR reports that in the period 2016-2018 a total of 48 660 self-organised Syrian refugees returned from Turkey to Syria, 20 648 in 2018 only.²²⁵ Within this context UNHCR states:

²¹⁴ Daily Sabah, War on Terror, Turkey finishes construction of 764-km security wall on Syria border, 9 June 2018, [url](#)

²¹⁵ The New Arab, Syrians risk everything to cross into Turkey, 14 February 2019, [url](#); Daily News, Footage shows Syrians scaling Turkish border wall with ladders, 7 September 2018, [url](#)

²¹⁶ ICG, Mitigating Risks for Syrian Refugee Youth in Turkey's Şanlıurfa, Europe Report no. 253, 11 February 2019, [url](#), p. 5

²¹⁷ TRT World, Nearly 300,000 refugees 'returned home' after Turkey's operations in Syria, 22 December 2018, [url](#)

²¹⁸ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 114

²¹⁹ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 114

²²⁰ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 114

²²¹ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 114

²²² TRT World, Nearly 300,000 refugees 'returned home' after Turkey's operations in Syria, 22 December 2018, [url](#);

²²³ AA, World and Middle East, 190,000 Syrians return to liberated hometowns, 31 July 2018, [url](#)

²²⁴ TRT World, Nearly 300,000 refugees 'returned home' after Turkey's operations in Syria, 22 December 2018, [url](#); Anadolu Agency, 120 Syrians return home from Turkey, 22 January 2019, [url](#)

²²⁵ UNHCR, Update: Durable Solutions for Syrian Refugees, November – December 2018, 19 December 2018, [url](#)

‘While UNHCR is not facilitating large-scale return due to the current conditions inside Syria, return preparedness has risen as a prominent issue to be addressed proactively. In view of a possible further increase of refugee returns in 2019, an Interagency Preparedness Plan for Refugee Return was developed by the Regional Durable Solutions Working Group[...] The purpose of this Plan is to set a regional interagency framework and action plan through which country operations develop/update country specific interagency preparedness plans for a potential scenario of 250,000-500,000 refugee returns. The Plan confirms/articulates standards, policies, approaches and actions at regional and country levels.’²²⁶

2.8.1 Re-entry from Syria

It is common for TP beneficiaries to travel back to Syria for administrative reasons and then to return to Turkey.²²⁷ As per art. 13 of the TPR, in such cases DGMM grants or denies renewed access to temporary protection status upon repeat arrival in Turkey.²²⁸ However, for those labelled with the above mentioned V87 code, DGMM foresees now the possibility to lift such a code where TP beneficiaries belong to vulnerable categories. This was established with DGMM Circular from 7 January 2019, whereby DGMM instructed ‘PDMM to lift the “V87 code” in respect of persons returning to Turkey after having signed a “voluntary return document”, especially pregnant women, elderly persons and children, as of 1 January 2019, to allow them to re-access services’.²²⁹

2.9 Resettlement of TP Beneficiaries

DGMM, by accessing the PDMM caseload, pre-screens potential resettlement beneficiaries based on their vulnerability’s profile and then refer them to UNHCR. ‘UNHCR identifies the applicants most in need of resettlement from these lists’ and then ‘presents them to third countries’.²³⁰ The final decision is taken by the third country. Within this context, IOM Turkey handles resettlement programs to more than 20 countries including the USA, Canada, Australia and European Union countries, and ‘organises the implementation of health checks, the preparation of travel documents and the cultural orientation of those accepted for resettlement’.²³¹

Drawing from DGMM statistics, in the period 2014-2019 a total of 15 133 Syrians were resettled to third countries. Among them, 6 791 to Canada, 3 920 to USA, 1 954 to UK, and 1 926 to Norway.²³² Based on IOM data, in the first half of 2018, of the total number of 5 041 individuals resettled, the great majority – 79 % - were Syrians (and 15 % Iranians, 3 % Iraqis, 2 % Afghans, 1 % other nationalities). In the same period destination countries were EU Countries in 62 % of cases, 22 % Canada, 8 % Norway, and 7 % other countries.²³³

2.9.1 The ‘One for One’ Resettlement Scheme

The EU-Turkey statement of 18 March 2016 established a specific resettlement procedure for Syrian refugees, known as the ‘One for One’ scheme. Under this scheme for every Syrian national returned from Greece to Turkey, a Syrian national would be resettled from Turkey to a EU Member State, while taking into account the UN vulnerability criteria. In the period April 2016 - 25 April 2019, a total of

²²⁶ UNHCR, Update: Durable Solutions for Syrian Refugees, November – December 2018, 19 December 2018, [url](#)

²²⁷ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 115

²²⁸ Turkey, Temporary Protection Regulation, 22 October 2014, [url](#)

²²⁹ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 115

²³⁰ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 128

²³¹ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 128

²³² Turkey, DGMM, Migration Statistics, Temporary Protection, 25 April 2019, [url](#)

²³³ IOM Turkey, Resettlement and Movement Management, n.a., [url](#)

21 362 Syrian refugees were resettled to EU countries, with following breakdown per top countries: 7 667 Germany, 3 906 France, 3 791 The Netherlands, 1 536 Finland, 1 315 Belgium, 1 159 Sweden.²³⁴

2.10 Readmission

On 18 March 2016, the European Council and Turkey reached an agreement aimed at stopping the flow of irregular migration via Turkey to Europe. According to the EU-Turkey Statement, all new irregular migrants and asylum seekers crossing from Turkey into Greek islands as from 20 March 2016 will be returned to Turkey. For every Syrian being returned to Turkey from Greek islands, another Syrian will be resettled from Turkey to the EU, taking into account the UN Vulnerability Criteria. According to the EU-Turkey Statement, the readmission of persons to Turkey will take place in full accordance with EU and international law, thus excluding any kind of collective expulsion.²³⁵

2.10.1 Turkish authorities formal assurances

The Turkish authorities have provided formal assurances regarding access to TP and IP for Syrian and non-Syrian nationals returning from the EU (Greece) to Turkey as of 4 April 2016. In a formal letter dated 12 April 2016, the Turkish government clarified the situation of Syrian nationals being taken back by Turkey as of 4 April 2016:

‘Turkey assures that due to the Syrian crisis, citizens of Syrian Arab Republic who irregularly crossed into the Aegean Islands via Turkey as of 20 March 2016 and being taken back by Turkey as of 4 April 2016, will be granted temporary protection status in line with the Temporary Protection Regulation no 2014/6883 and the Regulation no 2016/8722 Amending the Temporary Protection Regulation.

Each Syrian national returned to Turkey who previously enjoyed the temporary protection status or who transited the country and did not previously enjoy the temporary protection status and who do not have a profile that could bring them under the scope of the exclusion clauses, as set out in the above mentioned Regulation [Regulation no 2014/6883] and relevant Turkish national or international law and legislation will be granted such status in accordance with the above mentioned Regulation [Regulation no 2014/6883] and other relevant legislations’.²³⁶

The EC, referring to the Regulation Amending the TPR, explained:

‘On 6 April [2016], Turkey adopted a law [Regulation no 2016/8722 Amending the Temporary Protection Regulation] to clarify that Syrian nationals returning under the new arrangements may request and be granted temporary protection, covering both previously registered and non-registered Syrians in Turkey. In addition to the legislative changes, Turkey has, by letter of 12 April 2016, provided assurances that all returned Syrians will be granted temporary protection upon return. Discussions are advancing on providing assurances for non-Syrians’.²³⁷

²³⁴ Turkey, DGMM, Migration Statistics, Temporary Protection, 25 April 2019, [url](#)

²³⁵ EU Council, Council of the European Union, Press Release: EU-Turkey Statement, 18 March 2016, [url](#)

²³⁶ Permanent Delegation of Turkey to the European Union Ambassador, Letter to the European Commission Directorate General (DG) Migration and Home Affairs, 12 April 2016, [url](#)

²³⁷ EC, Communication from the Commission to the European Parliament, the European Council and the Council, First Report on the progress made in the implementation of the EU-Turkey Statement COM(2016) 231 final, 20 April 2016, [url](#), p. 4

According to an EC report, ‘as of 29 April 2016, UNHCR was guaranteed access to the removal centres and could speak with detained migrants, allowing the organisation to fulfil its protection mandate.’²³⁸ Turkey also agreed to allow the EU to monitor regularly the situation of Syrians and non-Syrians returned to Turkey, including access to refugee camps and removal centres.²³⁹

Since 10 September 2018, UNHCR has ended the registration process in Turkey for all applicants, handing it over to the Turkish authorities. UNHCR reassured, however, that they would continue provide protection activities, including delivery of counselling services, to refugees and asylum-seekers in Turkey.²⁴⁰

2.10.2 Access to Temporary Protection for readmitted Syrians

Between 21 March 2016 and 12 March 2019, a total of 2 224 persons have been returned from Greece to Turkey, 1 485 of which have been returned under the EU-Turkey Statement and 600 under the Greece-Turkey bilateral protocol.²⁴¹

As of 2 April 2019, DGMM statistics indicate that 351 Syrian nationals were readmitted by Turkey within the scope of the EU-Turkey Statement.²⁴² Syrians constitute 18 % of the total number of those returned to Turkey from Greece. UNHCR notes that 38 Syrians have been returned on the basis that their asylum claims were found inadmissible at 2nd instance.²⁴³

Returns from Greece to Turkey since 21 March 2016

Total returns under the Greece-Turkey Bilateral protocol since 21 March 2016	Total returns under the EU-Turkey Statement in 2016 and 2017	Total returns under the EU-Turkey Statement in 2018	Overall total
600	1485	139	2224

Table 5: EC, Operational implementation of the EU-Turkey Statement (as of 12 March 2019)²⁴⁴

As of September 2017, all Syrians readmitted to Turkey under the statement were pre-registered for temporary protection with the exception of 16 persons who returned voluntarily to Syria; 19 Syrians decided to stay in the accommodation facilities provided by the Turkish authorities and 177 of them chose to live outside.²⁴⁵

In 2016, EC Report on the Progress made in the implementation of the EU-Turkey Statement stated:

‘As regards Syrians, they are being returned from the Greek islands by plane and placed in a refugee camp in Duzici. They are entitled to apply for temporary protection and, after a swift

²³⁸ EC, Commission Staff Working Document, Accompanying the document, Report from the Commission to the European Parliament and the Council Third Report on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap, SWD (2016) 161 final, 4 May 2016, [url](#)

²³⁹ EC, Communication from the Commission to the European Parliament, the European Council and the Council, Second Report on the progress made in the implementation of the EU-Turkey Statement, 15 June 2016, [url](#)

²⁴⁰ UNHCR, UNHCR will end registration process in Turkey on 10 September 2018, [url](#)

²⁴¹ EC, Operational implementation of the EU-Turkey Statement, 12 March 2019, [url](#)

²⁴² Turkey, DGMM, Return statistics: Irregular migrants returned to Turkey within the scope of EU-Turkey Statement, latest updated 2 April 2019, [url](#)

²⁴³ UNHCR, Returns from Greece to Turkey, 30 April 2019, [url](#)

²⁴⁴ EC, Operational implementation of the EU-Turkey Statement, 12 March 2019, [url](#)

²⁴⁵ EC, Communication from the Commission to the European Parliament, the European Council and the Council, Seventh Report on the Progress made in the implementation of the EU-Turkey Statement, 6 September 2017, [url](#)

preregistration for temporary protection, they are released and free to settle in the province of their choice, or stay in the camp. Until now, all returned Syrians were preregistered with the exception of ten who decided to return voluntarily to Syria. The United Nations High Commissioner for Refugees and the EU Delegation to Turkey have recently visited the removal centre in Kirklareli and the refugee camp in Duzici'.²⁴⁶

In a letter dated 23 December 2016, UNHCR states that Turkish authorities instructed all governorates to activate TP for all people 'whose security clearance was received at the place of pre-registration, and that persons with specific needs readmitted from Greece should be prioritized.'²⁴⁷ Duzici camp is in practice a detention facility, according to researchers Ulusoy and Battjes. Syrian nationals in this camp are not allowed to leave, they are kept in locked cells with very limited communication opportunities with the outside world.²⁴⁸

According to various sources, there has been a lack of independent oversight in removal centres since the implementation of the EU-Turkey statement. Access by international organisations and local NGOs has been very limited, which in turn has undermined the capacity to monitor the situation of returnees from Greece since April 2016.²⁴⁹ The USDOS report (covering the year 2018) notes that, although UNHCR conducted a number of visits to temporary reception centers in Duzici/Osmaniye and Kayseri where migrants readmitted from Greece were accommodated, it did not have access to these centres in a predictable and regular way.²⁵⁰

A study conducted by the European University Institute (EUI) in 2017²⁵¹ reported that, out of a sample of 10 Syrians returned from Greece to Turkey under the Statement, three stayed in de-facto detention for 10 months and seven of them left for Turkish cities. No one was able to obtain a work permit, while two out of five adults who applied for a foreigner's ID were unable to obtain one. Four felt forced to return to Syria (including one child and one pregnant woman).²⁵²

²⁴⁶ EC, Communication from the Commission to the European Parliament, the European Council and the Council, Fourth Report on the Progress made in the implementation of the EU-Turkey Statement COM(2016) 792 final, 8 December 2016, [url](#)

²⁴⁷ UNHCR Representation in Greece, Response to Query related to UNHCR's observations of Syrians readmitted to Turkey, GREAT/HCR/973, 23 December 2016, available at [url](#); See also EurActiv, Turkey blocks UNHCR access to Syrian refugees, 19 January 2017, [url](#); EU Observer, UN struggles to monitor fate of readmitted Syrians in Turkey, 18 January 2017, [url](#)

²⁴⁸ Ulusoy O., Battjes H., Situation of Readmitted Migrants and Refugees from Greece to Turkey under the EU-Turkey Statement, in Migration Law Series, 2017, [url](#) p. 6

²⁴⁹ USDOS, 2018 Country Report on Human Rights Practices – Turkey, 13 March 2019, [url](#); EUI, Migration Policy Centre, Post-deportation risks under the EU-Turkey Statement: What happens after readmission to Turkey? 30 November 2017, [url](#) p. 2; AI, EU leaders must not close their eyes to human rights abuses against refugees, 22 April 2016, [url](#); Human Rights Watch, EU/Greece: First Deportations Riddled with Abuse, 19 April 2016, [url](#); EU Observer, UN struggles to monitor fate of readmitted Syrians in Turkey, 18 January 2017, [url](#)

²⁵⁰ USDOS, 2018 Country Report on Human Rights Practices – Turkey, 13 March 2019, [url](#)

²⁵¹ The study published by the Migration Policy Centre at the European University Institute (EUI) is based on 26 asylum seeker interviews, (conducted between July and September 2017) which concerned 43 individuals readmitted from Greece to Turkey (10 Syrians and 33 non-Syrians). EUI, Migration Policy Centre, Post-deportation risks under the EU-Turkey Statement: What happens after readmission to Turkey? 30 November 2017, [url](#) p. 2

²⁵² EUI, Migration Policy Centre, Post-deportation risks under the EU-Turkey Statement: What happens after readmission to Turkey? 30 November 2017, [url](#) p. 7

3. International Protection for non-Syrians

3.1 Legal basis

The Law on Foreigners and International Protection (LFIP) was adopted in April 2013 and entered into force in April 2014. It provides three types of individual international protection (IP)²⁵³ statuses:

1. Refugee status: Persons who fall within the refugee definition (1951 Convention) and come from a European country of origin.
2. Conditional refugee status: Persons who fall within the refugee definition (1951 Convention) and come from a non-European country of origin.
3. Subsidiary protection status: Persons who do not fulfil the eligibility criteria for either refugee status or conditional refugee status but who would be executed or tortured in their country of origin if returned, or would be at 'personalised' risk of indiscriminate violence due to situations or war (situation of war or internal armed conflict).²⁵⁴

Please see Table 1 in [Introduction](#).

While Syrian applicants (and stateless Palestinians from Syria) can apply for a TP status on a *prima facie*, group basis (see [chapter 2 on Temporary Protection for Syrians](#)), non-Syrians are required to apply for an individual IP with the PDMM and are subject to a personalised status determination procedure conducted by the same PDMM.²⁵⁵

Refugee status has a duration of 3 years, conditional refugee status 1 year and subsidiary protection status 1 year. Article 83 LFIP provides that beneficiaries of IP will be issued an International Protection Status Holder Identification Document which remains valid as long as it is not terminated by DGMM.²⁵⁶

Iraqi nationals are the largest non-Syrian group of applicants for IP in Turkey. Iraqis are granted short-term residence permits once they are in Turkey.²⁵⁷ Previously, Iraqi could either apply for IP or request a residence permit on humanitarian grounds.²⁵⁸ The policy of granting humanitarian residence permits to Iraqi nationals is no longer applied. Even when they apply for IP, they are usually encouraged to opt for a short-term residence permit.²⁵⁹

According to the 2019 ECRE report, there is no publicly available information on a list of safe third countries. The report adds that 'in 2015 Iran was considered as a safe third country for Afghans who enter Turkey therefrom and that their applications are dismissed as inadmissible on this base. Currently, the DGMM applies the same approach to the application of Afghans entering Turkey from Pakistan which is also deemed a safe third country.'²⁶⁰

3.1.1 Changes in legal basis as of 31 December 2018

The LFIP has been amended several times by:²⁶¹

²⁵³ For ease of use, 'International Protection' will be referred as 'IP' throughout the document.

²⁵⁴ Turkey, Law on Foreigners and International Protection (English translation), May 2014, [url](#); Turkey, Types of Protection, 25 May 2015, [url](#)

²⁵⁵ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 100

²⁵⁶ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 17

²⁵⁷ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 55

²⁵⁸ ECRE, AIDA Country Report: Turkey, December 2015, [url](#) p. 68.

²⁵⁹ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 55

²⁶⁰ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 111

²⁶¹ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 11

- Emergency Decree No 676, 29 October 2016 (on alleged members of terrorist organisations)²⁶²
- Law No 7070, 1 February 2018 on the regulation of emergency provisions²⁶³
- Decree No 703 on the harmonisation of laws, 9 July 2018²⁶⁴
- Law No 7148 amending several acts, 26 October 2018²⁶⁵

Other laws relevant to IP are related to access to work, court procedures and the roles of attorneys and notaries.²⁶⁶ See further sections below.

The main implementing decrees and administrative guidelines and regulations regarding IP are:²⁶⁷

- Presidential Decree No 4, 15 July 2018, (after the inauguration of the presidential system) specifying the roles and responsibilities of DGMM and AFAD. The Presidency is now responsible for the 'declaration and termination of a temporary protection regime under Article 91 LFIP'.²⁶⁸
- Regulation No 29656 on the Implementation of the Law on Foreigners and International Protection, 17 March 2016
- Regulation No 29695 on Work Permit of Applicants for International Protection and those Granted International Protection, 26 April 2016
- Regulation No 28980 on the Establishment and Operations of Reception and Accommodation Centres and Removal Centres, 22 April 2014
- Union of Notaries Circular 2016/3 on the Documents and Identification Cards issued on the basis of LFIP, 2 March 2016

Another recent change in the Turkish IP system, as mentioned in the 2019 ECRE report, is 'the derogation from the principle of *non-refoulement* for reasons such as public order, security and terrorism, introduced by way of emergency decree in October 2016, [...] consolidated by law in February 2018. Removal decisions have increasingly been used on these grounds in 2018.'²⁶⁹

3.1.2 Changes in IP procedure

Access to the IP procedure underwent a major change when UNHCR on 10 September 2018 announced the termination of its registration activities in Turkey. As a result, registration of applications for IP are to be handled by the PDMM at provincial level. However, the 2019 ECRE report notes several obstacles in accessing the IP procedure:

- Applicants for IP receive an appointment with the PDMM for registration within 6 to 9 months, with exception to Afghans, who receive appointments only for about three years later;
- Another change is that the PDMM, when assigning a 'satellite city' where applicants have to register their application for IP, does no longer issue a Registration Document. The applicant only receives an IP applicant Identification card after registration. This means, according to ECRE, that applicants have to travel to the assigned province without documentation that

²⁶² Turkey, Emergency Decree No 676, 29 October 2016, (available in Turkish) [url](#)

²⁶³ Turkey, Law No 7070 on the regulation of emergency provisions, 1 February 2018 (available in Turkish) [url](#)

²⁶⁴ Turkey, Decree No 703 on the harmonisation of laws, 9 July 2018, (available in Turkish) [url](#)

²⁶⁵ Turkey, Law No 7148 amending several acts, 26 October 2018, (available in Turkish) [url](#)

²⁶⁶ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) pp. 11-12

²⁶⁷ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) pp. 11-12

²⁶⁸ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 14

²⁶⁹ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 14

shows their intention to apply for IP, risking arrests and deprivation of access to health care.²⁷⁰

Free legal assistance is available to applicants of IP in 18 ‘pilot provinces’ at all stages of the IP procedure. The first (as of 2018) Refugee Law Clinic was set up in Şanlıurfa. For further details see [section 3.4.3 Appeal and legal representation](#).

The 24 Removal centres have an increased capacity of 16 116 persons.²⁷¹ In 2018, an increase of detention of IP applicants in Removal centers was noted due to ‘intensified police checks and apprehension of persons found outside their assigned ‘satellite city’. Lawyers and interpreters have access to the facilities.²⁷² Registration of IP applicants in Şanlıurfa stopped in 2018.²⁷³

3.1.3 Citizenship

For general rules through which Turkish citizenship can be acquired, see [section 2.1.2 on Citizenship](#). Whereas several Syrians have acquired citizenship (e.g. via exceptional circumstances), ‘access to citizenship is not provided to non-Syrian nationals in practice’, according to ECRE.²⁷⁴

3.2 Information provision

Turkish institutions provide information and support to Syrian and non-Syrian applicants for protection. As of March 2018, 595 280 persons had been reached through ‘information campaigns, participatory assessments, activities to raise public awareness on rights, entitlements, services and assistance.’²⁷⁵

The LFIP (Regulation on the Implementation of the Law on Foreigners and International Protection, art. 103) requires authorities to inform applicants for IP in writing about the possibility to seek legal advice under the legal aid scheme, and also to obtain advice from civil society organisations.²⁷⁶

By 2017 UNHCR had put in place ‘an assistance helpline in partnership with ASAM [...] in Arabic, Farsi, English, and Turkish. As of January 2017, UNHCR reported that the counselling lines had been equipped and staffed and were expected to be operational within weeks’.²⁷⁷ See also UNHCR’s Help website.²⁷⁸

3.3 Access to procedures

In 2018, access to the international protection procedure has changed substantially as UNHCR ended its registration activities as of 10 September 2018. Prior to this date, a joint registration arrangement was in place between PDMM and UNHCR, whereby UNHCR and its implementing partner SGDD-ASAM registered applications in Ankara and then referred asylum seekers to the PDMM of a satellite city for lodging their applications there.²⁷⁹ As of 10 September 2018, DGMM is the sole authority responsible for registering and processing applications for international protection.²⁸⁰ The implementation of the

²⁷⁰ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 14

²⁷¹ Turkey, DGMM, Migration Statistics, Removal Centres, 28 March 2019, [url](#)

²⁷² ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 15

²⁷³ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 118

²⁷⁴ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 103

²⁷⁵ EC, Assistance to Syrian refugees in Turkey, n.d. [March 2018], [url](#)

²⁷⁶ RRT, Access To State-Funded Legal Aid Services By Asylum-Seekers And Migrants In Turkey: Challenges And Opportunities, January 2019, [url](#) p. 9

²⁷⁷ Refugees International, “Except God, we have no one”: Lack of durable solutions for non-Syrian refugees in Turkey, February 2017, [url](#) p. 7

²⁷⁸ UNHCR Help, Information for Refugees, Asylum-seekers and Stateless People – Turkey, n.d., [url](#)

²⁷⁹ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 28

²⁸⁰ UNHCR, UNHCR will end registration process in Turkey on 10 September 2018, [url](#)

asylum procedures has been taken on by PDMMs and applications can be made in any of the 81 Turkish provinces.²⁸¹

PDMMs issue a decision (first instance) within 6 months, which can be extended if needed. However, an accelerated procedure exists in which an interview is to be conducted within three days after the date the application was lodged and a decision issued within five days after the interview.²⁸²

The takeover of the process by DGMM in September 2018 has resulted in 'severe obstacles' in accessing the international protection procedure, according to ECRE.²⁸³ Certain nationalities in particular reportedly experience major difficulties and discrimination in accessing the asylum procedure.²⁸⁴

For instance, single Afghan men face particular challenges as many PDMM are reluctant to register their asylum applications. According to sources interviewed by ECRE, the earliest registration appointments given to Afghan nationals are for 2021.²⁸⁵

Iraqi nationals are no longer granted humanitarian residence permits as per a previous policy (see [section 3.1 on Legal basis](#)), they are granted short-term residence permits instead, once they have entered Turkish territory. ECRE reports that they are 'usually encouraged to opt' for a short-term residence permit even where they apply for international protection.²⁸⁶

Applicants of African origin also face discrimination during the registration, with some PDMM - such as in Kastamonu – reportedly refusing to register their application. Moreover, the practice of referring some African applicants - especially Somali families - to Isparta and Burdur where their communities are settled no longer applies.²⁸⁷

3.3.1 Access to procedures at the borders and removal/detention centres

The LFIP does not foresee a specific procedure for applications made at the borders. However, Article 65 states that where applications are lodged with law enforcement units within the country or at the border gates, the application shall 'immediately be reported' to the PDMM, which shall process the application.²⁸⁸

In practice, there have been difficulties in accessing registration at borders and airports. The transit zones of Istanbul Atatürk Airport and Ankara Esenboğa Airport dispose of detention centers to detain persons intercepted in transit or when attempting to enter Turkey. PDMM reportedly refuses to register applications at borders and lawyers have no access to these detention facilities.²⁸⁹ As of 7 April 2019, the new Istanbul Airport (IST) has become operational while Istanbul Atatürk Airport was shut down to all commercial flights.²⁹⁰ Among all sources consulted within the timeframe of drafting this report, no information could be found on access to procedure at the new Istanbul Airport.

²⁸¹ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 28

²⁸² ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) pp. 21-22

²⁸³ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 28

²⁸⁴ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 55

²⁸⁵ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 55; Refugee International, 'You cannot exist in this place': Lack of registration denies Afghan refugees protection in Turkey, 13 December 2018, [url](#)

²⁸⁶ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 55

²⁸⁷ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 55

²⁸⁸ Turkey, Law No 6458 on Foreigners and International Protection, 10 April 2013, Art. 65(2), available at: [url](#)

²⁸⁹ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) pp. 30-31

²⁹⁰ Business Insider, Turkey's national carrier moved all its flights from Istanbul's old airport to its shiny replacement in a single, stressful, 41-hour 'big bang', 9 April 2019, [url](#)

In 2018, the increase in arrivals through the Iranian border have led to restrictive measures, with reports of arbitrary detention and deportation cases.²⁹¹

Similarly, people in removal centres continue to experience severe difficulties in accessing the asylum procedure.²⁹² Detained applicants are released from the removal centre or police station once their international protection application is received. They are issued an Administrative Surveillance Decision Form, also known as 'T6', which requires them to regularly report to a designated PDMM. It is reported that the T6 forms became more common in 2018 and served as referral letters to allow people to approach PDMM for registration. The T6 forms were particularly issued vis-à-vis Afghan asylum seekers arriving in border provinces such as Erzurum, Van, Hakkâri, Mardin.²⁹³

3.3.2 Pre-registration (Ankara)

Prior to 10 September 2018, Non-Syrian applicants for IP registered both with UNHCR/ASAM and PDMM offices (unlike the TP beneficiaries).²⁹⁴ Registration with UNHCR/ASAM did not mean that the person would be interviewed by UNHCR since the organisation prioritised persons with particular vulnerabilities due to an important backlog of resettlement referrals.²⁹⁵ Since PDMM have taken over all registration activities, the practice and procedure of pre-registration for IP applicants is no longer standardised.²⁹⁶

3.3.3 Registration/Satellite cities

Satellite cities

If the PDMM cannot register the application itself, it can direct an applicant to a satellite city for registering the application there. Applicants are required to register with the PDMM of the assigned satellite city within 15 days. Failure to appear within 15 days results in the application being considered as withdrawn. However, this practice is not standardised. It is reported that applicants are often refused registration by the PDMM without being referred to another PDMM of a satellite city.²⁹⁷

Non-Syrians are assigned by the Turkish authorities to register in a specific city. They have to check in regularly with the local authorities and are not allowed to move outside of the city without a special travel permit. Permissions to travel are usually granted by the PDMM on time. The latest satellite cities' list available for IP applicants mentioned 62 provinces designated by DGMM (not including Istanbul, Ankara, or Izmir). In practice, however, not all provinces are available to applicants. The satellite city system regulation is not based on publicly available criteria. The appointment of a satellite city is at the discretion of the PDMM that can decide on the 'opening' or 'closing' of a particular satellite city depending on their capacity. When referring an applicant to a satellite city, the PDMM can take into account, among other criteria, the presence of family members in that province. However, family links are limited to first-degree members, which means that siblings or cousins are not accepted. The 'closure' or 'opening' of a PDMM is not officially or publicly notified.²⁹⁸

²⁹¹ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 22

²⁹² ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) pp. 30-31

²⁹³ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) pp. 30-31

²⁹⁴ RRT, International Protection Procedure in Turkey – Rights and Obligations, Questions & Answers, February 2016, [url](#)

²⁹⁵ RRT, International Protection Procedure in Turkey – Rights and Obligations, Questions & Answers, February 2016, [url](#)

²⁹⁶ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 63

²⁹⁷ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) pp. 21, 28

²⁹⁸ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) pp. 62-63

Registration

As of 10 September 2018, applications for international protection are to be registered solely by the PDMM in any of the 81 provinces. UNHCR referred that it has continued to provide support in areas where the PDMM face ‘physical and staffing capacity challenges’ in registering new applicants.²⁹⁹

In 2018, waiting times for registration interviews at the PDMM have risen dramatically. Interviewed by ECRE in February 2019, some lawyers and NGOs reported that applicants are told by some PDMM (such as Şanlıurfa, Istanbul, Malatya) that they cannot register their application, or are advised to come back in 6 to 9 months. Afghan nationals were given appointments for registration interviews for 2021.³⁰⁰

Following the reform of the LFIP in October 2018,³⁰¹ the PDMM no longer issue an International Protection Applicant Registration Document free of charge when directing the asylum seeker to the assigned satellite city in order to register the application there.³⁰² In accordance with the amended law,³⁰³ the applicant receives only an International Protection Applicant Identification Card upon completion of registration with the PDMM at the appointed province.

The ECRE report notes:

‘This means that asylum seekers are required to travel to the assigned province without being provided documentation to attest their intention to seek international protection. In practice, people are often apprehended during police controls throughout the country and are thus at risk of being transferred to a Removal Centre [...]. They are also unable to access essential services such as health care due to lack of documentation.’³⁰⁴

As prior to the reform of the LFIP, the International Protection Applicant Identification Card is not issued to applicants falling under the Accelerated Procedure or the inadmissibility provision.³⁰⁵

Concerning the identification of vulnerable people, there has not been an official mechanism in place since the termination of UNHCR registration activities. However, UNHCR still refers vulnerable cases to the PDMM and reportedly the ‘registration is exceptionally allowed for asylum seekers facing emergencies such as pregnancy or severe illness, who are registered in order to make sure that they get medical assistance.’³⁰⁶

As of September 2018, the takeover by PDMM has resulted in substantial delays also in the renewal of International Protection Applicant Identification Cards.³⁰⁷ In March 2019, the media reported that asylum seekers have been sleeping rough outside the PDMM in Denizli while waiting to be let in to renew their cards. The police reportedly fired tear gas to disperse the crowd of people camping outside the PDMM.³⁰⁸

²⁹⁹ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 28

³⁰⁰ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 29

³⁰¹ Turkey, Law No 7148, 18 October 2018 (available in Turkish: [url](#)), Amending Law No 6458 on Foreigners and International Protection, 10 April 2013, available at: [url](#)

³⁰² ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 30

³⁰³ Article 69(7) LFIP, abolished by Article 35 Turkey, Law No 7148, 18 October 2018 (available in Turkish: [url](#))

³⁰⁴ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 30

³⁰⁵ Law No 6458 on Foreigners and International Protection, 10 April 2013, Art. 76(2) available at: [url](#)

³⁰⁶ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 29, p. 47

³⁰⁷ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 30

³⁰⁸ Ahval, ‘Turkish police use tear gas on migrants awaiting new IDs’, 5 March 2019, [url](#)

3.4 Procedure

All non-Syrian nationalities have in principle the right to apply for International Protection in Turkey. The DGMM is in charge of the implementation of the asylum procedures (see [section 3.4.1](#))³⁰⁹ and it is the sole decision making authority for RSD³¹⁰. Since ending the registration and RSD procedure on 10 September 2018, UNHCR has continued to assist DGMM in building capacity in refugee law.³¹¹

Applicants have to wait up to several months (in some cases even years, see: [section 3.3.3 on Registration](#)) before the first interview takes place. UNHCR noted that capacity building efforts by DGMM are producing results with an increase in the quality of the interviews particularly on the procedural side. However, civil society groups and lawyers stated that the quality of interviews remains low in most PDMM. It is reported that in some provinces, such as Istanbul, PDMM do not take lawyers' written submissions into consideration, and at times they have not allowed lawyers to speak during the interview.³¹²

In its Third Annual Report for the Facility for Refugees in Turkey, the European Commission reported that the EU continues to fund projects aimed at supporting access to refugees' registration and services, as well as at addressing the needs of individuals and groups at risk.³¹³

3.4.1 DGMM/PDMM

DGMM is responsible for the Provincial Departments for Migration Management (PDMM) across the 81 provinces of Turkey. In February 2018, a Council of Ministers Decision established 36 District Directorates for Migration Management (DDMM) in 16 provinces. The DDMM are under the responsibility of the respective PDMM. The functions and structure of DGMM were revised in 2018 and some of the previous established councils within DGMM – such as the Migration Policy Council and the Migration Advisory Council – were abolished.³¹⁴

In its May 2016 Progress Report, the EC noted that the 'DGMM has large human, technical and financial resources, well-trained experts and offices in all the provinces of the country'³¹⁵. However, the 2019 ECRE report states that DGMM and PDMM are still in the process of building up the necessary capacity to receive large volumes of asylum applications.³¹⁶

There is no available information on the number of staff employed by DGMM.

In the framework of the various Roadmaps for cooperation between EASO and the Turkish DGMM, the EU agency has developed and implemented numerous capacity building activities in 'key areas of cooperation for the enhancement of DGMM staff capacities in the assessment of applications for international protection, with a clear focus on vulnerable groups. These areas are COI; Training, including e-learning; vulnerable groups; data analysis and information exchange; contingency planning and support to the Ankara Processing centre.' Furthermore, EASO co-implements the IPA II

³⁰⁹ EC, Commission Staff Working Document, Accompanying the document Report from the Commission to the European Parliament and the Council, Second Report on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap, 4 March 2016, SWD (2016) 97 final, [url](#)

³¹⁰ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 20

³¹¹ UNHCR, Turkey: Operational Update 2018 Highlights, 2018 [url](#)

³¹² ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 33

³¹³ EC, Communication from the Commission to the European Parliament and the Council, Third Annual Report on the Facility for Refugees in Turkey, 15 April 2019, [url](#) p. 10

³¹⁴ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 21

³¹⁵ EC, Report from the Commission to the European Parliament and the Council, Third Report on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap, SWD (2016), 161 final, 4 May 2016, [url](#)

³¹⁶ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 28

project: Regional Support to Protection-Sensitive Migration Management in the Western Balkans and Turkey, that 'foresees the participation of DGMM in regional activities'.³¹⁷

3.4.2 IP Decisions

DGMM referred on its website that, in 2018, Turkey received a total of 114 537 applications for international protection.³¹⁸ It is to be noted that until 10 September 2018, international protection applications were also registered by UNHCR, which reported to have registered 84 170 new IP applicants and decided on 5 410 cases, between 1 January and 10 September 2018.³¹⁹ The main countries of origin of the applicants in 2018 were Iraq (68 685), Afghanistan (31 148), Iran (9 619), Somalia (1 082).³²⁰

There are reports that applications by Iranian nationals have been rejected systematically by the PDMM, including in cases where Iranian applicants had already been interviewed and accepted by UNHCR prior to September 2018.³²¹

The latest available figures from UNHCR indicate that, as of 10 September 2018, 368 230 individuals from countries other than Syria were registered with UNHCR in Turkey, among them 46 % Afghans, 39 % Iraqis, 15 % classified as 'other nationalities'.³²²

There are no available statistics on the number of decisions taken by DGMM on international protection in 2017 and 2018. The latest available statistics released by DGMM in 2016³²³ mentioned 30 380 decisions taken in 2016, of which 23 886 were positive and 6 494 were negative.³²⁴

ECRE points out that the increase in positive decisions on appeals issued by Administrative Courts during 2017 is an indicator of persisting gaps in the quality of first instance decisions.³²⁵ Quality of decisions are reportedly considered low, for instance, in Konya.³²⁶

3.4.3 Appeal and legal representation

The LFIP foresees remedies allowing unsuccessful asylum seekers to appeal against negative decisions. Two separate remedies are foreseen for negative decisions issued in the regular procedure, one optional administrative appeal remedy and one judicial appeal remedy. Applicants may either file an administrative appeal with the International Protection Evaluation Commissions (IPEC)³²⁷ within 10 days, and file an onward judicial appeal with the competent Administrative Court only if the initial administrative appeal is unsuccessful; or directly file a judicial appeal with the competent Administrative Court within 30 days. Applicants shall be allowed to remain in Turkey until the completion of the review process or judicial proceedings.³²⁸

³¹⁷ EASO, Operational Support, External Dimension, Turkey: EASO-DGMM Cooperation, n.d., [url](#)

³¹⁸ Turkey, DGMM, Number of International Protection in 2018, latest updated 14 May 2019, [url](#)

³¹⁹ UNHCR, Turkey: Operational Update 2018 Highlights, 2018, [url](#)

³²⁰ Turkey, DGMM, International Protection, latest updated 14 May 2019, [url](#); ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 9

³²¹ iPetitions, An open letter To the United Nations High Commissioner for Refugees (A Report on the Status of Iranian asylum seekers and Refugees in Turkey, n.d., [url](#); ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 55

³²² UNHCR, Turkey: Key Facts and Figures April 2019, May 2019, [url](#)

³²³ Turkey, DGMM, Annual Migration Report 2016, available in Turkish at: [url](#) pp. 74-75

³²⁴ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 32

³²⁵ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) pp. 35-37

³²⁶ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 33

³²⁷ IPEC are envisioned as a specialised administrative appeal body and serve under the coordination of the DGMM Headquarters. Decisions on administrative detention, inadmissibility and decisions in the accelerated procedure are outside the competence of IPEC. See: ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) pp. 35-36

³²⁸ Turkey, Law No 6458 on Foreigners and International Protection, 10 April 2013, Art. 80, available at: [url](#)

In practice, it is reported that IPEC is not an effective administrative appeal mechanism and applicants prefer to file a judicial appeal directly before the Administrative Court. During 2017, there was an increase in positive decisions on appeals issued by Administrative Courts. The Administrative Courts of Ankara and Istanbul are especially considered as the most expert and competent courts in refugee law issues.³²⁹

In May 2016, the EC reported that the appeal system is running effectively.³³⁰ The 2019 ECRE report notes, however, that first instance Administrative Court decisions are not made public in Turkey, therefore it is difficult to assess the effectiveness and quality of judicial review. It is reported that there is no uniform application of the non-refoulement principle in Administrative Court reviews of deportation decisions.³³¹

According to Article 81 of the LFIP, applicants and international protection beneficiaries have a right to be represented by a lawyer, provided that the lawyer's fee is covered by themselves.

'In cases where the applicant and international protection beneficiary is unable to afford the attorney's fee for their judicial appeals regarding actions and activities stipulated in this Part, legal assistance shall be provided pursuant to the provisions on legal assistance stipulated in the Attorneyship Law No 1136. Applicant and international protection beneficiary may make use of counselling services provided by non-governmental organisations'.³³²

In order to represent the asylum seeker, a lawyer is required a notarised power of attorney. In cases where the applicant benefits from the Legal Aid Service, the appointment letter is considered sufficient to represent the applicant. In practice, Legal Aid lawyers have reported being unable to enter the premises of PDMM without a power of attorney.³³³

3.5 Rights of IP beneficiaries/ applicants

As of September 2018, the total population of concern, based on UNHCR data, is of approximately 370 000 beneficiaries and applicants, comprising: 172 000 Afghans, 142 000 Iraqis, 39 000 Iranians, 5 700 Somalis, and 11 700 other nationalities.³³⁴

Turkey received in 2018 114 537 applications for IP, 478 309 in total in the period 2010-2018.³³⁵ For 2017 their breakdown per (main) nationality is the following:

- 68 685 Iraq,
- 31 148 Afghanistan,
- 9 619 Iran,
- 1 082 Somalia,
- 350 Pakistan,
- 200 Yemen,
- 181 Turkmenistan,
- 167 Palestine,

³²⁹ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) pp. 35-37

³³⁰ EC, Commission Staff Working Document, Report from the Commission to the European Parliament and the Council Third Report on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap, SWD (2016) 161 final, 4 May 2016, [url](#)

³³¹ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 45

³³² Turkey, Law No 6458 on Foreigners and International Protection, 10 April 2013, Art. 81, available at: [url](#)

³³³ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) pp. 38

³³⁴ UNHCR, Turkey Factsheet, September 2018, [url](#); UNHCR, Turkey: Key Facts & Figures, April 2019, [url](#); NOAS, Seeking Asylum in Turkey – A critical review of Turkey's asylum laws and practices, December 2018 Update, [url](#), p. 11

³³⁵ Turkey, Ministry of Interior, Directorate General for Migration Management, Migration Statistics, [url](#)

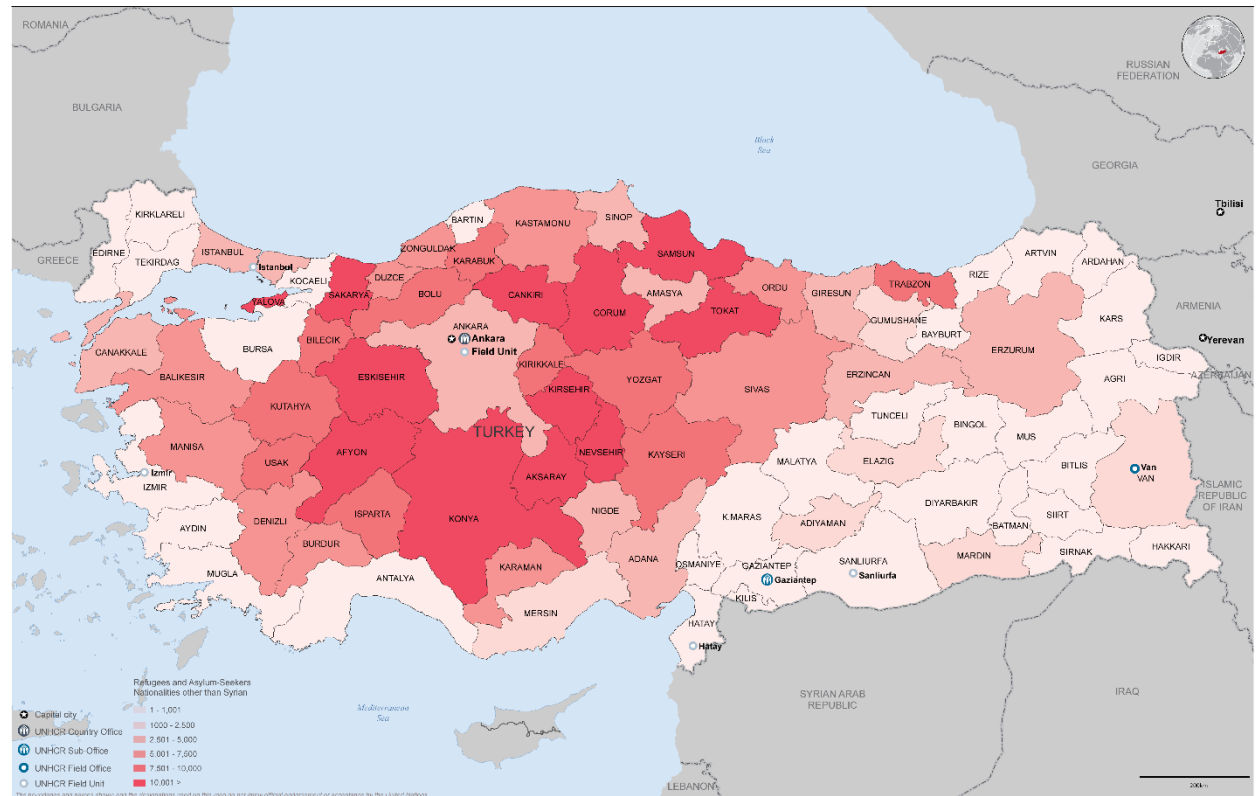
- 111 Uzbekistan.³³⁶

Map shows the distribution of non-Syrian IP applicants and status holders by province, as of 1 May 2019.³³⁷

UNHCR Turkey:

Provincial Breakdown Refugees and Asylum-Seekers of Nationalities other than Syrian registered with UNHCR

as of 01 May 2019*



Creation date: May 2019 Sources: UNHCR Author: UNHCR - Turkey Feedback: IMTurkey@unhcr.org

*UNHCR ended registration process in Turkey on 10 September 2018

Map 3 UNHCR, Provincial Breakdown Nationalities than Syrian registered with UNHCR [Map], 1 May 2019, [url](#). NB: UNHCR ended registration process in Turkey on 10 September 2018.

As a rule, IP applicants and beneficiaries are entitled to healthcare, schooling and other services in the provinces where they are registered and required to reside. In April 2016, the Turkish government issued a regulation with similar terms of access to the labour market for all applicants and beneficiaries of IP.³³⁸

As already noted for previous years,³³⁹ access to services may vary across provincial authorities, with governors having significant discretion in working with applicants for IP and NGOs.³⁴⁰ As reported by NOAS, the post-July 2016 period has proved increasingly challenging for NGOs, human rights

³³⁶ Turkey, Ministry of Interior, Directorate General for Migration Management, Migration Statistics, [url](#)

³³⁷ UNHCR, Provincial Breakdown Refugees and Asylum-Seekers of Nationalities other than Syrian registered with UNHCR, 31 March 2019, [url](#)

³³⁸ EC, Commission Staff Working Document, Report from the Commission to the European Parliament and the Council Third Report on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap, SWD (2016) 161 final, 4 May 2016, [url](#), p. 17

³³⁹ NOAS, Seeking Asylum in Turkey – A critical review of Turkey’s asylum laws and practices, April 2016, [url](#); Human Rights Watch, World Report 2016 - Turkey, 27 January 2016, [url](#); Statewatch, Analysis: Why Turkey is Not a “Safe Country”, February 2016, [url](#)

³⁴⁰ NOAS, Seeking Asylum in Turkey – A critical review of Turkey’s asylum laws and practices, December 2018 Update, [url](#), p. 25

defenders and the civil society in general.³⁴¹ This, in turn, has sensibly affected the work of NGOs' staff, which is allegedly 'strictly controlled and monitored'. As protection rules are often not applied consistently, NGOs' staff is reportedly not certain of 'what is allowed and what is not allowed'.³⁴² In general, access to social and economic rights is often hindered by delays in registration,³⁴³ internal mobility (see [section 3.5.1. Accommodation](#)), lack of awareness - both on the part of refugees/asylum seekers and local actors - on the rights and entitlements available under the law, as well as in reason of language barriers.³⁴⁴

3.5.1 Accommodation

Satellite cities & Accommodation Centres

IP applicants are assigned to one of 62 (out of a total of 81 provinces) designated provinces under the so-called 'satellite city system' whereby IP applicants are required to register, reside and, in some cases, periodically report to the PDMM authorities (see [section 3.3.3](#)).³⁴⁵ In practice however not all 62 provinces are available, and the PDMM decides on the 'opening' or 'closing' of a 'satellite city', as well as on referrals, within the legal framework provided by the RFIP.³⁴⁶ Within this context, inter-provincial and urban mobility of many IP applicants/beneficiaries challenges their legal status and de facto access to rights and services.³⁴⁷

As clearly stated in Art. 95(1) of the LFIP, IP applicants and status holders shall secure their own accommodation by their own means, within the satellite city area.³⁴⁸ DGMM is however authorised to set up Reception and Accommodation Centres in order to address 'accommodation, nutrition, health care, social and other needs' of IP applicants.³⁴⁹ The Regulation on the Establishment of Reception and Accommodation Centres and Removal Centres foresees that persons with special needs have priority in accessing free accommodation and other reception services as offered in these facilities.³⁵⁰

As of March 2019 there are only two such centres in operation in the provinces of Yozgat and Tekirdag, with an overall capacity of 150 places, while a third centre in Konya is under renovation (expected capacity 76 places).³⁵¹ Following the EU-Turkey Action Plan on Migration and the EU-Turkey Statement of 18 March 2016, six new Reception and Accommodation Centres have been re-purposed to work as Removal Centres. These centres are located in Izmir, Kırklareli, Gaziantep, Erzurum, Kayseri and Van, 80 % of which construction budget has been financed by the EC.³⁵²

According to Refugee International, asylum-seekers and refugees of other nationalities than Syrian, have experienced difficulties in finding accommodation and affording the rent. As a result, they have to share apartments with strangers, while in the winter months, they often need to cope with the

³⁴¹ NOAS, Seeking Asylum in Turkey – A critical review of Turkey's asylum laws and practices, December 2018 Update, [url](#), p. 12

³⁴² NOAS, Seeking Asylum in Turkey – A critical review of Turkey's asylum laws and practices, December 2018 Update, [url](#), p. 12

³⁴³ Refugees International, You cannot exist in this place, December 2018, [url](#), p. 4

³⁴⁴ NOAS, Seeking Asylum in Turkey – A critical review of Turkey's asylum laws and practices, December 2018 Update, [url](#), p. 34; NOAS, Seeking Asylum in Turkey – A critical review of Turkey's asylum laws and practices, April 2016, [url](#)

³⁴⁵ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), pp. 27, 48, 61, 81

³⁴⁶ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), pp. 62-63

³⁴⁷ NOAS, Seeking Asylum in Turkey – A critical review of Turkey's asylum laws and practices, December 2018 Update, [url](#), p. 34; HRW, Turkey: Education Barriers for Asylum Seekers, 31 May 2017, [url](#)

³⁴⁸ Turkey, Law on Foreigners and International Protection (LFIP), English translation, May 2014, [url](#)

³⁴⁹ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 65

³⁵⁰ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 66

³⁵¹ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 65

³⁵² ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 66

cold, humidity, and lack of heating.³⁵³ ‘Most of them said they had arrived in their assigned cities not knowing anyone and never having been there before’, with the language barrier only adding to the challenge.³⁵⁴

Along similar lines, ECRE reports in 2019 that:

‘Currently, almost all international protection applicants are subject to private accommodation in their assigned provinces on their own resources. Access to housing remains deeply challenging due to a range of factors, including high rental prices and onerous advance payment requirements from owners. [...] As a result, a large number of applicants, likely temporary protection beneficiaries remain exposed to destitution and homelessness, or accommodation in substandard makeshift camps.’³⁵⁵

3.5.2 Health services

Turkey’s General Health Insurance scheme (GSS) is compulsory for all residents of Turkey. Article 89(3) LFIP establishes that IP applicants and status holders who are not covered by any medical insurance scheme and do not have the financial means to afford it, are to be covered by the GSS scheme free of charge.³⁵⁶ In practice, since the end of 2014, all applicants and beneficiaries of IP are given free access to public health care, similar to TP beneficiaries.³⁵⁷

For all details about scope of health care coverage (primary, secondary, tertiary), health issues falling within the scope of the SUT (2013 Health Implementation Directive), referral from state hospitals, cost contribution and reimbursements see section [2.4.2 Health Services](#) for TP Beneficiaries.

In order to access such services asylum applicants must have a Foreigners Identification Number (YKN) number. This number appears in the International Protection Applicant Identification Card, issued when registration is completed. In some locations however it may take several months before registration is finalised, thereby limiting effective access to health-care services during the waiting period, ECRE and Refugees International have noted.³⁵⁸ Another major problem particularly affecting IP applicants and status holders is the language barrier both while accessing and then benefitting from the treatments and services.³⁵⁹

3.5.3 Education

IP applicants and status holders have access to elementary and secondary education in public schools free of charge. Enrolment in public schools can only take place however, when applicants possess a International Protection Applicant Identification Card reporting their respective YKN number – the

³⁵³ Refugees International, “Except God, we have no one”: Lack of durable solutions for non-Syrian refugees in Turkey, February 2017, [url](#), p. 8.

³⁵⁴ Refugees International, “Except God, we have no one”: Lack of durable solutions for non-Syrian refugees in Turkey, February 2017, [url](#), p. 8.

³⁵⁵ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 66

³⁵⁶ Turkey, Law on Foreigners and International Protection (LFIP), English translation, May 2014, [url](#)

³⁵⁷ EC, Commission Staff Working Document, Second report on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap, SWD (2016) 97 final, 4 March 2016, [url](#), p. 5; EC, Commission Staff Working Document, accompanying the document Report from the Commission to the European Parliament and the Council Third Report on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap, SWD (2016) 161 final, 4 May 2016, [url](#); ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 70

³⁵⁸ Refugees International, You cannot exist in this place, December 2018, [url](#), p. 4; ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 72.

³⁵⁹ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), pp. 72-73

Foreigner Identification Number. With this school establishments can process child's registration.³⁶⁰ As of October 2018, on UNICEF account, there were 55 026 IP children applicant/status holder in the Turkish education sector.³⁶¹

The language of teaching is Turkish, thus representing an obstacle for many asylum seeking children. Preparatory or catch-up classes provided by public education centres or municipalities in the province of residence are not nationwide available. Within this context, community centres operated by Türk Kızılay across the country also offer Turkish language classes and other services to applicants.³⁶² For further details see [chapter 4. on EU-supported projects](#).

3.5.4 Work

The Regulation on Work Permit of Applicants for International Protection and those Granted International Protection, which was adopted on 26 April 2016, establishes that applicants may apply to the Ministry of Family, Labour and Social Services for a work permit through an electronic system (*E-Devlet Kapisi*) after 6 months from the lodging of their application.³⁶³ Similarly to IP applicants, and contrary to refugees and subsidiary protection beneficiaries, conditional refugees do not acquire an automatic right to work in Turkey. They are allowed to apply for a work permit after six months from being granted protection. Refugees and subsidiary protection holders instead have access to employment or self-employment after being granted status, on the basis of their International Protection Holder Identity Document and without satisfying additional requirements.³⁶⁴

Basically, an application for a work permit can be lodged to a relevant provincial governorate of the Ministry for Family, Labour and Social Services:³⁶⁵

- a) By the IP applicant him/herself in case of self-employment
- b) By the applicant him/herself and for a work permit exemption only, in case of seasonal agriculture or livestock works
- c) By the employer in all other cases through the on-line system mentioned above (*E-Devlet Kapisi*)

In order to apply, IP applicants need to have a valid identification document, meaning an International Protection Identification Card, duly reporting their YKN number. Apart from a) and b) cases, applications for work permits must be submitted by the prospective employer to the Ministry of Family, Labour and Social Services.³⁶⁶ Within this framework IP applicants fall within the same category as foreigners seeking work in Turkey and therefore requiring sponsored permits (i.e., linked to a

³⁶⁰ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 69; EC, Commission Staff Working Document, accompanying the document Report from the Commission to the European Parliament and the Council Third Report on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap, SWD (2016) 161 final, 4 May 2016, [url](#)

³⁶¹ UNICEF, Turkey: 2018 Humanitarian Results, December 2018, [url](#), p. 3

³⁶² ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), pp. 69-70

³⁶³ Turkey, Regulation on Work Permit of International Protection Applicants and International Protection Status Holders, 26 April 2016 (Unofficial translation by UNHCR Turkey), [url](#); EC, Commission Staff Working Document, accompanying the document Report from the Commission to the European Parliament and the Council Third Report on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap, SWD (2016) 161 final, 4 May 2016, [url](#); Refugees International, Planting the Seeds of Success? Turkey's new Refugee Work Permits, 14 April 2016, [url](#); UNHCR, High Commissioner welcomes Turkish work permits for Syrian refugees, 18 January 2016, [url](#).

³⁶⁴ NOAS, Seeking Asylum in Turkey – A critical review of Turkey's asylum laws and practices, April 2016, [url](#), p. 28; ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 108

³⁶⁵ DGIP (Directorate General for Internal Policies), Policy Department A, Turkey: Labour Market Integration and Social Inclusion of Refugees, IP/A/EMPL/2016-13, December 2016, [url](#), p. 11; ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 68

³⁶⁶ DGIP, Policy Department A, Turkey: Labour Market Integration and Social Inclusion of Refugees, IP/A/EMPL/2016-13, December 2016, [url](#), p. 11; ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 68

particular employer).³⁶⁷ Moreover the relevant Ministry can introduce province limitations or quotas as well as impose geographical or sectoral limitations to applicants. As a result the conditions for applying for a work permit in Turkey are quite strict thus making the actual permit not easily accessible.³⁶⁸

In the period 2015-2017 Afghanistan nationals (not limited to IP applicants) received a total of 1 358 work permits, Iraq nationals (not limited to IP applicants) 2 860, and Somalia nationals 0.³⁶⁹

Within this context, a study on the labour market integration and social inclusion of refugees by the Policy Department of the Directorate General for Internal Policies (DGIP) in September 2016, identifies the challenges and opportunities of immigrants and their local host communities: 'Turkey has taken significant steps on the regulations which aim to create an attractive economic environment and to facilitate the application process of work permissions for foreigners as part of integration policies', however, 'social integration policies are rather weak and started to develop since the recent immigration flow from Syria'.³⁷⁰ Moreover, 'even though there have been improvements in the integration policies, policy makers should focus on the implementation of more stable and long term policies and practices'.³⁷¹

Additionally, the study noted in 2016 that 'in general, refugees, together with irregular migrants, are mostly employed in domestic and care services, entertainment, sex work, construction, and the leather and textile industry [...]. A large share of them, especially those low skilled refugees and not surprisingly refugees who do not have right to work, are working in the informal sector'.³⁷² The study further emphasises: 'It is important to acknowledge that the "limbo" status of refugees, which often comes from their "ill-defined legal positions" in Turkey, causes employers to take advantage of the vulnerability of refugees who often agree to work under conditions that would be refused by the local labour force'.³⁷³

Complementing the picture above, Refugee International reported in 2017 that:

'All the refugees and asylum-seekers interviewed by RI in Turkey who were or had been working were employed in the informal sector in difficult conditions: long hours, little pay that was often reported as being lower than their Turkish co-workers' salaries, and unpaid wages. Some described sexual harassment and discrimination on grounds of their sexual orientation or gender identity. Because of Turkey's satellite city system, refugees and asylum-seekers of non-Syrian nationality can find themselves in places with little or no employment opportunities. As a result, many live in Istanbul and either travel regularly to the city to which they were assigned to sign-in – which can be costly and time consuming – or lose their status and the validity of their Turkish identity document'.³⁷⁴

³⁶⁷ NOAS, Seeking Asylum in Turkey – A critical review of Turkey's asylum laws and practices, April 2016, [url](#), p. 28; Amnesty International, No safe refuge: Asylum-Seekers and refugees denied effective protection in Turkey, June 2016, [url](#), p. 29

³⁶⁸ NOAS, Seeking Asylum in Turkey – A critical review of Turkey's asylum laws and practices, April 2016, [url](#); Amnesty International, No safe refuge: Asylum-Seekers and refugees denied effective protection in Turkey, June 2016, [url](#), p. 30

³⁶⁹ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 68

³⁷⁰ DGIP, Policy Department A, Turkey: Labour Market Integration and Social Inclusion of Refugees, IP/A/EMPL/2016-13, December 2016, [url](#), Abstract

³⁷¹ DGIP, Policy Department A, Turkey: Labour Market Integration and Social Inclusion of Refugees, IP/A/EMPL/2016-13, December 2016, [url](#), Abstract

³⁷² DGIP, Policy Department A, Turkey: Labour Market Integration and Social Inclusion of Refugees, IP/A/EMPL/2016-13, December 2016, [url](#), p. 24.

³⁷³ DGIP (Directorate General for Internal Policies), Policy Department A, Turkey: Labour Market Integration and Social Inclusion of Refugees, IP/A/EMPL/2016-13, December 2016, [url](#), pp. 24-25.

³⁷⁴ Refugees International, "Except God, we have no one": Lack of durable solutions for non-Syrian refugees in Turkey, February 2017, [url](#), p. 11.

According to ECRE, IP applicants experience ‘widespread undeclared employment and labour exploitation in Turkey [...]. In 2018, the number of Afghan nationals in undeclared employment increased considerably in cities such as Istanbul, Denizli and Kocaeli.’³⁷⁵ USDOS 2018 reported that, as a consequence of the ‘burdensome and expensive’ work permit procedure, ‘the vast majority of both conditional refugees and Syrians under temporary protection remained without legal employment options, leaving them vulnerable to exploitation, including illegally low wages, withholding of wages and exposure to unsafe work conditions.’³⁷⁶

3.6 Removal/Detention centres

Art. 68 of the LFIP provides for two types of administrative detention:

1. Administrative detention of international protection applicants during the processing of their applications; and
2. Administrative detention for the purpose of removal.³⁷⁷

Under point 1. administrative detention cannot exceed 30 days,³⁷⁸ during which the detainee can meet a legal representative.³⁷⁹ On its Frequently Asked Questions webpage, the DGMM details ‘Under which circumstances can the International protection applicants be taken under administrative detention?’:

- a) If there is a serious suspicion about the accuracy of the identity information
- b) If entry into the country has been realized without due process of law at the border check points
- c) If the elements constituting the basis of the application cannot be identified due to failure to implement administrative detention
- d) If the individual poses a significant threat to public order or public security administrative detention can be implemented.³⁸⁰

Under point 2., for the purposes of removal, administrative detention according to Art. 57(2) LFIP, may be ordered to persons issued a removal decision who:³⁸¹

1. Present a risk of absconding;
2. Have breached the rules of entry into and exit from Turkey;
3. Have used false or forged documents;
4. Have not left Turkey after the period of voluntary departure, without a reasonable excuse;
5. Pose a threat to public order, public security or public health.

As per 57(3) LFIP, pre-removal detention may be ordered for 6 months, subject to the possibility of extension for another 6 months.³⁸² ‘This extension is systematically applied in practice, especially for persons under a YTS-related code’ (*Yabancı Terörist Savaşçı* - Foreign Terrorist Fighters), according to

³⁷⁵ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 68

³⁷⁶ USDOS, 2018 Country Report on Human Rights Practices – Turkey, 13 March 2019, [url](#)

³⁷⁷ Turkey, Law on Foreigners and International Protection (English translation), May 2014, [url](#)

³⁷⁸ Turkey, Law on Foreigners and International Protection (English translation), May 2014, [url](#)

³⁷⁹ Turkey, DGMM, Frequently Asked Questions, n.d., [url](#)

³⁸⁰ Turkey, DGMM, Frequently Asked Questions, n.d., [url](#)

³⁸¹ Turkey, Law on Foreigners and International Protection (LFIP), English translation, May 2014, [url](#)

³⁸² Turkey, Law on Foreigners and International Protection (LFIP), English translation, May 2014, [url](#)

ECRE.³⁸³ As per Article 57(4) LFIP, however, administrative detention for the purpose of removal shall immediately cease where it is no longer necessary.³⁸⁴

3.6.1 Detention Facilities

Detention capacity almost doubled in the course of 2018. As of 28 March 2019, there are 24 active removal centres in Turkey with a total detention capacity of 16 116 places, up from 18 centres with a total capacity of 8 276 places in February 2018.³⁸⁵ At the same date there is a centre under construction in Bursa, with a reception capacity of 200 people, and another 12 planned to be opened with a total capacity of 5 350 persons (including 700 places at Istanbul airports).³⁸⁶

Already in May 2016, the EC noted that ‘the Turkish authorities have been intensively working to establish adequate removal centres for irregular migrants to be returned or just readmitted’ with specialised staff, including psychologists and sociologists. It stated that a protocol was signed between the DGMM and the Turkish Red Crescent in order to monitor, identify, and supply services to those migrants under detention in a removal centre that may have particular needs.³⁸⁷

Detention at airports, police facilities, and sport halls

At Turkish International airports, including Istanbul Atatürk Airport, Istanbul Sabiha Gökçen Airport, Ankara Esenboğa Airport and Izmir Adnan Menderes Airport, there are border facilities for persons refused entry into Turkey: the so called ‘inadmissible passengers’.³⁸⁸ Reportedly, also police stations can be used for short-term holding of up to 48 hours prior to a Removal Centre.³⁸⁹ Additionally, IP applicants are also subject to de facto forms of detention – in sport halls, police facilities, etc. - in a number of Provinces prior to being transferred to a Removal Centre or to signing voluntary return documents. Such cases have been reported in Erzurum, Şanlıurfa, Izmir, Istanbul, Mersin, and Hatay province.³⁹⁰

Conditions in detention

Reportedly, conditions in official and unofficial removal/detention centres in Turkey range from ‘adequate overall’, to ‘inadequate’ and ‘substandard hygienic conditions’, including overcrowding.³⁹¹ There are no updated reports available on this particular subject. However, and in compliance with the monitoring provisions of the Regulation on Removal Centres, DGMM has tasked all the mayoralties managing a Removal Centre to set up dedicated Migration Commissions. They comprise of ‘experts, academics, civil society, officials from health and education institutions and municipality representatives, tasked with regular visits to the centres’.³⁹² Within this context, UNHCR submits requests to DGMM to visit Removal Centres on a periodic basis, while NGOs have no established protocols with DGMM.³⁹³

³⁸³ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 83

³⁸⁴ Turkey, Law on Foreigners and International Protection (English translation), May 2014, [url](#)

³⁸⁵ Turkey, DGMM, Migration Statistics, Removal Centres, 28 March 2019, [url](#)

³⁸⁶ Turkey, DGMM, Migration Statistics, Removal Centres, 28 March 2019, [url](#)

³⁸⁷ EC, Commission Staff Working Document, Accompanying the document, Report from the Commission to the European Parliament and the Council Third Report on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap, SWD (2016) 161 final, 4 May 2016, [url](#), p. 20

³⁸⁸ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 86

³⁸⁹ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 86

³⁹⁰ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), pp. 86-87

³⁹¹ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), pp. 86-90

³⁹² ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), pp. 88

³⁹³ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), pp. 84

For cases of alleged (pressured) ‘voluntary return’ from detention see [section 3.8 Voluntary Return and assisted Voluntary Return](#).

3.7 Alleged pushbacks/ refoulement

Article 4 of LFIP states that ‘no one within the scope of this Law shall be returned to a place where he or she may be subjected to torture, inhuman or degrading punishment or treatment or, where his/her life or freedom would be threatened on account of his/her race, religion, nationality, membership of a particular social group or political opinion’.³⁹⁴ However, reportedly DGMM considers both Iran and Pakistan safe third countries for Afghans entering Turkey therefrom, and for this reason dismisses their applications as inadmissible.³⁹⁵ For further details see section [3.3 Access to procedures](#).

Complementing the legal framework above, and as already mentioned for TP applicants, as of 29 October 2016, Emergency Decree 676 established that a deportation decision may be taken at any time during the IP protection procedure against an applicant for reasons of: (i) leadership, membership or support of a terrorist organisation or a benefit oriented criminal group; (ii) threat to public order or public health; or (iii) relation to terrorist organisations defined by international institutions and organisations. These legal provisions have been consolidated in Law No. 7070 from 1 February 2018, within the wider State of Emergency Framework following the failed *coup d’état* of 15 July 2016.³⁹⁶

According to ECRE, these legal provisions would enable the ‘unlawful deportation of asylum seekers, beneficiaries of international protection and beneficiaries of temporary protection [...] on the aforementioned grounds which remain largely vague and could be interpreted widely’.³⁹⁷ Other sources have pointed out similar concerns with regard to the aforementioned legal provisions,³⁹⁸ which might reportedly ‘lead to arbitrary decisions’.³⁹⁹ In practice, cases of deportation under Article 54(1)(b), (d) and (k) LFIP have reportedly increased in 2018, including cases against persons who have been resident for a long time in Turkey.⁴⁰⁰ ECRE reports: ‘Security-related codes such as “G89” for foreign terrorist fighters and “G87” for general security seem to be applied widely, though not uniformly across the country. [...] Lawyers estimate approximately 100,000 persons to have received such codes in 2018.’⁴⁰¹

3.7.1 Border with Iran

For the purposes of IP, the 499 km long Turkey-Iran border is particularly relevant. Access to this land border has increased considerably in the last few years, including 2018, with irregular arrivals concerning mostly Afghan nationals.⁴⁰² According to UNHCR figures, there were 172 000 Afghan refugees and asylum seekers in Turkey as of September 2018, compared to 145 000 in 2017.⁴⁰³ DGMM

³⁹⁴ Turkey, Law on Foreigners and International Protection (LFIP), English translation, May 2014, [url](#)

³⁹⁵ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), pp. 52-53

³⁹⁶ Akdeniz, Yaman & Altıparmak, Kerem, Turkey: Freedom of Expression in Jeopardy: Violations of the rights of authors, publishers and academics under the State of Emergency, [url](#), p. 22

³⁹⁷ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 23

³⁹⁸ Zoetewij, M., The State of Emergency, Non-Refoulement and the Turkish Constitutional Court, 9 May 2018, [url](#); AI, Refugees at heightened risk of refoulement under Turkey’s state of emergency, 22 September 2017, [url](#); HarekAct, Central Asian migrants in Turkey at risk of being labelled as terrorists, 23 November 2017, [url](#)

³⁹⁹ NOAS, Seeking Asylum in Turkey – A critical review of Turkey’s asylum laws and practices, December 2018 Update, [url](#), p. 6, p. 25

⁴⁰⁰ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 23

⁴⁰¹ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 24

⁴⁰² AI, Urgent Action – Over 2000 Afghans at risk of deportation, [url](#); NOAS, Seeking Asylum in Turkey – A critical review of Turkey’s asylum laws and practices, December 2018 Update, [url](#), p. 28; ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 22

⁴⁰³ UNHCR, Turkey Factsheet, September 2018, [url](#), and October 2017, [url](#)

statistics show that of the 268 003 irregular migrants who had been apprehended in 2018, 100 841 were Afghani.⁴⁰⁴

The increasing arrivals along the border with Iran has prompted:

1. the construction of 144 km wall between Iran and the Turkish provinces of Igdir and Agri, which was half completed as of April 2019;⁴⁰⁵
2. the adoption, reportedly, of restrictive measures, as well as arbitrary detention and deportation practices – including pressure into choosing between detention and deportation - especially towards Afghan single men whom have been issued with T1 Forms.⁴⁰⁶

This type of (T1) forms are usually issued following administrative detention, they entail a deportation decision, and they prevent the would-be applicant from being able to apply for IP.⁴⁰⁷ AI reported on 24 April 2018 that ‘Turkey’s Minister of the Interior said 7,100 Afghans have been deported on charter flights in recent weeks, and estimated that figure rising to 10,000 in the [following] days’, and that ‘the sharp increase in the rate at which Turkey is deporting Afghans might be linked to a migration agreement signed between the two countries on 9 April [2018]’.⁴⁰⁸

3.7.2 Border with Syria

In the period 2017-2018 the Turkish authorities completed the securisation of the borders with Syria. In the provinces of Hatay, Kilis, Gaziantep, Şanlıurfa, Mardin, and Sirnak, along the 911 km border with Syria, a 764 km concrete wall had been built and equipped with barbed wire as well as a surveillance system. Along this border, as reported by OCHA, as of 15 May 2019 out of 19 border crossings points, 11 are closed, 5 are restricted, and 3 are open.⁴⁰⁹ According to International Crisis Group in 2018, 224 358 people have apprehended while trying to cross this border.⁴¹⁰

3.8 Voluntary return and assisted voluntary return (AVR)

As of September 2018, the total population of non-Syrian concern, based on UNHCR data, was approximately 370 000 beneficiaries and applicants, comprising: 172 000 Afghans, 142 000 Iraqis, 39 000 Iranians, 5 700 Somalis, and 11 700 other nationalities.⁴¹¹ Against this backdrop, in the course of 2018, IOM Turkey has supported 1 494 migrants through assisted voluntary return programmes, and another 152 persons with reintegration assistance. The top two nationalities were 1 236 Afghans and 70 Pakistanis. In the period 2009-2018 IOM Turkey has assisted a total 8 098 with AVR and 438 with assisted voluntary return and reintegration (AVRR).⁴¹²

As reported by various sources, (see [section 3.6 Removal/Detention Centres](#)), IP applicants are often exposed to pressuring requests to either sign a voluntary return form or be confronted with grim

⁴⁰⁴ Turkey, Ministry of Interior, Directorate General for Migration Management, Migration Statistics, Irregular Migration, [url](#)

⁴⁰⁵ TRT World, Turkey’s Border Security: Construction of wall at Iran border under way, 21 April 2019, [url](#); NOAS, Seeking Asylum in Turkey – A critical review of Turkey’s asylum laws and practices, December 2018 Update, [url](#), p. 18

⁴⁰⁶ Refugees International, You cannot exist in this place, December 2018, [url](#), p. 4; AI, Urgent Action – Over 2000 Afghans at risk of deportation, 24 April 2018, [url](#); NOAS, Seeking Asylum in Turkey – A critical review of Turkey’s asylum laws and practices, December 2018 Update, [url](#), p. 28; ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 22

⁴⁰⁷ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 22

⁴⁰⁸ AI, Urgent Action – Over 2000 Afghans at risk of deportation, [url](#); NOAS, Seeking Asylum in Turkey – A critical review of Turkey’s asylum laws and practices, December 2018 Update, [url](#), p. 28

⁴⁰⁹ OCHA, Humanitarian Response, Turkey | Syria Border-Crossing Status, 15 May 2019, [url](#)

⁴¹⁰ ICG, Mitigating Risks for Syrian Refugee Youth in Turkey’s Şanlıurfa, Europe Report no. 253, 11 February 2019, [url](#), p. 5

⁴¹¹ UNHCR, Turkey Factsheet, September 2018, [url](#)

⁴¹² IOM Turkey, IOM Migrant Protection and Assistance Division, Assisted Voluntary Return and Reintegration (AVRR) 2018, Year End and Review, n.a., [url](#)

prospects, such as: (1) remain exposed to harsh conditions in detention or *de facto* detention;⁴¹³ (2) remain indefinitely in detention as it has been reported for the Dom communities;⁴¹⁴ (3) be placed/transferred in remote removal centres away from their families.⁴¹⁵ In such cases, differently from TP beneficiaries, persons signing voluntary return forms do not undergo the panel interview that is meant to establish whether return is truly voluntary (see for further details section [2.8 Voluntary Return](#)).⁴¹⁶

3.9 Resettlement

UNHCR, in collaboration with DGMM, identifies the most vulnerable cases among IP applicants, eligible for resettlement. DGMM pre-screen potential resettlement beneficiaries based on their vulnerability profile and then refer them to UNHCR. However, as reported by ECRE ‘the final decisions on resettlement are taken by the receiving countries’.⁴¹⁷

In 2018, UNHCR submitted 16 402 requests for resettlement, most of them concerning Syrian TP beneficiaries though (see for further details [2.9 Resettlement of TP Beneficiaries](#)). Within this context, conditional refugees seem to face severe hurdles in accessing the resettlement procedures, often on accounts of their nationality. Reportedly, Iranian nationals who registered their application in 2017, were offered a resettlement interview with UNHCR in 2020, while Iraqis nationals were given appointments for 2024. Allegedly, Afghans would face even longer waiting periods.⁴¹⁸

IOM Turkey handles resettlement programs to more than 20 countries including the USA, Canada, Australia and European Union countries. IOM has cooperative agreements with these countries and provide specific resettlement service. This may include: case processing, health assessments, pre-departure orientation and movement. Programs are funded by a number of donors in relevant countries, including the US State Department, Canadian Immigration Services, and the Australian Government.⁴¹⁹ The United States of America used to be the top country of resettlement from Turkey, but the resettlement procedure has been stopped during Trump’s administration.⁴²⁰

In the first half of 2018, based on IOM data, of the total number of people resettled, 15 % were Iranians, 3 % Iraqis, 2 % Afghans, 1 % other nationalities, while 79 % were Syrians. Destination countries were EU Countries in 62 % of cases, 22 % Canada, 8 % Norway, and 7 % other countries.⁴²¹

In the framework of the Roadmaps for cooperation between EASO and the Turkish DGMM, ‘EASO supports resettlement activities from Turkey and works closely with the EU Delegation (EUD) and EU MS in Ankara.’⁴²²

3.10 Readmission

On 18 March 2016, the European Council and Turkey reached an agreement aimed at stopping the flow of irregular migration via Turkey to Europe. According to the EU-Turkey Statement, all new irregular migrants and asylum seekers crossing from Turkey into Greek islands as from 20 March 2016

⁴¹³ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), pp. 86-87, 91

⁴¹⁴ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 121

⁴¹⁵ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), pp. 94, 86-87

⁴¹⁶ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 115

⁴¹⁷ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 107

⁴¹⁸ Refugees International, You cannot exist in this place, December 2018, [url](#), pp. 13-14; ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 107

⁴¹⁹ IOM Turkey, Resettlement and Movement Management, n.a., [url](#)

⁴²⁰ Council on Foreign Relations, How Does the U.S. Refugee System Work?, 10 October 2018, [url](#)

⁴²¹ IOM Turkey, Resettlement and Movement Management, n.a., [url](#)

⁴²² EASO, Operational Support, External Dimension, Resettlement, n.d., [url](#)

will be returned to Turkey. According to the EU-Turkey Statement, the readmission of persons to Turkey will take place in full accordance with EU and international law.⁴²³

3.10.1 Turkish authorities formal assurances

In a formal letter dated 24 April 2016, the Turkish government clarified the situation of non-Syrian nationals being taken back by Turkey as of 4 April 2016:

‘Turkey confirms that non-Syrians who seek international protection having irregularly crossed into the Aegean islands via Turkey as of 20 March 2016 and being taken back by Turkey as of 4 April 2016, will be able to lodge an application for international protection in accordance with the Law on Foreigners and International Protection and its secondary legislation. Each non-Syrian national in need of international protection returned to Turkey, who previously benefited from international protection will be able to apply for international protection in order to have the previous status regranted upon their return within a reasonable time’.⁴²⁴

In its First Progress Report on the EU-Turkey Statement, the EC noted: ‘Discussions are advancing on providing assurances for non-Syrians’.⁴²⁵ As of 29 April 2016, UNHCR was also guaranteed access to the removal centres to aid detained migrants, allowing the organisation to fulfil its protection mandate⁴²⁶. Turkey also agreed to allow the EU to monitor regularly the situation of Syrians and non-Syrians returned to Turkey, including access to refugee camps and removal centres.⁴²⁷

As of 10 September 2018, UNHCR has ended the registration process in Turkey for all applicants, handing it over to the Turkish authorities. UNHCR reassured, however, they would continue provide protection activities, including delivery of counselling services, to refugees and asylum-seekers in Turkey.⁴²⁸

3.10.2 Access to International Protection for readmitted non-Syrians

Between 21 March 2016 and 12 March 2019, a total of 2 224 non-Syrians have been returned from Greece to Turkey, 1 485 of which have been returned under the EU-Turkey Statement and 600 under the Greece-Turkey bilateral protocol.⁴²⁹ The 2019 ECRE report notes: ‘Non-Syrian nationals have been transferred to and detained in the Removal Centre of Pehlivan köyü in Kırklareli, and later in Kayseri.’⁴³⁰

The majority of those returned to Turkey are Pakistani nationals (38 % of total), Syrians constitute 18 %, followed by Algerians, Afghans and Bangladeshis. UNHCR referred that 45 % of all those returned did not express a will to apply for asylum or withdrew their will to apply for asylum or withdrew their asylum claims in Greece.⁴³¹

⁴²³ EU Council, Council of the European Union, Press Release: EU-Turkey Statement, 18 March 2016, [url](#)

⁴²⁴ Permanent Delegation of Turkey to the European Union Ambassador, Letter to the European Commission Directorate General (DG) Migration and Home Affairs, 24 April 2016.

⁴²⁵ EC, Communication from the Commission to the European Parliament, the European Council and the Council, First Report on the progress made in the implementation of the EU-Turkey Statement COM(2016) 231 final, 20 April 2016, [url](#) p. 4.

⁴²⁶ EC, Commission Staff Working Document, accompanying the document Report from the Commission to the European Parliament and the Council Third Report on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap, SWD (2016) 161 final, 4 May 2016, [url](#)

⁴²⁷ EC, Communication from the Commission to the European Parliament, the European Council and the Council, Second Report on the progress made in the implementation of the EU-Turkey Statement, 15 June 2016, [url](#)

⁴²⁸ UNHCR, UNHCR will end registration process in Turkey on 10 September 2018, [url](#)

⁴²⁹ EC, Operational implementation of the EU-Turkey Statement, 12 March 2019, [url](#)

⁴³⁰ ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, [url](#), p. 31

⁴³¹ UNHCR, Returns from Greece to Turkey, 30 April 2019, [url](#)

A study by the European University Institute (EUI) published in November 2017 noted that ‘readmitted non-Syrians do not have access to fair and efficient procedures for the determination of their status in Turkey’.⁴³² Several reports from the period 2016-2017 point out that few returned and readmitted non-Syrians were able to apply for international protection, or only in exceptional circumstances.⁴³³ Several readmitted non-Syrians reported to have been intimidated to sign voluntary return forms.⁴³⁴ Others reported they had not been given the opportunity to ask for asylum, had no access to interpretation and information in their own language while mobile phones were confiscated.⁴³⁵

International organisations and local NGOs report to have very limited access to returnees from Greece, which hampers their capacity to monitor the situation of such returnees.⁴³⁶

Obstacles to access the asylum procedure following the takeover of the process by DGMM in September 2018 have also affected people readmitted by Turkey.⁴³⁷ As of 31 December 2018, migrants in removal centres continued to experience severe difficulties in having their applications registered by the PDMM. Detainees are reported to have limited access to information on their rights, limited or no opportunity to contact UNHCR and NGOs, and therefore obstacles in accessing legal counselling or interpretation.⁴³⁸

Although Article 64 RFIP foresees the establishment by the Ministry of Interior of a separate framework of procedures for persons readmitted by Turkey within readmission agreements, there has not been any such instrument in place. DGMM has established the specific code V89 entitled ‘Greece return’, however it is reported that such code has not been used in practice.⁴³⁹

UNHCR, cited in the USDOS report of March 2019, expressed its doubts over the effective access to the asylum procedure for all those readmitted, adding that ‘access of readmitted persons to information, interpretation services, and legal assistance was problematic’. The USDOS report pointed out that, due to such limitations, migrants in removal centres are vulnerable to refoulement.⁴⁴⁰

⁴³² EUI, Migration Policy Centre, Post-deportation risks under the EU-Turkey Statement: What happens after readmission to Turkey? 30 November 2017, [url](#) pp. 3-6

⁴³³ EC, Report from the Commission to the European Parliament, the European Council and the Council, Seventh Report on the Progress made in the implementation of the EU-Turkey Statement, 6 September 2017, [url](#) pp. 5-6; EUI, Migration Policy Centre, Post-deportation risks under the EU-Turkey Statement: What happens after readmission to Turkey? 30 November 2017, [url](#) pp. 3-6; EU Parliament Delegation, What Merkel, Tusk and Timmermans should have seen during their visit to Turkey, Report from GUE/NGL Delegation to Turkey, May 2-4, 2016, available at: [url](#)

⁴³⁴ EUI, Migration Policy Centre, Post-deportation risks under the EU-Turkey Statement: What happens after readmission to Turkey? 30 November 2017, [url](#) pp. 3-6

⁴³⁵ EU Parliament Delegation, What Merkel, Tusk and Timmermans should have seen during their visit to Turkey, Report from GUE/NGL Delegation to Turkey, May 2-4, 2016, available at: [url](#)

⁴³⁶ USDOS, 2018 Country Report on Human Rights Practices – Turkey, 13 March 2019, [url](#); EUI, Migration Policy Centre, Post-deportation risks under the EU-Turkey Statement: What happens after readmission to Turkey? 30 November 2017, [url](#) p. 2; AI, EU leaders must not close their eyes to human rights abuses against refugees, 22 April 2016, [url](#); Human Rights Watch, EU/Greece: First Deportations Riddled with Abuse, 19 April 2016, [url](#); EU Observer, UN struggles to monitor fate of readmitted Syrians in Turkey, 18 January 2017, [url](#)

⁴³⁷ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 28

⁴³⁸ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#); USDOS, 2018 Country Report on Human Rights Practices – Turkey, 13 March 2019, [url](#)

⁴³⁹ ECRE, AIDA Country Report: Turkey, 2018 update, March 2019, [url](#) p. 31

⁴⁴⁰ USDOS, 2018 Country Report on Human Rights Practices – Turkey, 13 March 2019, [url](#)

4. EU-supported projects

The Facility for Refugees in Turkey, which became operative in March 2016, is the EU funding programme meant to assist Turkey in providing support to IP and TP beneficiaries, applicants, and host communities. The Facility is designed to ensure that their needs are addressed in a comprehensive and coordinated manner. The Facility is active in six priority areas - humanitarian assistance, education, health, municipal infrastructure, socio-economic support, and migration management⁴⁴¹ - and manages a total of EUR 6 billion (EUR 3 billion for 2016-2017 and EUR 3 billion for 2018-2019).⁴⁴² In November 2018, the European Court of Auditors published a special report addressing the first tranche of the funding.⁴⁴³ In April 2019 the EC published its third annual report on the Facility, which provides for an overview of the financial capacity, the programming, and the adopted measures/projects.⁴⁴⁴

The implementation of actions financed from the Facility is being carried out by:

- a. ECHO (European Commission's Humanitarian Aid and Civil Protection Department) for humanitarian assistance
- b. IPA (Instrument for Pre-Accession), IcSP (Instrument contributing to Stability and Peace), EUTF (EU Regional Trust Fund for Syrian Refugees) for non-humanitarian assistance⁴⁴⁵

Below is an overview of the ongoing EU Facility Projects in Turkey:⁴⁴⁶

Sector	Projects
Health	<ul style="list-style-type: none"> ▪ Improving the health status of the Syrian population under temporary protection and related services provided by Turkish authorities
Education	<ul style="list-style-type: none"> ▪ Promoting Integration of Syrian Children into Turkish Education System
Socio-Economic Support	<ul style="list-style-type: none"> ▪ Social and Economic Cohesion through Vocational Education ▪ Employment Support Project for Syrians Under Temporary Protection and Host Communities ▪ Strengthening Economic Opportunities for Syrians Under Temporary Protection (SuTP) and Host Communities in Selected Provinces
Infrastructure	<ul style="list-style-type: none"> ▪ Health Infrastructure in Kilis ▪ Construction of a State Hospital in Hatay ▪ Education for All in Times of Crisis II ▪ Education Infrastructure for Resilience Activities in Turkey
Migration Management	<ul style="list-style-type: none"> ▪ Support to the Implementation of the EU-Turkey Statement of 18 March 2016 ▪ Strengthening the Operational Capacities of the Turkish Coast Guard in Managing Migration Flows in the Mediterranean Sea

⁴⁴¹ Delegation of the European Union to Turkey, The EU Response to the Refugee Crisis in Turkey, n.a, [url](#)

⁴⁴² European Neighbourhood Policy And Enlargement Negotiations, The EU Facility for Refugees in Turkey, n.a, [url](#)

⁴⁴³ European Court of Auditors, Special report No 27/2018: The Facility for Refugees in Turkey: helpful support, but improvements needed to deliver more value for money, November 2018, [url](#)

⁴⁴⁴ EC, Third Annual Report on the Facility for Refugees in Turkey, 15 April 2019, [url](#)

⁴⁴⁵ European Neighbourhood Policy And Enlargement Negotiations, The EU Facility for Refugees in Turkey, n.a, [url](#); Delegation of the European Union to Turkey, The EU Response to the Refugee Crisis in Turkey, n.a, [url](#)

⁴⁴⁶ European Neighbourhood Policy And Enlargement Negotiations, The EU Facility for Refugees in Turkey, n.a, [url](#); Delegation of the European Union to Turkey, The EU Response to the Refugee Crisis in Turkey, n.a, [url](#)

Sector	Projects
EU Trust Fund under the Facility	<ul style="list-style-type: none"> ▪ Clean Energy and Energy Efficiency Measures for host communities in Turkey with Syrians under Temporary Protection ▪ Improved access to health services for Syrian refugees in Turkey ▪ Job Creation and Entrepreneurship Opportunities for Syrians under Temporary Protection and Host Communities in Turkey ▪ Living and Working Together: Integrating SuTPs to Turkish Economies in Turkey ▪ Access to Higher Education for Syrian Refugees and Internally Displaced People to Prepare for Post-conflict Reconstruction of Syria and Integration in Host Communities ▪ HOPES - Higher and Further Education Opportunities and Perspectives for Syrians ▪ Higher Education for Syrians under Temporary Protection and Disadvantaged Host Communities in Turkey ▪ Generation Found: EU Syria Trust Fund ▪ Yarını Kurmak / Building Tomorrow - Quality Education and Livelihoods Support for Syrian under Temporary Protection in Turkey ▪ Education and protection programme for vulnerable Syrian and host community children, in Lebanon, Jordan and Turkey ▪ UNDP Turkey Resilience Project in response to the Syria Crisis (TRP) ▪ Qudra – Resilience for Syrian Refugees, IDPs and host communities in response to the Syrian and Iraqi crises ▪ Enhanced Support to Refugees Affected by the Syrian and Iraqi Crises in Turkey ▪ Strengthening the Resilience of Syrian Women and Girls and Host Communities in Iraq, Jordan and Turkey ▪ Addressing Vulnerabilities of Refugees and Host Communities in Five Countries Affected by the Syria Crises

Table 7: Overview of the ongoing EU Facility Projects in Turkey © EASO

As part of this Facility, the Emergency Social Safety Net (ESSN) is the biggest EU humanitarian programme ever implemented. In collaboration with the World Food Programme, the Turkish Red Crescent and Turkish government institutions, the EU's DG ECHO launched in December 2016 a single card social assistance scheme which allows more than 1.5 million of the most vulnerable refugees to meet their most pressing basic needs.⁴⁴⁷

The project addresses the essential needs of the most vulnerable refugee families, through 'an ESSN debit card which gives them access to a fixed amount of money every month. They can use the money to buy whatever they need most for their families: food, fuel, rent, medicine and bills. Refugee families receive 120 Turkish Liras (currently about EUR 18)⁴⁴⁸ per family member. [...] With funding of 998 million euros so far, the ESSN programme reaches around 1.4 million refugees in Turkey.'⁴⁴⁹

As of February 2019, the number of beneficiaries of Kızılaykart ESSN Programme has reached 1 545 674 people (265 412 households) with a card distribution rate of 99 %.⁴⁵⁰ The in-camp

⁴⁴⁷ Türk Kızılay, Migration Service Directorate, Syria Crisis, Humanitarian Relief Operation, February 2019, [url](#), pp. 6, 9; ECHO, The Emergency Social Safety Net (ESSN): Providing cash to the most vulnerable refugees in Turkey, 22 August 2017, [url](#)

⁴⁴⁸ European Central Bank, Euro foreign exchange reference rates, Turkish Lira – Euro, 17 May 2019, [url](#)

⁴⁴⁹ ESSN, Helping Refugees in Turkey, n.a., [url](#)

⁴⁵⁰ Türk Kızılay, Migration Service Directorate, Syria Crisis, Humanitarian Relief Operation, February 2019, [url](#), pp. 6, 9

implementation of the programme— for those accommodated in TAC – has reached 90 659 beneficiaries.⁴⁵¹

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⁴⁵¹ Türk Kızılay, Migration Service Directorate, Syria Crisis, Humanitarian Relief Operation, February 2019, [url](#), p. 5

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