

A critical review of Turkey's asylum laws and practices
December 2018 Update

Seeking Asylum in Turkey



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I Executive summary

- Turkey has for the last several years been the country in the world hosting the highest number of refugees¹ and asylum seekers, with 3,613,961 registered Syrians under temporary protection as at 13 December 2018² and 370,400 people of other nationalities as at 10 September 2018 (among the other nationalities, Afghans constituted 46%, Iraqis 38%, Iranians 10.5% and Somalis 1.5%).³ Because of Turkey's geographical reservation to the Refugee Convention of 1951 and the Protocol of 1967 (together, the Refugee Convention) under which only "Europeans"⁴ are eligible for refugee status, none of these people of non-European origin can obtain actual refugee status in Turkey as per the Refugee Convention.
- The Syrian refugees in Turkey (some of whom have now been in the country for more than seven years) face great uncertainty under the temporary protection regime applicable to them: According to Turkish law, temporary protection of Syrians can last indefinitely or be terminated with a governmental decision at any point. Refugees of other non-European nationalities (eg, Afghans, Iraqis and Iranians) are given conditional refugee status in Turkey. This status allows them to stay in the country with limited rights pending expected resettlement by the United Nations High Commissioner for Refugees (UNHCR), which may take many years. Both of these statuses provide a lesser degree of protection with fewer rights as compared to actual refugee status, and while designed as temporary solutions, they are in practice the long-term reality of the nearly four million refugees and asylum seekers in Turkey.
- The rate of returns from Greece to Turkey under the EU-Turkey deal has been very low, at a total of 1,795 people returned as of 30 November 2018.⁵ This means that

1 * All online sources were last accessed in December 2018.

In this document, the term "refugee" does not point to formal status but is used in a wider sense to cover all persons whose conditions would substantively qualify them for refugee status or another type of international protection in Europe.

2 See http://www.goc.gov.tr/icerik6/gecici-koruma_363_378_4713_icerik

3 See <http://www.unhcr.org/tr/wp-content/uploads/sites/14/2018/11/01.-UNHCR-Turkey-Fact-Sheet-September-2018.pdf>.

4 This means, persons seeking asylum in Turkey as a result of events happening in member states of the Council of Europe.

5 See UNHCR factsheet at <https://data2.unhcr.org/en/documents/download/67183> . UNHCR figures for

the average number of arrivals in the Greek islands in a single month (ie, 100 arrivals/day times 30 days⁶) far exceeds the total number of returns made during 32 months of implementation of the EU-Turkey deal, with thousands of people stuck in inhumane conditions in the Greek hotspots for extended periods.

- The situation of the returnees from Greece to Turkey is not being systematically monitored and reported on, as a result of which available information on this critical component of the EU-Turkey deal is extremely limited. There are, however, multiple reports of denial of access to asylum procedures upon return. Turkey aims to further return the returnees from Greece where possible. As part of this, it has been actively seeking to enter into new readmission agreements as well as relying on previously signed readmission agreements.
- Soon after the coup attempt of July 2016, Turkey changed its laws on deportation. These amendments generate a considerable risk of arbitrariness in the process of issuing and carrying out of deportation decisions, and there is now a bigger risk of unlawful deportation and *refoulement* from Turkey as compared to before.
- In the past three years, Turkey has been subject of multiple reports of border abuse, denial of access to protection and legal status, unlawful detention, unlawful deportation and *refoulement*. These reports point to a common pattern of (i) shooting at and pushing back of Syrians at the border, (ii) holding in detention those who are apprehended upon crossing into Turkey before deporting them in (at times very big) groups back into Syria, and (iii) Syrians and people of other nationalities being tricked into signing voluntary return forms in Turkish or coerced into signing under threat of continued detention. Detention capacity has been increased tenfold in the past three years. There are also serious reports of denial of registration (and consequently legal status) to Syrians in provinces on or close to the Syrian border.
- Although Syrians and refugees of other non-European nationalities have, since 2016, the right to apply for a work permit, access to legal employment largely remains only a theoretical possibility. The overwhelming majority of the refugees in Turkey, including an estimated one million Syrians under temporary protection, thus work in the informal sector, subject to exploitative conditions, including long working hours and low wages. Child labor is also common.

earlier months show similar trends and can be found online.

6 See the European Commission's latest progress report on the European Agenda on Migration (December 2018), available at https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20181204_com-2018-798-communication_en.pdf.

- Rate of school enrolment among Syrian children under temporary protection has increased in recent years; however, there are still tens of thousands of children who do not have access to education. While there is little information on non-Syrian children's rate of school enrolment, reports show that they face serious barriers in access to schooling.
- At present time, Turkey can be described as an overall hostile environment for refugees and asylum seekers. The Syrians are commonly viewed as a financial burden and a security risk, and an anti-refugee discourse dominates both the political debate and the media discussions.
- The Syrian refugees continue to be referred to as guests, including in particular, at the highest state level, while they have been in the country for years and many of them do not intend to go back to Syria in the future. There is an urgent need for Turkey to start focusing on long-term solutions and integration.

2 About this report

2.1 Background

This report is an update on an earlier NOAS report titled “Seeking Asylum in Turkey: A Critical Review of Turkey’s Asylum Laws and Practices”, published in April 2016 (the “NOAS 2016 Report”).⁷ That report contains detailed information and observations on Turkey’s new legal framework for asylum, as well as on the key issues relating to implementation and practice, and remains largely valid. This update highlights the key changes and developments that have taken place since the publication of the NOAS 2016 Report and should be read in connection with it.

This update is based on research into the relevant laws and court decisions, and other publicly available sources (including academic and non-academic articles and reports, NGO briefings, newspaper articles, minutes of relevant parliamentary commission meetings, websites of the relevant Turkish ministries etc.). Both Turkish- and English-language sources were used in preparation of this update.

2.2 Purpose of this report

Around the time of the publication of the NOAS 2016 Report, the European Union (“the EU”) and Turkey made a controversial deal on return (“the EU-Turkey deal”).⁸ Soon after its adoption, the Parliamentary Assembly of the Council of Europe published a report on the EU-Turkey deal, stating that the deal at best strains and at worst exceeds the limits of what is permissible under European and international law, and that it should not be used as a precedent for deals with other countries even less capable of protection of refugees and other migrants.⁹ Following the deal, arrivals from Turkey to the Greek islands in the Aegean Sea dropped drastically and, consequently, the

7 The NOAS 2016 Report is available at http://www.noas.no/wp-content/uploads/2017/07/Seeking-asylum-in-Turkey_2016.pdf.

8 For the terms of the deal, see <https://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/>.

9 See Parliamentary Assembly of Council of Europe (2016), “The situation of refugees and migrants under the EU-Turkey Agreement of 18 March 2016”, available at https://www.ecoi.net/en/file/local/1156790/1226_1461751294_document-1.pdf.

deal has been regarded as a success by the EU authorities, and seen as a potential model for cooperation with other countries, including in Norway. The EU-Turkey deal constitutes the starting point of this update: This update is intended (together with the NOAS 2016 Report) to serve as an overview that will assist decision makers and others in their assessment of the EU-Turkey deal and the situation for the refugees in Turkey. It also aims to constitute an “issue spotter” for further enquiries and research.

Section I of this report is an executive summary. Section II explains the background and the purpose of this report. Section III provides a brief overview on Turkey and its protection regime. Section IV reviews key aspects of the EU-Turkey deal following two and a half years of implementation of the deal. Section V provides updated information on the legal and practical situation for the refugees in Turkey.

3 Turkey: Brief overview

3.1 Country with the highest number of refugees and asylum seekers

Turkey has for the last several years been the country in the world hosting the highest number of refugees and asylum seekers, with 3,613,961 registered Syrians under temporary protection as at 13 December 2018 and 370,400 people of other nationalities as at 10 September 2018 (among the other nationalities, Afghans constituted 46%, Iraqis 38%, Iranians 10.5% and Somalis 1.5%).

Of the Syrians under temporary protection, 4.1% live in one of the 13 camps in the country (down from 26 camps in 2016 and from 19 camps as of 8 November 2018 (according to official Turkish figures)),¹⁰ while the rest have to secure their own housing and subsist on their own means, with very limited or no assistance. 48% of the Syrians under temporary protection in Turkey are 18 years or younger, while 45% is between 19 and 49.¹¹ These government figures, should, however, be approached with a certain degree of caution, both due to reported irregularities relating to registration (see further below: *Suspension of Registration of Syrians*) and because some of the registered people may have already left the country.

3.2 Fragmented protection system

Turkey's international protection framework features two distinct categories of protection, as summarized in figure 1.

Turkey's international protection regime is shaped by its geographical reservation to the Refugee Convention, under which only "Europeans" can obtain actual refugee status in Turkey. It is estimated that at present, there are less than 100 people with actual refugee status and with subsidiary protection.¹² As such, the categories that

10 It has been reported in the media that the recent closure of six refugee camps was due to financial considerations. See http://www.cumhuriyet.com.tr/haber/turkiye/1147768/3_5_milyonu_asti.html.

11 See footnote 2.

12 See minutes of the 20 April 2016 meeting of the Parliamentary Subcommittee on Refugees, p. 10, available at https://www.tbmm.gov.tr/develop/owa/komisyon_tutanaklari.goruntule?pTutanakId=1604.

need to be assessed for understanding whether Turkey’s protection regime complies with international standards are (i) the temporary protection status applicable to the Syrian refugees, and (ii) the conditional refugee status available to others coming from outside of Europe (eg, Afghans, Iraqis and Iranians). Both of these statuses are designed as temporary solutions, and they fail to provide a sufficient degree of predictability or long-term prospects in Turkey, as described in detail in the NOAS 2016 Report.

Figure 1

International Protection			Temporary Protection
Available upon individual assessment of asylum seekers			Provided on a group basis in mass-arrival situations where high numbers make individual assessment unfeasible
Terms set out in the Law on Foreigners and International Protection (in force since April 2014)			Terms set out in Temporary Protection Regulation (in force since October 2014)
Refugee	Conditional refugee	Subsidiary protection beneficiary	Temporary protection beneficiary
Less than 100 people	c. 370,000 people	Less than 100 people	c. 3.6 million Syrians

3.3 Current state of affairs in Turkey

Following the coup attempt of July 2016, the already challenging political and social climate in Turkey further deteriorated. The government declared a state of emergency (lifted in July 2018), gave notices of derogation under the European Convention of Human Rights and the International Covenant on Civil and Political Rights, and ruled the country by emergency decrees which were not subject to judicial review, and which violated basic rights and contravened the Turkish Constitution in many instances.

The post-coup measures by the government targeted not only those with real or alleged links to the Gülen movement (widely accepted to be behind the coup attempt), but the opposition in general. Tens of thousands of people (public officials, academics, journalists, teachers, judges, prosecutors, politicians, activists, students etc.) have been dismissed, detained and/or prosecuted on terror charges. This period also saw a sharp increase in Turkish citizens seeking asylum in European countries,¹³

According to those minutes, at the time of that meeting, there were 60-65 refugees and 10-15 subsidiary protection beneficiaries in Turkey.

13 For example, in 2017, Turkish citizens were the third biggest group of asylum seekers in Norway, com-

as well as in general emigration from Turkey.¹⁴ Finally, through a referendum held while still under the state of emergency, Turkey abandoned its long-established parliamentary system and adopted a “Turkish-style presidential system”. Recep Tayyip Erdoğan is currently both head of state and head of government with extraordinary powers.

3.4 Difficult time for NGO work

The post-July 2016 period saw an increasingly hostile environment for NGOs, human rights defenders and the civil society in general, and a consequent shrinking of the space for activism and dissent. This includes the shutting down of some NGOs,¹⁵ as well as detention of human rights activist.¹⁶ Not all NGOs are treated equally in Turkey: A 2017 study shows how NGO workers take it as given that the Turkish state cooperates only with those NGOs sharing the state’s ideology,¹⁷ NGO workers working in Turkish provinces along the Syrian border state that their work is strictly controlled and monitored; 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 inconsistent way that they cannot be certain what is allowed and what is not allowed.¹⁸

ing after Syrians and Eritreans but before Iraqis and Afghans, and their claims had a high acceptance rate. See <https://www.udi.no/statistikk-og-analyse/statistikk/asylsoknader-etter-statsborgerskap-alder-gruppe-og-kjonn-2017/> and <https://www.udi.no/statistikk-og-analyse/statistikk/asylvedtak-etter-statsborgerskap-og-utfall-2017/>.

14 According to Turkish Statistical Institute, emigration from Turkey increased by 43% in 2017. See <http://www.tuik.gov.tr/PreHaberBultenleri.do?id=30607>.

15 For example, Mercy Corps and the International Medical Corps. See <https://foreignpolicy.com/2017/08/03/inside-turkeys-ngo-purge/>.

16 For an account of these developments, see Amnesty International (2018), “Weathering the storm: Defending human rights in Turkey’s climate of fear”, available at <https://www.amnesty.org/en/documents/eur44/8200/2018/en/>. For example, Taner Kılıç, previously chair and now honorary chair of Amnesty International Turkey; co-founder of a leading refugee rights NGO in Turkey; as well as a practicing lawyer focusing on asylum and human rights, was kept in detention for 14 months on terror charges before finally being released in August 2018.

17 See Mackreath, H. and Sağnıç, Ş. G. (2017), “Türkiye’de Sivil Toplum ve Suriyeli Mülteciler [Civil Society and Syrian Refugees in Turkey]”, available at <http://www.hyd.org.tr/attachments/article/216/turkiyede-sivil-toplum-ve-suriyeli-multeciler.pdf>. It has been suggested that it may be more correct to call these organizations “pro-governmental organizations”, rather than “non-governmental organizations”. See Daniş D. and Nazlı D. (2018), “A Faithful Alliance Between the Civil Society and the State: Actors and Mechanisms of Accommodating Syrian Refugees in Istanbul”, *International Migration*, available at <https://onlinelibrary.wiley.com/doi/full/10.1111/imig.12495>.

18 See Human Rights Watch (2018), “Turkey Stops Registering Syrian Asylum Seekers”, available at <https://www.hrw.org/news/2018/07/16/turkey-stops-registering-syrian-asylum-seekers>.

3.5 New routes and western border issues

In 2017, there were multiple media reports of irregular arrivals from Turkey to Bulgaria and Romania through the Black Sea, which raised discussions about the possible revival of this old and dangerous smuggling route. There were also reports of increased arrivals from Turkey to Cyprus and Italy. While the UNHCR confirmed these increases in a briefing dated September 2017,¹⁹ its September 2018 briefing points to a decrease in the use of these routes (and no crossings to Romania).²⁰ The EU's annual Turkey report from April 2018 states that Turkey actively prevented the opening of a new migratory route in the Black Sea.²¹

Similarly, there have been media reports of increased activity on Turkey's land borders with Bulgaria and Greece. Since the EU-Turkey deal, and particularly after the coup attempt of July 2016, which saw an increase in Turkish citizens seeking asylum in Europe, there have been meetings between the Bulgarian and the Turkish authorities for cooperation on border issues. This cooperation has been criticized for contributing to violent push-backs and deportations from Bulgaria to Turkey in violation of the principle of *non-refoulement*.²²

A 12 km section of the Evros river (which forms part of the land border between Greece and Turkey) is used for irregular crossings from Turkey to Greece (the rest of the border has a fence which was erected in 2012), and push-backs and violence at the Greek border is now described as systematic and an open secret.²³ Interviews conducted by the Greek Council for Refugees for their February 2018 report point to a pattern of arbitrary detention in extremely poor conditions in Greece, followed by violent deportations to the Turkish side of the border.²⁴ The GUE/NGL delegation also reported similar findings about push-backs to Turkey by Bulgaria and Greece

19 For detail, see <https://data2.unhcr.org/en/documents/download/60865>.

20 See p. 13 of https://data2.unhcr.org/en/documents/download/65373#_ga=2.9737077.1514115202.1542619935-1417747453.1542619935.

21 See p. 46 of EU's Turkey 2018 Report, available at <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-turkey-report.pdf>.

22 For more detail, see <http://bulgaria.bordermonitoring.eu/2018/03/10/the-unseen-violent-push-backs-on-the-bulgarian-turkish-land-border/>.

23 See <https://www.irinnews.org/special-report/2018/10/08/refugee-pushbacks-across-turkey-greece-border-Evros>.

24 See Greek Council for Refugees (2018), "Reports and testimony of systematic pushbacks in Evros", available at <https://www.gcr.gr/en/ekdoseis-media/reports/reports/item/790-reports-of-systematic-pushbacks-in-the-evros-region>.

in their May 2016 report.²⁵ Two additional reports from December 2018, one by Human Rights Watch²⁶ and the other by Greek Council for Refugees²⁷ confirm these earlier findings.

25 See GUE/NGL Delegation (2016), “What Merkel, Tusk and Timmermans should have seen during their visit to Turkey”, available at http://www.guengl.eu/uploads/news-documents/GUENGL_report_Situation_of_refugees_since_EU-Turkey_deal_2016.05.10.pdf.

26 See Human Rights Watch (2018), “Greece: Violent Pushbacks at Turkey Border”, available at <https://www.hrw.org/news/2018/12/18/greece-violent-pushbacks-turkey-border>.

27 See Greek Council for Refugees, ARSIS-Association for the Social Support of Youth and HumanRights360 (2018), “The new normality: Continuous push-backs of third country nationals on the Evros river”, available at <https://www.gcr.gr/en/news/press-releases-announcements/item/1028-the-new-normality-continuous-push-backs-of-third-country-nationals-on-the-evros-river>.

4 The EU-Turkey deal

4.1 Implementation: Arrivals, returns and resettlements

The number of irregular arrivals from Turkey to the Greek islands dropped drastically upon adoption of the EU-Turkey deal. Whereas October 2015 had seen a daily average of 6,360, and December 2015 3,222 arrivals, the daily average in the two years following the deal was 80.²⁸ There has, however, been an increase in the past year, which brought the daily average to around 100.²⁹

According to UNHCR figures, as of 30 November 2018, a total of 1,795 people had been returned from Greece to Turkey under the EU-Turkey deal.³⁰ 91% of the returnees were men, 4% women and 5% children. 45% had not applied for or had withdrawn their asylum applications while 36% were returned following a negative decision on the asylum claim at second instance. The biggest group were Pakistanis (39%), followed by Syrians (19%), Algerians (11%), Afghans (6%), Bangladeshis (6%) and Iraqis (4%). A more detailed breakdown based on nationality is available on the website of the Directorate General of Migration Management of Turkey.³¹

The European Commission reports lower figures at 1,624 as at 30 October 2018 (1,485 people in 2016 and 2017, and only 139 people in 2018).³² These figures are considerably lower than the return figures previously published by the European Commission (eg, 1,896 returns as at September 2017). The discrepancy seems to be due to the latest figures relating only to returns under the terms of the EU-Turkey deal,

28 See “EU-Turkey Statement: Two years on”, available at https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20180314_eu-turkey-two-years-on_en.pdf.

29 See footnote 6.

30 See footnote 5.

31 See http://www.goc.gov.tr/icerik3/geri-alim_363_378_10093.

32 See “Operational Implementation of the EU-Turkey Statement” at https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/press-material/docs/state_of_play_-_eu-turkey_en.pdf. Starting with April 2016, the European Commission published quarterly reports on the implementation of the EU-Turkey deal, with the seventh and last of these being from September 2017. The Commission then published a brief document on the state of play in connection with the completion of the second year of the EU-Turkey deal.

whereas the earlier ones also including returns carried out under the Greece-Turkey bilateral protocol.³³ The average number of arrivals in a single month (*ie*, 100 arrivals/day times 30 days) far exceeds the total number of returns made during 32 months of implementation of the EU-Turkey deal, with thousands of people stuck in inhumane conditions in the Greek hotspots for extended periods.

The EU-Turkey deal also contains an arrangement to resettle from Turkey to the EU one Syrian for each Syrian returned from Greece to Turkey, up to 72,000 people in total. As of 30 October 2018, a total of 17,351 Syrian refugees had been resettled from Turkey to EU countries under the deal.³⁴

4.2 Return of people with protection needs

The EU-Turkey deal openly targets return to Turkey of refugees and asylum seekers who have valid asylum needs/claims, by declaring their applications inadmissible upon application of safe third country and first country of asylum concepts of the EU Asylum Procedures Directive. Under these rules, making an inadmissibility decision still requires conducting an individual review of each applicant. This is not a full review of the merits of the asylum claim but involves making the assessment that the rule being relied on applies to the particular case of the person concerned (*eg*, it is not sufficient that Turkey qualifies as a “safe third country” in general; it has to be safe for the particular person concerned). There are also procedural safeguards that need to be followed.³⁵

A comprehensive study from June 2018, based, among other things, on analysis of 40 asylum cases decided in Greece, concludes, however, that individual circumstances are not necessarily assessed in justifying the assumption that Turkey is a safe third country, and the procedural safeguards are not necessarily followed. The report also states that the legal status of the Syrians in Turkey is overestimated and misunderstood by EASO (European Asylum Support Office) officers as well as by Greek asylum authorities.³⁶

33 See footnote 8 in the 7th progress report on the implementation of the EU-Turkey deal (September 2017), available at https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20170906_seventh_report_on_the_progress_in_the_implementation_of_the_eu-turkey_statement_en.pdf.

34 For a breakdown of resettlement based on the receiving European countries, see “Operational Implementation of the EU-Turkey Statement”. The website of the Directorate General of Migration Management cites the same total number with a slightly different breakdown. See http://www.goc.gov.tr/icerik6/gecici-koruma_363_378_4713_icerik.

35 See the NOAS 2016 Report, p. 41.

36 For an in-depth analysis of how Greek asylum authorities implement the EU-Turkey deal, see the above-mentioned report commissioned by The Greens / European Free Alliance in the European Par-

4.3 Important decisions relating to the EU-Turkey deal

The terms of the EU-Turkey deal were announced in a document labelled “EU-Turkey Statement”. The legal nature of this arrangement has been the subject of controversy, and three asylum seekers brought action against it before the General Court of the EU. The court ruled in February 2017 that it did not have jurisdiction to hear the case because the statement had not been adopted by the European Council or another EU institution, but by individual heads of states and governments acting in that capacity.³⁷

From April 2016 to June 2016, the Greek Asylum Appeals Committees ruled in 390 out of 393 cases that the safe third country criteria had not been fulfilled with respect to Turkey, practically blocking the implementation of the EU-Turkey deal. The committees were subsequently reorganized, which has largely been perceived as a political move to ensure effective implementation of the EU-Turkey deal.³⁸

In September 2017, the Greek Council of State (*ie*, the country’s highest administrative court), delivered its long-awaited decision on two cases challenging the application of the safe third country concept to require the return of two Syrians to Turkey. The case was heard in plenary, and while there was a certain expectation that it might be referred to the Court of Justice of the EU to request an authoritative interpretation of the “safe third country” concept, the court decided against this with 13 votes against 12. The judgment addresses a number of key issues central to the implementation of the EU-Turkey deal, and it upholds the relevant Appeals Committee’s inadmissibility decisions which were based on the application of the safe third country concept.³⁹ This case therefore confirmed the possibility of making returns to Turkey on safe country grounds, opening the way for returns of people with actual protection needs.

liament: Masouridou, Y. and Kyrioti, E. (2018), “The EU-Turkey Statement and the Greek Hotspots: A failed European Pilot Project in Refugee Policy”, available at <http://extranet.greens-efa-service.eu/public/media/file/1/5625>. Also see the report for helpful numbers compiled from Greek sources. Also see Amnesty International (2017), “Greece: Lives on Hold, Update on Situation of Refugees and Migrants on the Greek Islands”, available <https://www.amnesty.org/en/documents/eur25/6745/2017/en/>.

37 See decision at <https://curia.europa.eu/jcms/upload/docs/application/pdf/2017-02/cp170019en.pdf>.

38 For an analysis of these decisions as well as a detailed explanation of the reorganization, see Gkliati M. (2017), “The Application of the EU-Turkey Agreement: A Critical Analysis of the Decisions of the Greek Appeals Committees”, *European Journal of Legal Studies*, 10(1), p. 81-123, available at <http://ejls.eui.eu/wp-content/uploads/sites/32/2017/11/The-Application-of-the-EU-Turkey-Agreement-A-Critical-Analysis-of-the-Decisions-of-the-Greek-Appeals-Committees.pdf>.

39 See <http://www.asylumlawdatabase.eu/en/content/greece-council-state-turkey-safe-third-country-and-aspects-greek-asylum-procedure>.

In September 2018, a Greek Appeals Committee ruled, in connection with an asylum seeking family of Syrian-Kurdish origin from Afrin, that Turkey could not be considered a safe third country for them, as Turkey had become a party to the conflict that had contributed to the applicants' need for protection by virtue of its offensive into Afrin in January 2018, and because of its position as a *de facto* occupational force in the region.⁴⁰ While this is a positive development, the findings of the above-referred June 2018 report suggest that decisions taking individual circumstances into account are currently not the standard (see *Return of people with protection needs*).

4.4 Increased border security measures

The post EU-Turkey deal period saw increased border security measures. The EU launched the European Border and Coast Guard Agency in October 2016 and the European Commission proposed in 2018 to increase its capacity from 1,500 to a standing corps of 10,000 border guards.⁴¹ Turkey has built walls along its Syrian border (together with high-tech “smart towers”, reportedly equipped with automated warning and firing mechanisms) and Iranian border, and the military vehicles Turkey purchased for patrolling the Turkish-Greek border has been criticized as “overkill” for the purpose.⁴²

4.5 The EU Facility for Refugees in Turkey

In June 2018, the EU member states agreed to allocate the second €3 billion tranche of the Facility for Refugees in Turkey. In November 2018, the European Court of Auditors published a special report titled “The Facility for Refugees in Turkey: helpful support, but improvements needed to deliver more value for money”. This report finds that the first tranche was not used in the most efficient and effective manner and states that the auditors were not able to track the spending of the entire sum.⁴³

40 See <http://www.asylumlawdatabase.eu/en/content/greece---appeals-committee-finds-turkey-not-safe-third-country-family-syrian-kurds?fbclid=IwAR1jBiEt3Euj53vBfgUOF9jCakmx1tGo8IVhbx-6ihv13N-VjyfQbkPffp-M>.

41 See https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20180516_migration-management-eu-crisis-management-tools_en.pdf.

42 See <https://theblacksea.eu/stories/billions-for-borders/no-way-out/#>.

43 See European Court of Auditors (2018), “Special report No 27/2018: The Facility for Refugees in Turkey: helpful support, but improvements needed to deliver more value for money”, available at https://www.eca.europa.eu/Lists/ECADocuments/SR18_27/SR_TRF_EN.pdf. For details on the use of the first tranche, see https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/facility_table.pdf.

4.6 Situation on the Greek islands

Greece's containment policy means that the arrivals from Turkey to the Greek islands are not transferred to the mainland, but are instead kept on the islands (*ie*, the islands of Lesbos, Chios, Samos, Leros and Kos, known as the Greek hotspots, as well as Rhodes⁴⁴) for the processing of their claims, and whenever possible, subsequent return to Turkey. The hotspot approach and the containment policy are thus directly related to the implementation of the EU-Turkey deal.⁴⁵ Whereas the hotspots were supposed to be places of transit where people stay only briefly, many end up staying there for months, which has resulted in extreme overcrowding and dire living conditions. In April 2018, the Greek Council of State annulled the decision restricting the arrivals' movement to the relevant islands, but the Greek Asylum Service subsequently issued a new decision reinstating the restriction of movement, noting that if the refugees leave the islands, they will not be accepted by Turkey as per the terms of the EU-Turkey deal.⁴⁶

As of September 2018, the Greek hotspots hosted around three times their capacity, with Lesbos hosting half the arrivals from Turkey.⁴⁷ In August 2018, the UNHCR called on the Greek government to address the situation in the hotspots and take action about the "squalid, inadequate and rapidly deteriorating conditions".⁴⁸ A July 2018 Human Rights Watch study looking into the situation of the school-aged refugee children on the islands shows that only a small minority of them have access to education.⁴⁹ In a report dated October 2017, Médecins Sans Frontières already referred to the situation on Lesbos and Samos as a mental health emergency.⁵⁰

44 See Masouridou, Y. and Kyprioti, E., p. 16.

45 For more information on this and on the EU's hotspot approach in general, see European Parliament (2018), "Hotspots at EU External Borders: State of Play", available at [http://www.europarl.europa.eu/RegData/etudes/BRIE/2018/623563/EPRS_BRI\(2018\)623563_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2018/623563/EPRS_BRI(2018)623563_EN.pdf).

46 See Masouridou, Y. and Kyprioti, E., p. 16.

47 For a breakdown, see "National Situational Picture Regarding the Islands at Eastern Aegean Sea (10/09/2018)", available at <http://mindigital.gr/index.php/προσφυγικό-ζήτημα-refugee-crisis/2881-national-situational-picture-regarding-the-islands-at-eastern-aegean-sea-10-09-2018>.

48 See UNHCR (2018), "UNHCR urges Greece to address overcrowded reception centres on Aegean islands", available at <https://www.unhcr.org/news/briefing/2018/8/5b88f5c34/unhcr-urges-greece-address-overcrowded-reception-centres-aegean-islands.html>.

49 See Human Rights Watch (2018), "Without Education They Lose Their Future: Denial of Education to Child Asylum Seekers on the Greek Island", available at <https://www.hrw.org/report/2018/07/18/without-education-they-lose-their-future/denial-education-child-asylum-seekers>.

50 See Médecins Sans Frontières (2017), "Confronting the mental health emergency on Samos and Lesbos. Why the containment of asylum seekers on the Greek islands must end", available at <https://www.msf.org/sites/msf.org/files/2018-06/confronting-the-mental-health-emergency-on-samos-and-lesvos.pdf>.

A report from June 2018, based on interviews with 311 refugees on Lesbos, shows that lack of safety and security is a major concern on the island, and people face violence not only from others in the camp but also from the police and the local population.⁵¹ In fact, Lesbos saw violent attacks on the refugees in April 2018.⁵² The Moria camp on Lesbos is particularly notorious, and has been described, among other things, as the worst refugee camp in the world (by BBC) and reaching its boiling point (by UNHCR). Moria is severely overcrowded, unsanitary, unsafe and understaffed (in part due to the personnel quitting because of the conditions in the camp); has inadequate medical and psychological care, and limited or substandard access to food and water; and has been the subject of numerous reports of abuse and violence (including sexual), as well as suicide and self-harm (including among children). Reports show that the camp hosts many unaccompanied children, survivors of sexual violence, pregnant women, new mothers/new-born babies; and women, children and the LGBTI are in a particularly vulnerable situation in the camp. There have also been reports of violent fights among the groups in the camp, and May 2018 saw huge clashes, with around 1,000 people having to flee the Moria camp,⁵³ among them many Kurds.⁵⁴ The inhumane conditions at Moria became subject of heated debates also as part of recent allegations about, and investigations into, the Greek authorities' (mis)spending of EU funds intended for the refugees.⁵⁵

A health professional with Médecins Sans Frontières who previously worked in conflict zones as well as during Ebola outbreaks, has said: "I've never seen the level of suffering we are witnessing here every day... Here, the hope is taken away by the system."⁵⁶ In fact, "lack of any hope" is a theme that recurs in many of the interviews carried out with the refugees in the camp. A recent open letter from the secretary general of Amnesty International to the Greek Prime Minister Tsipras contains the

51 See Refugee Rights Europe (2018), "An Island in Despair: Documenting the Situation for Refugees and Displaced People in Lesbos, Greece", available at http://refugeerights.org.uk/wp-content/uploads/2018/11/RRE_AnIslandInDespair.pdf.

52 See <http://www.ekathimerini.com/227956/article/ekathimerini/news/far-right-hooligans-attack-migrants-on-lesvos-turn-town-into-battleground> and <https://www.aljazeera.com/news/2018/04/attacks-increase-tension-greece-lesbos-180423103008546.html>.

53 See press release by Pikpa camp, available at <https://lesvossolidarity.org/en/blog/news/pikpa-camp-calls-for-urgent-action-to-decongest-the-island>.

54 See BBC article, available at <https://www.bbc.com/news/world-europe-45271194>.

55 See <https://www.theguardian.com/world/2018/sep/26/lesbos-refugee-camp-at-centre-of-greek-misuse-of-eu-funds-row> and <https://www.theguardian.com/global-development/2018/sep/13/greece-refugees-lesbos-moria-camp-funding-will>.

56 See BBC article above.

latest observations about the dire situation in Moria,⁵⁷ confirming findings of earlier reports outlined above.⁵⁸

4.7 What happens to the returnees?

Initially, Syrian returnees from the Greek islands were sent to the refugee camp in Düziçi/Osmaniye in Southeastern Turkey for the purpose of re-registering them for temporary protection, while people of other nationalities were sent to the Pehlivan köy/ Kırklareli removal center in Northwestern Turkey.⁵⁹ Later, the non-Syrian returnees started to be sent to the Kayseri removal center in central Turkey, while the Islahiye 2/Gaziantep camp in Southeastern Turkey also started to be used for the Syrian returnees.⁶⁰ Soon after the start of returns from the Greek islands, there were attempts to investigate into the circumstances surrounding the returns, as well as the conditions of the returnees in Turkey but it proved generally very difficult to get access to the removal centers, both for NGOs and for lawyers. Those who had access, however, reported very bad conditions.⁶¹

57 See “Open Letter Following visit of Kumi Naidoo, Secretary General of Amnesty International to Lesbos Island and Moria Refugee Camp”, available at <https://www.amnesty.org/download/Documents/EUR2594422018ENGLISH.PDF>.

58 For more information on the situation in the Greek hotspots, also see:

- (i) “Conditions at Moria are ‘shameful’”, a September 2018 briefing signed by 19 civil society organizations, available at <https://drc.ngo/news/conditions-at-moria-are-shameful>.
- (ii) Legal Centre Lesbos (2018), “Stop deportations to Turkey”, available at <http://legalcentrelesvos.org/wp-content/uploads/2018/09/StopDeportationToTurkey.pdf>.
- (iii) Relevant sections of European Committee for the Prevention of Torture (2018), “Preliminary observations made by the delegation of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) which visited Greece from 10 to 19 April 2018”, available at <https://rm.coe.int/16808afaf6>.
- (iv) Amnesty International (2017), “Greece: A blueprint for despair. Human rights impact of the EU-Turkey deal”, available at <https://www.amnesty.org/en/documents/eur25/5664/2017/en/>
- (v) “The Reality of the EU-Turkey Statement”, a March 2017 briefing by the International Rescue Committee, the Norwegian Refugee Council, and Oxfam, available at <https://www.oxfam.org/sites/www.oxfam.org/files/bn-eu-turkey-statement-migration-170317-en.pdf>.

59 See the 5th progress report on the implementation of the EU-Turkey deal (March 2017), p. 5-6, available at https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20170302_fifth_report_on_the_progress_made_in_the_implementation_of_the_eu-turkey_statement_en.pdf.

60 See the 6th progress report on the implementation of the EU-Turkey deal (June 2017), p. 5-6, available at https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/170613_6th_report_on_the_progress_made_in_the_implementation_of_the_eu-turkey_statement_en.pdf.

61 See “The EU-Turkey deal: what happens to people who return to Turkey?”, available at <https://www.fmreview.org/resettlement/tunaboylu-alpes>. Also see Mülteci-Der (2016), “Observations on the Situation of Refugees in Turkey”, available at <http://www.multeci.org.tr/wp-content/uploads/2016/10/>

In May 2016, a delegation of three members of the European Parliament came to Turkey to assess the situation for refugees and the conditions for those returned from Greece. As part of this, they visited the Kırklareli (where the non-Syrian returnees were sent) and Edirne removal centers. A key finding was that the people they talked to had not had the opportunity to ask for asylum, neither in Greece nor in Turkey (The UNHCR also raised similar concerns both in connection with the first set of returns as well as later on⁶²). When the delegation asked the Turkish officials about the opportunity to seek asylum in Turkey, they were told that “all people being returned to Turkey had the opportunity to request asylum in Greece” and that the aim was to “ensure deportation of entirety of the people being returned from Greece, 100% if possible”. The report states that people, including children, were kept in detention under a prison-style regime in an overcrowded setting, without real access to lawyers and without interpretation and information in own language. The report also said that they had identified unaccompanied minors who had not been identified as such by the Turkish authorities and who were put in the same bedrooms as adult men.⁶³

A leaked UNHCR letter from December 2016 states that the UNHCR faced obstacles in monitoring the situation of the returnees, as it did not have unhindered access to the removal centers in Turkey and to the Düziçi/Osmaniye camp. The letter also noted that the UNHCR did not receive systematic information from the Turkish authorities on the legal status and location of individuals readmitted from Greece, which hampered its ability to monitor their treatment.⁶⁴

The European Commission stated in its 6th progress report on the implementation of the EU-Turkey deal (June 2017) that the EU authorities visited the centers to which the returnees were being sent and found them to be in compliance with the required standards.⁶⁵ A report from October 2017,⁶⁶ based in part on interviews with lawyers who represented people returned to Turkey under the EU-Turkey deal, however, states that

MULTECI-DER-S-OBSERVATIONS-ON-REFUGEE-SITUATION-IN-TURKEY-APRIL-2016.pdf.

62 See https://www.theguardian.com/world/2016/apr/05/greece-deport-migrants-turkey-united-nations-european-union?CMP=tw_t_gu and <https://euobserver.com/migration/135695>.

63 See GUE/NGL delegation’s report.

64 See <http://www.statewatch.org/news/2017/jan/unhcr-letter-access-syrians-returned-turkey-to-greece-23-12-16.pdf>.

65 See the 6th progress report, p. 6.

66 See Ulusoy, O. and Battjes H. (2017), “Situation of Readmitted Migrants and Refugees from Greece to Turkey under the EU-Turkey Statement”, available at https://rechten.vu.nl/en/Images/UlusoyBattjes_Migration_Law_Series_No_15_tcm248-861076.pdf. Also, see the further reference in the report to Boček, T. (2016), “Report of the fact-finding mission to Turkey by Ambassador Tomáš Boček, Special Representative of the Secretary General on migration and refugees”, available at <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000168069aa7f>.

the Düziçi/Osmaniye camp is a *de facto* detention center where Syrians are detained without legal basis.⁶⁷ The same report states that the non-Syrians in the removal centers are denied access to their families and lawyers, not provided information about their rights, misinformed about and discouraged from applying for asylum and that it is practically impossible to apply for protection from these centers.

As the situation of the returnees from Greece is not being systematically monitored and reported on, available information on this critical component of the EU-Turkey deal is extremely limited.

4.8 Further returns from Turkey

It should be emphasized that Turkey aims to further return the returnees from Greece where possible. As part of this, it has been actively seeking to enter into new readmission agreements as well as relying on previously signed readmission agreements. In a formal meeting of the foreign ministry of Turkey dated 2 March 2016, it was stated that Turkey had approached 14 additional countries with a proposal to enter into readmission agreements (The names of the countries were not disclosed).⁶⁸ Also, previously signed agreements with Pakistan and Yemen (as well as with Montenegro, and Bosnia and Herzegovina) were ratified after the EU-Turkey deal.⁶⁹ According to the EU's 2018 report for Turkey, Turkey awaits response on its proposal for a readmission agreement with Afghanistan and Sudan.⁷⁰ Finally, it should also be noted that Turkish law also provides for returns on first country of asylum and safe third country grounds.⁷¹ All of the above points to a considerable risk of chain returns. As of September 2017, 831 of those returned from Greece had been sent by Turkey to their countries of origin.⁷²

67 According to AIDA Country Report: Turkey (2017 Update), the Düziçi/Osmaniye camp has been a *de facto* detention center since October 2015. See p. 120.

68 See http://www.mfa.gov.tr/disisleri-bakanligi-sozcusu-tanju-bilgic_in-basin-bilgilendirme-toplantisi_2-mart-2016_-ankara.tr.mfa.

69 Based on a search on the Turkish Official Gazette on 28 November 2018.

70 See Turkey 2018 Report, p. 45.

71 See Articles 73 and 74 of the Law on Foreigners and International Protection.

72 See the 7th progress report, p. 6. The report does not provide more detail on these further returns.

5 Turkey: Key developments and concerns

5.1 Problematic amendment to deportation rules

Soon after the coup attempt of July 2016, the deportation provisions in Turkey's Law on Foreigners and International Protection (Articles 53 and 54) were amended with an emergency decree.⁷³ Article 53 provides that a foreigner in respect of whom a deportation decision has been issued has 15 days to appeal that decision in the local administrative court, following which the court has 15 days to make a decision. The decision of that court is final and cannot be further appealed. Importantly, the provision states that a foreigner subject to a deportation decision may not be deported during the 15 day period for filing an appeal or during the court's review of the appeal (*ie*, automatic suspensive effect).

The amendments bring exceptions to this general rule on automatic suspension for three categories of people, namely foreigners who (i) are leaders, members or supporters of a terrorist or criminal organization; (ii) pose a threat to public order, public security or public health; or (iii) are considered to be associated with internationally recognized terrorist organizations. A further addition to Article 54 provides that these three categories of people may be issued deportation decisions at any point, including pending review of an international protection application, as well as after having been granted international protection. While the effective way to stay execution of such deportation orders is to file an individual complaint with the Turkish Constitutional Court and ask for an interim measure, few will have access to this mechanism in reality.⁷⁴

73 See Emergence Decree No. 676 from October 2016 at <http://www.resmigazete.gov.tr/eskiler/2016/10/20161029-5.htm>. See the amended law at <http://www.mevzuat.gov.tr/MevzuatMetin/15.6458.pdf>. For an unofficial English translation of the law, see <http://www.goc.gov.tr/files/files/ingilizce-2.pdf>. It should be noted that the English translation has some inconsistencies in its use of terms.

74 In a decision dated 12 June 2018, the Turkish Constitutional Court noted that since the passing of the above amendment, there had been 866 individual applications to the court, and asked for a review of whether these applications arise from a structural problem that requires addressing. See the decision at <http://www.asylumlawdatabase.eu/sites/www.asylumlawdatabase.eu/files/aldfiles/Constitutional%20Court%20-%20Pilot%20Decision.pdf>. Also, compare this 866 figure to 67,000 foreigners issued a foreign fighter code in Turkey in 2017 (See AIDA Country Report: Turkey (2017 Update), p. 15).

Two points need to be underlined in connection with the above: First, it is not a judge/court but the administration that makes the assessment that a person falls into one of these three categories and can therefore be deported immediately without any chance to ask for judicial review. Second, 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 and can lead to arbitrary decisions in general, and more so in the post-coup-attempt Turkey. AIDA Country Report: Turkey explains that lawyers representing such cases refer to a pattern whereby some people are first arrested as part of a criminal investigation, and if released or acquitted by the court, they are then issued a deportation decision accompanied with an administrative detention order.⁷⁵ An Amnesty International briefing from September 2017 also describes a case which matches this pattern.⁷⁶

In short, these amendments generate a considerable risk of arbitrariness in the process of issuing and carrying out of deportation decisions, and there is now a bigger risk of unlawful deportation and *refoulement* from Turkey as compared to before.⁷⁷

5.2 Suspension of registration of Syrians

For the Syrians in Turkey, a precondition for benefiting from temporary protection is registering with the relevant Turkish authorities, which, at the time of registration, appoints the temporary protection beneficiary to a particular province, which is typically the province where the registration takes place. The registered person is then legally required to reside in that province. Without registration, Syrians lack legal status, and not only can they not access basic rights like healthcare and education, but they also risk being arrested and deported. Starting late 2017, however, some provinces have reportedly stopped their registration of Syrians, subject to certain exceptions (such as registration of a newborn baby of already registered parents), and this suspension is reportedly accompanied with more intense ID checks and arrests.

Among these provinces, the situation of Istanbul differs in that it is not close to the Syrian border and the decision to not register more Syrians in Istanbul was made public

75 See AIDA Country Report: Turkey (2017 Update), p. 24.

76 See Amnesty International (2017), “Refugees at heightened risk of *refoulement* under Turkey’s state of emergency”, for the case of “F”, a 52-year old Syrian Kurdish woman deported to Syria while residing with her family in Izmir. Available at <https://www.amnesty.org/download/Documents/EUR4471572017ENGLISH.PDF>.

77 For additional information on deportation and risk of *refoulement* in general, see AIDA Country Report: Turkey (2017 Update) p. 24-26.

and found media coverage in February 2018.⁷⁸ The formal reason for the suspension is overcrowding. Istanbul is a preferred destination due to the job opportunities it provides, and it currently hosts around 559,000 registered Syrians, in addition to large numbers of Syrians registered in other provinces, as well as unregistered Syrians and people of other nationalities. The real number is therefore estimated to be considerably higher.

According to Human Rights Watch, as of the end of July 2018, there were nine more provinces (*ie*, Hatay, Adana, Gaziantep, Kahramanmaraş, Kilis, Mardin, Mersin, Osmaniye, Şanlıurfa), which no longer registered Syrians. Together with Istanbul, these provinces host around two thirds of the Syrians under temporary protection in Turkey. While there may be legitimate reasons for not wanting to register more Syrians in already overpopulated provinces like these, the authorities should make sure that those who approach them do get registered somewhere and can thus obtain legal status as temporary protection beneficiaries. According to Human Rights Watch's briefing, however, this does not seem to be the case, and the Syrians who approach the authorities for registration in these provinces are simply told to leave. This is particularly problematic because these nine provinces are on or close to the Syrian border: If Syrians are simply refused registration there, they cannot legally travel to other places in Turkey. Some of those interviewed by Human Rights Watch indeed say that upon being refused registration, they had to pay smugglers to travel to other parts of Turkey, while others say that they were deported to Syria upon being caught unregistered (and later came back to Turkey). According to the same briefing, NGOs working in the region are not allowed to reach out to the unregistered Syrians, and it is therefore not possible to estimate their numbers.⁷⁹

It should be noted that problems relating to registration probably date back to earlier than late 2017. For example, the Turkish NGO Mülteci-Der reported irregularities and a suspension-like situation already in April 2016.⁸⁰ Finally, according to the UNHCR, registration of Syrians continues "except in some provinces".⁸¹ Also see *UNHCR stops registration work*.

78 See, for example, <http://www.hurriyetdailynews.com/turkish-government-stops-relocating-syrians-to-istanbul-127084>, and http://www.cumhuriyet.com.tr/haber/turkiye/921422/Goc_idaresi_Genel_Mudurlugu_Suriyelilerin_istanbul_a_kaydi_durduruldu.html.

79 For a detailed account of the suspension of registration, see "Turkey Stops Registering Syrian Asylum Seekers". Also see, Doğan Yıldız, R., "The 2016-2017 Monitoring Report about Refugees and Asylum-Seekers in Turkey", p. 88 about problems with registration and obtaining of identity cards, and generally about the situation for refugees and asylum seekers in Turkey.

80 See "Observations on the Situation of Refugees in Turkey".

81 See <http://help.unhcr.org/turkey/tr/information-for-syrians/reception-and-registration-with-the-turkish-authorities/>.

5.3 Border abuses and *refoulement*

The Turkish-Syrian border has been closed since March 2015, and there is now a wall covering most of this 911 km border. During the period leading to and around the time of the EU-Turkey deal, international organizations had already reported on push-backs at the Syrian border and forced returns to Syria, Afghanistan and Iraq, at times directly denying access to asylum procedures, and at other times upon tricking or coercing the returnees into signing voluntary return papers.⁸²

Reporting of similar practices have continued in the period since the adoption of the EU-Turkey deal. These reports point to a common pattern of (i) shooting at (sometimes killing or injuring) and pushing back of Syrians at the border, (ii) holding in detention those who are apprehended upon crossing into Turkey before deporting them in (at times very big) groups back into Syria, and (iii) Syrians and people of other nationalities being tricked into signing voluntary return forms in Turkish or coerced into signing under threat of continued detention. Mülteci-Der reported on the matter in April 2016.⁸³ Human Rights Watch reported on these border abuses in May 2016, February 2018 and March 2018.⁸⁴ An Amnesty International briefing from September 2017 points to collective expulsions disguised as voluntary returns.⁸⁵ The Syrian Observatory for Human Rights regularly publishes information on the border situation, and reported in early September 2018 that so far at least 407 civilians had been killed by the Turkish border guard.⁸⁶ Finally, in October 2018, the Guardian reported on the issue with similar findings.⁸⁷ The Turkish authorities have denied these allegations on various occasions.

President Erdoğan said in a public speech in August 2018 that “a quarter of a million Syrians had already returned to liberated areas in Syria” and that Turkey would soon

82 See the NOAS 2016 Report, p. 36-37.

83 See “Observations on the Situation of Refugees in Turkey”.

84 See (i) Human Rights Watch (2016), “Turkey: Border Guards Kill and Injure Asylum Seekers”, available at <https://www.hrw.org/news/2016/05/10/turkey-border-guards-kill-and-injure-asylum-seekers>, (ii) Human Rights Watch (February 2018), “Turkey/Syria: Border Guards Shoot, Block Fleeing Syrians”, available at <https://www.hrw.org/news/2018/02/03/turkey/syria-border-guards-shoot-block-fleeing-syrians>, and (iii) Human Rights Watch (March 2018), “Turkey: Mass Deportations of Syrians”, available at <https://www.hrw.org/news/2018/03/22/turkey-mass-deportations-syrians>.

85 See “Refugees at heightened risk of *refoulement* under Turkey’s state of emergency”.

86 See <http://www.syriaahr.com/en/?p=101923>. See the website of the Syrian Observatory for Human Rights for more information on the Turkish-Syrian border.

87 See <https://www.theguardian.com/global-development/2018/oct/16/syrian-refugees-deported-from-turkey-back-to-war>. Also see <https://www.euronews.com/amp/2018/04/04/turkey-when-the-path-to-safety-for-syrians-is-anything-but-view>.

make more areas safe for return.⁸⁸

5.4 Afghan deportations in 2018

The first several months of 2018 saw a sharp increase in the arrival of Afghans to Turkey, entering the country through its long border with Iran. Turkey has been in the process of building a wall along this border, making irregular passage to Turkey more difficult, and this is thought to be one of the reasons behind the sudden increase in arrivals. According to UNHCR figures, there were 172,000 Afghan refugees and asylum seekers in Turkey as of September 2018, compared to 145,000 the previous year;⁸⁹ however, the real number is likely higher since not all arrivals are recorded and registered as asylum seekers. Government officials said that they would take a firm line on the arrivals⁹⁰ and have been open about returning the Afghans to Afghanistan but claimed that the returns were voluntary.⁹¹ However, an Amnesty International briefing dated 24 April 2018, based on interviews with detainees and returned, point to the contrary. According to this briefing, they had to basically choose between detention and deportation, and possibly signed voluntary return papers without knowing what they were agreeing to.⁹² There were multiple media reports on Turkey's deportation of Afghans in the first half of 2018, and according to Afghan sources, 17,000 were deported from Turkey in that period.⁹³

Turkey does not have a formal readmission agreement with Afghanistan but in early 2018, there were high-level meetings between the Turkish and Afghan officials, following which the then-Turkish prime minister announced that the two countries

88 See <https://www.reuters.com/article/us-mideast-crisis-syria-erdogan/turkey-ready-to-create-more-safe-zones-in-syria-idUSKBN1KXoKQ>.

89 See UNHCR's Turkey factsheets from September 2018 (available at <http://www.unhcr.org/tr/wp-content/uploads/sites/14/2018/11/01.-UNHCR-Turkey-Fact-Sheet-September-2018.pdf>) and October 2017 (available at <https://reliefweb.int/sites/reliefweb.int/files/resources/UNHCRTurkeyFactSheet-October2017.pdf>).

90 See <https://www.reuters.com/article/us-turkey-afghanistan/afghans-make-long-trek-west-before-turkey-secures-border-idUSKBN1HQoLY>.

91 See next footnote.

92 See Amnesty International (2018), "Over 2,000 Afghans at Risk of Deportation", available at <https://www.amnesty.org/en/documents/eur44/8258/2018/en/>, and "Turkey: Thousands of Afghans swept up in ruthless deportation drive", available at <https://www.amnesty.org/en/latest/news/2018/04/turkey-thousands-of-afghans-swept-up-in-ruthless-deportation-drive/>.

93 See <https://www.nytimes.com/2018/06/16/world/asia/afghan-migrants-deported-turkey.html>. For a detailed analysis on the Afghan arrivals and deportations, see <https://www.afghanistan-analysts.org/mass-deportations-of-afghans-from-turkey/>. The Afghan Refugees Association in Turkey should also be noted for their work in connection with the Afghan refugees and asylum seekers in Turkey.

had agreed to cooperate on the returns.⁹⁴ According to the EU's 2018 report for Turkey, Turkey awaits response on its proposal for a readmission agreement with Afghanistan (as well as Sudan).⁹⁵

5.5 Increased detention capacity

The Law on Foreigners and International Protection allows administrative detention pending review of an international protection application, as well as pending deportation, and removal centers are used for these types of detention.⁹⁶ As of March 2015, there were 13 removal centers in Turkey with a total detention capacity of 1,740.⁹⁷ In comparison, there was only one reception center for non-Syrians with 100 beds as of November 2015, with plans to build six additional reception centers (with a 750-person capacity each) with EU funding. The plans were later changed, and these facilities were instead turned into removal centers.⁹⁸ According to current Directorate General of Migration Management data, detention capacity is being increased to 36 centers and a total of 19,876 persons.⁹⁹ As of August 2017, reception capacity for non-Syrians was 176 beds.¹⁰⁰ Lawyers' observations suggest that different removal centers are used for detaining different categories of persons (*eg*, those intercepted while attempting to leave Turkey irregularly, persons identified as foreign terrorist fighters).¹⁰¹

5.6 Public perception of Syrian refugees

Syrians are commonly viewed as a financial burden and a security risk in Turkey. The Syrians Barometer, a comprehensive 2017 report based on extensive fieldwork (involving more than 2,000 Turkish nationals in 26 provinces, as well as more than

94 See <http://www.karar.com/guncel-haberler/yildirimdan-yasa-disi-goc-aciklamasi-anlasmaya-vardik-812236#>.

95 See Turkey 2018 Report, p. 45.

96 For more detail on detention, see NOAS 2016 Report, p. 32-33.

97 See AIDA Country Report: Turkey (May 2015), p. 58, available at https://www.asylumineurope.org/sites/default/files/report-download/aida_turkey_final.pdf.

98 See NOAS 2016 Report, p. 25.

99 See http://www.goc.gov.tr/icerik6/geri-gonderme-merkezleri_363_378_10094_icerik.

100
Data retrieved from the website of the Directorate General of Migration Management on 17 August 2017. This information is no longer available on the website.

101 See AIDA Country Report: Turkey (2017 Update), p. 16.

1,200 Syrian households in and outside of camps in 11 provinces), shows that more than 80% of the Turkish participants see the Syrians as culturally different or very different from Turkish people, in contrast to 57% of the Syrian participants who think they are similar. 75% of the Turkish participants think that the Turkish society cannot coexist in peace with the Syrians, and the majority of the Turkish participants fear harm from the Syrians in Turkey, to their persons and families, to the society at large and to the economy.¹⁰²

Although this overall negative perception is largely shared across different segments of the Turkish society, the specific sensitivities that feed into this perception may differ. For example, competing over jobs, affordable housing and limited resources may be a bigger concern for the local populations in poorer neighborhoods, while people in other segments of the society may see such a big Syrian presence in Turkey as a worrying sign of the country moving further away from Europe. An academic study based on interviews with health-care professionals shows how, among that group, the Syrians are perceived as ignorant and backward, having too many children and blamed for bringing to Turkey formerly eradicated diseases.¹⁰³ Similar statements have also been made by some of Turkey's best-known journalists. It is important, however, to note that anti-Arab sentiment is not new in Turkey and has complex historical roots that go well beyond the arrival of Syrian refugees.

Lack of knowledge and misconceptions about the Syrians' rights and entitlements in Turkey are an important factor in their overall negative perception (*ie*, There are widely held misconceptions in the society about the Syrians benefiting from certain rights and privileges that Turkish citizens do not benefit from). Studies also show that actual interaction (for example, through neighborly interactions, working in the same place etc.) as opposed to mere encounters impacts perception positively.¹⁰⁴

The Syrians Barometer shows that increasingly many Syrians (75%, based on interpretation of the author of that report) do not intend to return to Syria in the

102 See Erdoğan, M. M. (2018), *Suriyeliler Barometresi - SB 2017, Suriyelilerle Uyum İçinde Yaşamın Çerçevesi [Syrians Barometer – SB 2017, A Framework for Achieving Social Coherence with Syrians]*, İstanbul: İstanbul Bilgi Üniversitesi Yayınları. See p. 58, 76, 77, 122 and 171. It should be noted in this connection that crime rate among the Syrians in Turkey is low. See Turkish Parliamentary Subcommittee on Refugees (2018), "Göç ve Uyum Raporu [Immigration and Integration Report]", p. 266, available at https://www.tbmm.gov.tr/komisyons/insanhaklari/docs/2018/goc_ve_uyum_raporu.pdf.

103 See Terzioğlu, A. (2017), "The banality of evil and the normalization of the discriminatory discourses against Syrians in Turkey", *Anthropology of the Contemporary Middle East and Central Eurasia*, 4(2): p. 34-47. Also see this article for the historically complex nature of Turkish-Arab relations.

104 See report "From Information to Perception: A Study on the Perceptions of Asylum-Seekers, Migrants and Refugees in Turkey", available at http://ps-europe.org/wp-content/uploads/2017/07/Perception-of-Asylum-Seekers-Migrants-and-Refugees-in-Turkey_PSEUROPE.pdf.

future, while more than 70% of the Turkish interviewees think that the large majority of Syrians are permanent in Turkey. However, the Syrian refugees continue to be referred to as guests, including in particular, at the highest state level, and the use of a charity discourse continues to dominate. The support provided to Syrians is perceived by many as an act of charity as opposed to a legal right/obligation, which brings with it expectations of gratefulness. Politicians' explanations of Turkey's reception of Syrians with religious references and motivations (eg. Muslim brotherhood, being good hosts to "our Muslim brothers" and references to prophet Mohammed's flight from Mecca to Medina) is problematic, not only for reinforcing the charity discourse but also for feeding into complicated religious and sectarian tensions and divides.

5.7 Anti-refugee climate

The question of refugees has gained increasingly more space in the Turkish political debate in the last couple of years and is very prone to political exploitation. The main opposition parties (with the exception of the pro-Kurdish People's Democratic Party (HDP)) have anti-refugee agendas, and they have considerably fueled anti-refugee discourse in politics. This is in part due to distrust in the government and the perception that the government uses the Syrians to further its own political agenda. President Erdoğan/AKP have also changed discourse in the past year and started emphasizing that the Syrians should return to Syria as soon as possible.¹⁰⁵

The same anti-refugee discourse can also be seen in both the social and mainstream media. A July 2016 statement by Erdoğan about the possibility of giving citizenship to Syrians received very strong reactions from the public, quickly turning #ulkemdesuriyeliistemiyorum (ie, "I don't want Syrians in my country") into a top trending hashtag. Turkey's military operations into Syria (Euphrates Shield in August 2016 and Olive Branch in January 2018) and the resulting deaths of Turkish soldiers contributed to increased nationalist and anti-Syrian sentiments. An online campaign started on change.org asked that Syrians be given military training and sent back to Syria to fight for their country.¹⁰⁶

While far from all incidences gets reported, there is still considerable news coverage

105 As part of the 2018 offensive into Afrin (Syria), Erdoğan said: "We are not in a position to continue hosting 3.5 million refugees forever. We'll solve the Afrin situation ... and we would like our refugee brothers and sisters to return to their own country". See <https://www.dw.com/en/with-turkeys-offensive-into-afrin-erdogan-is-seeking-to-kill-two-birds-with-one-stone/a-42803519>. This was perceived as a clear change in discourse.

106 See <https://www.change.org/p/türkiye-de-bulunan-18-45-yaş-arası-suriyeli-erkekler-askere-alınsın-suriye-için-savaşsın>.

of violent attacks on the refugees in Turkey. According to the International Crisis Group's report of January 2018, host community hostility has been rising, especially in big cities like Istanbul, Ankara and Izmir, and intercommunal violence tripled in the second half of 2017, compared to the same period of 2016, with at least 35 people dying as a result of these incidents (24 of them Syrians). The same report also confirms earlier findings that the Syrians are perceived as being culturally different from the Turkish population, believed to have preferential access to rights and services and resented for creating competition in the job market, especially in the low paying jobs in the informal economy.¹⁰⁷

5.8 Employment

The overwhelming majority of the refugees in Turkey do not have a real access to legal employment. While people with refugee and subsidiary protection status have an open pass to work, this is a very small group. When it comes to the Syrians under temporary protection and the conditional refugees, both groups have the right to apply, upon six months of registration, for a work permit (and in connection with seasonal agricultural/livestock work, for an exemption from the requirement to have a work permit).¹⁰⁸

One of the aims of the work permit arrangement for the Syrians was to permit people with certain professions, such as doctors and teachers, to serve the refugee population.¹⁰⁹ This is a sponsored work permit linked to a specific employer, and as it considerably increases the cost of employment, many employers are unwilling to employ Syrians legally. According to a report by Refugees International, 14,000 Syrians under temporary

107 See International Crisis Group (2018), "Turkey's Syrian Refugees: Defusing Metropolitan Tensions", available at <https://www.crisisgroup.org/europe-central-asia/western-europemediterranean/turkey/248-turkeys-syrian-refugees-defusing-metropolitan-tensions>.

108 The Syrians under temporary protection in Turkey have the right to apply for a work permit since January 2016. See Geçici Koruma Sağlanan Yabancıların Çalışma İzinlerine Dair Yönetmelik [Regulation Regarding Work Permits of Foreigners Under Temporary Protection], available at <http://www.resmigazete.gov.tr/eskiler/2016/01/20160115-23.pdf>. A similar regulation was adopted in April 2016 for those under Turkey's international protection regime. See Uluslararası Koruma Başvuru Sahibi ve Uluslararası Koruma Statüsüne Sahip Kişilerin Çalışmasına Dair Yönetmelik [Regulation Regarding Work Permits of International Protection Applicants and Beneficiaries], available at <http://www.resmigazete.gov.tr/eskiler/2016/04/20160426-1.htm>. Turkey also passed a new law relating to foreigners' employment in August 2016, which makes it easier for skilled foreigners to work in Turkey. See 6735 sayılı Uluslararası İşgücü Kanunu [Law no 6735 on International Workforce], available at <http://www.resmigazete.gov.tr/eskiler/2016/08/20160813-1.htm>.

109 See Çorabatır, M. (2016), "The Evolving Response to Refugee Protection in Turkey: Assessing the Practical and Political Needs", available at <https://www.migrationpolicy.org/research/evolving-approach-refugee-protection-turkey-assessing-practical-and-political-needs>.

protection had received work permits and 6,000 businesses had been founded by Syrians as of October 2017.¹¹⁰ According to the UNHCR, 22,000 Syrians had received work permits as of September 2018.¹¹¹ While the number of non-Syrian refugees and asylum seekers granted work permits is not publicly available, it may be helpful to note that in 2016, a total of 444 Afghan and 1,031 Iraqi nationals had received work permits in Turkey. This number includes all Afghan and Iraqi nationals granted work permits and not only those who seek protection, and is a good indicator considering that the Afghans and the Iraqis are the two biggest groups after the Syrians.¹¹²

The overwhelming majority of the refugees in Turkey thus work in the informal sector, subject to exploitative conditions, including long working hours and low wages. Child labor is also common. The International Crisis Group estimated that, as of January 2018, between 750,000 and 950,000 Syrians under temporary protection worked illegally.¹¹³ Many refugees work in textile, construction and as seasonal farm workers.¹¹⁴ According to a 2017 research report into the textile industry in Istanbul, Turkish men employed in textile receive the highest wages, followed by Turkish women with a considerably lower pay, followed by Syrian men slightly under, with the Syrian women earning considerably less than all three groups.¹¹⁵ A study covering the period 2013-2016 shows that migrant worker deaths have been on the increase, with the highest number of deaths in Istanbul and in the construction sector. Of the 96 reported migrant worker deaths in 2016, seven were of children.¹¹⁶ Finally, according to a report prepared by Turkey's main opposition party CHP in November 2018, around 1 million Syrians work in the informal sector, 20% of which are children under 15. The report estimates Turkey's informal labor sector at 34% of the work force.¹¹⁷

110 See Refugees International (2017), "I am only looking for my rights': Legal employment still inaccessible for refugees in Turkey", available at <https://www.refugeesinternational.org/reports/refugeesemploymentinturkey>

111 See <https://www.unhcr.org/tr/wp-content/uploads/sites/14/2018/10/UNHCR-Turkey-Livelihoods-and-Self-Reliance-Fact-Sheet-September-2018.pdf>.

112 See <https://www.csgeb.gov.tr/media/7315/yabancilarin-%C3%A7ali%C5%9Fma-%C4%Boz%C4%Bonler%C4%B0-2016.pdf>.

113 See "Turkey's Syrian Refugees: Defusing Metropolitan Tensions".

114 For insight into refugee employment in seasonal agricultural labor, see the article "Seasonal Agricultural Labor in Turkey: The Case of Torbalı", available at <http://harekact.bordermonitoring.eu/2017/12/13/seasonal-agricultural-labor-in-turkey-the-case-of-torbalı/>.

115 See Birleşik Metal-İş (2017), "Suriyeli Göçmen Emegi: İstanbul Tekstil Sektörü Araştırması" [Syrian Migrant Labor: Research on Istanbul's Textile Sector], available at https://www.academia.edu/34930885/Suriyeli_Göçmen_Emeği_İstanbul_Tekstil_Sektörü_Araştırması

116 See a summary at <https://www.evrensel.net/haber/305297/isig-2016-yili-gocmen-isci-olumlerini-raporlastirdi>.

117 See newspaper coverage of main findings of the report "Ülkemizde Göçmen İşçilik" [Migrant Labour

5.9 Education

Rate of school enrolment among Syrian children under temporary protection has increased in recent years, from 37% as of October 2015 (UNHCR estimate) to 62% as of November 2017 (Turkish figures), with 52% enrolled in Turkish public schools, and the rest in temporary education centers in and outside of camps.¹¹⁸ The plan is to gradually phase out the temporary education centers and have all Syrian children enrolled in Turkish schools, which requires building thousands of additional classrooms. School enrollment is highest in primary school and falls drastically at junior and senior high schools. As of 2017, there were 19,000 Syrians enrolled in Turkish universities (This refers to all Syrians in Turkey and not only those under temporary protection).¹¹⁹

Reports and statistics focus largely on Syrians, and there is little information on non-Syrian children's access to schooling. A Human Rights Watch report from May 2017 based on interviews with Afghan and Iranian families shows, however, how Turkey's satellite city system creates an additional barrier to school access for them. Under the satellite city system, those falling in the international protection regime are required to reside and report in one of 62 designated cities that do not include the big cities like Istanbul, Ankara and Izmir. As families move without authorization to bigger cities for better chances at finding employment, they may lose legal status, and access to rights and services, as a result of which children cannot get enrolled in school.¹²⁰

5.10 Specific vulnerabilities

Refugee women and girls, the LGBTI and sex workers experience certain additional difficulties and barriers in Turkey. Female refugees face sexual and reproductive health problems, among other things due to poor living conditions.¹²¹ Refugee women have fewer opportunities as compared to men to socialize and may end up getting very

in Our Country] at https://www.birgun.net/haber-detay/gocmen-isci-somurusu-artiyor-236328.html?fbclid=IwAR3aR795gdTx87oB_gRtrMUs-CKVoWjszhulAJT_F5rOcFCTVsEvImY4tpw. For an English summary of these findings, see <http://harekact.bordermonitoring.eu/2018/11/11/migrant-labour-exploitation-at-increase-the-report-reveals/>. The author was not able to access the full report.

118 For more information on temporary education centers, see NOAS 2016 Report, p. 27.

119 See "Göç ve Uyum Raporu" [Immigration and Integration Report], p. 254-256.

120 See Human Rights Watch (2017), "Turkey: Education Barriers for Asylum Seekers", available at <https://www.hrw.org/news/2017/05/31/turkey-education-barriers-asylum-seekers>.

121 See <https://www.unfpa.org/news/exile-wreaks-havoc-refugees-sexual-and-reproductive-health>.

isolated, while those who work may earn less than male workers. Some Syrian women and girls enter into unofficial marriages and become second or third wives to Turkish men, without any legal rights, as Turkish law does not allow polygamous marriages.¹²² Child marriages and pregnancies are a major issue that does not get serious attention from the Turkish authorities.

There is considerable homophobia and transphobia in Turkey and the LGBTI refugees constitute a particularly vulnerable group. A 2016 report based on interviews with 83 Iranian LGBTI refugees residing in five different satellite towns in Turkey show how the LGBTI are subjected to discrimination, as well as verbal and physical abuse and violence in their local communities.¹²³ Syrian transsexual sex workers report being abused both by the police and by the society in general, and they cannot go to the police to report abuse.¹²⁴ There have been multiple media reports of killings of LGBTI refugees in recent years.

A comprehensive report from 2017 shows the difficult situation for Syrian sex workers in Turkey: According to the report, while Syrian sex workers face discrimination and violence, the majority of them will not report it, among other reasons out of fear of deportation. The report confirms the particularly difficult situation of transsexual sex workers and also points to the sexual exploitation of Syrian children. The report also states that the Syrians' association with sex work has resulted in increased xenophobia.¹²⁵

Finally, Turkey is generally a difficult place to live for people with disabilities, and more so for refugees with limited resources.

5.11 Citizenship

As of May 2017, around 12,000 Syrians had received Turkish citizenship through the standard procedure for receiving Turkish citizenship (*ie*, residence in Turkey with a

122 See Rohwerder, B. (2018), "Syrian refugee women, girls, and people with disabilities in Turkey", available at https://reliefweb.int/sites/reliefweb.int/files/resources/Syrian_refugee_women__girls__and_people_with_disabilities_in_Turkey.pdf.

123 See KAOS (2016) "'Tekin olmayı' beklerken: LGBT Mültecilerin Ara Durağı Türkiye" [While expecting to be safe: Turkey as the interim stop of LGBT Refugees], available at http://www.kaosgldernegi.org/resim/yayin/dl/tekin_olmayi_beklerken_lgbti_multecilerin_ara_duragi_turkiye.pdf.

124 See <http://www.kaosgl.org/sayfa.php?id=22666>.

125 See Ördek, K. (2017) "Türkiye'de 'Geçici Koruma' Altında Suriyeliler ve Seks İşçiliği" [Syrians under 'temporary protection' in Turkey and sex work], available at https://www.asylumineurope.org/sites/default/files/resources/sex_workers_-_rapor_turkce_.pdf.

residence permit, marriage with a Turkish citizen, being born to a Turkish citizen parent¹²⁶). In addition, Turkey's Population and Citizenship Agency was tasked with identifying Syrians under temporary protection who would qualify for the exceptional citizenship route under Turkish law. This route is available to those who have high educations, professional qualifications or the economic ability to invest or start businesses in Turkey and aims to keep in Turkey and integrate those refugees who are perceived as beneficial to the country. As of March 2018, around 30,000 Syrians had been given Turkish citizenship through this exceptional citizenship channel. According to official records, there are no plans to give citizenship to all the Syrians in Turkey.¹²⁷ Finally, there are concerns that some Syrian children born in Turkey risk statelessness.

5.12 UNHCR stops registration work

In the past, non-Syrian asylum seekers registered with both the UNHCR and the Turkish authorities upon arrival in Turkey; however, the role of the UNHCR has been changing following Turkey's adoption of a new legal framework for asylum, and establishment of the Directorate General of Migration Management.¹²⁸ As part of this process, the UNHCR announced in September 2018 that it was stopping this registration work and that all asylum seekers must now approach the Turkish authorities for registration. In the same announcement, the UNHCR noted that it would continue providing counselling services as well as refugee status determination work.¹²⁹ At present, the full impact of this change is unclear; however, a new Refugees International report shows that Afghan asylum seekers, in particular single men, are facing major obstacles in registering with the Turkish authorities. Without registration, they lack legal status, and not only can they not access basic rights like healthcare, but they also risk being arrested and deported.¹³⁰

126 This also includes children born in Syria to a Turkish parent, who receive Turkish citizenship at birth but who were not registered as a citizen with the Turkish authorities until after coming to Turkey.

127 See information provided by the director of Turkey's Population and Citizenship Agency at a parliamentary commission meeting in May 2017, available at [https://www.tbmm.gov.tr/develop/owa/komision_tutanaklari.goruntule?pTutanakId=1890.and Gôç ve Uyum Raporu \[Immigration and Integration Report\] p. 264-265](https://www.tbmm.gov.tr/develop/owa/komision_tutanaklari.goruntule?pTutanakId=1890.and Gôç ve Uyum Raporu [Immigration and Integration Report] p. 264-265).

128 For more detail, see the NOAS 2016 Report, p. 17.

129 For more information, see <https://help.unhcr.org/turkey/information-for-non-syrians/reception-registration-and-rsd-with-unhcr/>.

130 See Refugees International (2018), "'You cannot exist in this place': Lack of registration denies Afghan refugees protection in Turkey", available at <https://www.refugeesinternational.org/reports/2018/12/13/you-cannot-exist-in-this-place-lack-of-registration-denies-afghan-refugees-protection-in-turkey>.