



INSIDE COVER







This project is co-funded by the European Union and the Republic of Turkey

**Developing a common system for collection, analysis of, and public access
to reliable disaggregated data regarding migration and migrants,
including irregular migrants, as a foundation for rights-based
policymaking on migration**

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“MIGRATION NETWORK IN EUROPE AND TURKEY PROJECT”

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**CIVIL SOCIETY DIALOGUE BETWEEN EU AND TURKEY – IV, JUSTICE,
FREEDOM AND SECURITY GRANT SCHEME (CSD - IV/JUS)**

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INTRODUCTION

The aim of this study is to address the significant lack of reliable disaggregated data on migration flows in Turkey and Greece and consequently contribute to the immediate need for a more nuanced migration policy that safeguards the human rights of migrants. To this end, it will provide an account of the current developments in Greece and Turkey, looking at and assessing the EU-Turkey deal in particular, assessing the current mechanisms for data collection with a view to draw policy recommendations for a better system for the collection, analysis and public access to data regarding migration. The study aims to serve as constructive input to policy making in both Greece and Turkey and to prompt further initiatives of consultation and collaboration among policy makers and civil society actors.

In the first part, the study elaborates on the current developments in Greece and Turkey as the migration crisis unfolds with a view to present key issues that emerge on its management in both sides of the Aegean. The second part turns to migrants and looks at the health and social services provision available for them and the integration measures. The study continues with a presentation of registration and data collection mechanisms in Turkey and Greece in order to draw parallels, mark discrepancies and point to better data collection mechanisms that ensure fair treatment and respect for human rights.

To conclude, the study offers a set of key recommendations addressed to policy makers both in Greece and Turkey. The opinions expressed in this publication are those of the authors and do not necessarily reflect the official policy or position of Global Political Trends Center/Istanbul Kultur University, Athens Network of Collaborating Experts, Human Resource Development Foundation and Association For Solidarity With Asylum Seekers and Migrants as well as none of the European organizations and countries involved.







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LATEST DEVELOPMENTS IN THE REFUGEE CRISIS IN GREECE AND TURKEY

Developments in Turkey

Since the Syrian civil war started in 2011, almost half of Syria's population has been displaced. While some Syrians have been internally displaced, many had to flee their country due to the conflict. Since the beginning of the crisis in Syria, Turkey has been a secure home for many who arrived to Turkey seeking relief. According to the recent calculations of UNHCR¹, over 3 million registered refugees have been hosted in Turkey. Of these, 2,728,276 are Syrians, 25,879 are Iraqis, 113,756 are Afghani, 28,534 are Iranians, 3,905 are Somalis and 8,290 are from other nationalities. Turkey has been making efforts to provide them with humanitarian aid and support.

Turkey is a signatory to the 1951 Refugee Convention, however a geographical limitation pertaining to the Convention means that only refugees coming from countries that are members of the Council of Europe can be admitted as refugees, not those outside the zone. The Syrian conflict prompted Turkey to open its doors to many Syrians who have been accepted to the country with a 'guest' status instead of 'refugees'. The increasing influx of refugees and the continuation of the wars that led them to stay in Turkey for longer, has pushed Turkish authorities to make some adjustments and improvements in policy-making in order to meet the longer-term effects of the crisis.

The Turkish Parliament adopted the *Law on Foreigners and International Protection*² in April 2013, which aims among other things to manage migration to Turkey. Besides granting Syrians the right to stay in Turkey, the new law has envisaged a series of changes regarding the migration and the asylum system in Turkey. It is argued that a possible lifting of the geographical limitation to the 1951 Convention in the future would benefit the refugees in a positive way during their integration process in case they are in Turkey to stay. Metin Çorabatir from The Research Center on Asylum and Migration (ARCAM) indicates that Turkey's integration policies towards refugees would be most effective only when the lifting of the geographical limitation requirement is realized, essentially this assists refugees in starting anew and sets them eventually on the path to normalization with regards to their lives³. Accordingly with regard to Article

¹ UNHCR, Turkey Factsheet, (September 2016).

<https://data.unhcr.org/mediterranean/download.php?id=2008>

² Directorate General of Migration Management, *Law on Foreigners and International Protection*, (April 2014).

http://www.goc.gov.tr/files/files/eng_minikanun_5_son.pdf

³ Çorabatir, Metin. "EU-Turkey Relations on Migration: Old problems versus New Knowledge." Migration Network in Europe and Turkey" project Thematic Workshop. Istanbul Kultur University Global Political Trends Center, Istanbul. 01 December 2016. Speech.

To find out more on the workshop held by the Global Political Trends Center: <http://gpotcenter.org/events/1360>





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91⁴ of the *Law on Foreigners and International Protection*⁵, Syrians who fled to Turkey after the crisis started in their country are accepted to Turkey under the "Temporary Protection", while other refugees with different backgrounds are under different status determined by the *Law's* international protection categories.

Turkish Government, that faced the influx of refugees coming from Syria, leads the crisis response inside the country and has been the largest humanitarian aid support to all the refugees including the Syrians and since their arrival; they have been provided them with camp based sheltering and the provision of assistance to urban refugees. Disaster and Emergency Management Presidency (AFAD) that was established in 2009 under auspices of the Prime Ministry took the responsibility of providing support in the camps as well as constructing the camps. AFAD built around 26 camps⁶ that are dispersed across South-eastern Turkey, close to the Syrian border⁷. Also, it is responsible for the collection and monitoring of necessary basic data on the crisis, and the dissemination of the collected data for making the best and most effective development plan and policy among other national and international non-governmental organizations. It is estimated that the Government of Turkey has spent over 25 billion dollars⁸ since the beginning of the crisis for the purpose of providing humanitarian aid to the Syrians⁹.

Turkey has equally been a transit country for those wishing to go to other parts of the world. For instance, mixed flows of refugees, labor migrants and other migrant categories from Turkey to Greece has been a major concern as many of them risk their lives to reach Greece- mostly taking dangerous paths via the Aegean Route. In furtherance of this, many of these migrants and refugees fall prey to smuggling chains under the pretext of taking them beyond the shore, albeit their safety not guaranteed. There have been extensive public and political debates on the humanitarian protection situation with regards to how to stop refugees from embarking on such risky journeys and also breaking the business pattern of these smugglers.

⁴ The objective of this Regulation is to determine the procedures and principles pertaining to temporary protection proceedings that may be provided to foreigners, who were forced to leave their countries and are unable to return to the countries they left and arrived at or crossed our borders in masses to seek urgent and temporary protection and whose international protection requests cannot be taken under individual assessment ; to determine proceedings to be carried out related to their reception to Turkey, their stay in Turkey, their rights and obligations and their exits from Turkey, to regulate the measures to be taken against mass movements, and the provisions related to the cooperation between national and international organizations under Article 91 of the Law No. 6458 on Foreigners and International Protection of 4/4/2013."

http://www.goc.gov.tr/files/_dokuman28.pdf

⁵ *Law on Foreigners and International Protection*

http://www.goc.gov.tr/files/files/eng_minikanun_5_son.pdf

⁶ <https://www.afad.gov.tr/en/2572/About-Us>

⁷ AFAD, *Syrian Refugees in Turkey 2013: Field Survey Results* (Ankara:AFAD, 2013),

<http://reliefweb.int/report/turkey/syrian-refugees-turkey-2013-field-survey-results>.

⁸ Turkish President Recep Tayyip Erdoğan said in UN meeting that Turkey has spent 25 billion dollars

<https://www.msn.com/tr-tr/haber/diger/cumhurbaşkanı-erdođan-türkiye-mülteciler-için-şu-ana-kadar-25-milyar-dolar-harcadı/vp-BBwqpeq>

Also the President of AFAD, Halis Bilden said that Turkey has spent 25 billion dollars in order to provide relief to the refugees.

<https://www.afad.gov.tr/tr/16140/AFAD-ve-KADEM-Arasinda-Suriyeli-Kadınların-Entegrasyonu-Protokolu-İmzalandı>

⁹ European Commission, *ECHO Factsheet: Turkey: Refugee Crisis*, (September 2016),

http://ec.europa.eu/echo/files/aid/countries/factsheets/turkey_syrian_crisis_en.pdf.





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The challenges that are faced today require geographical solidarity and cooperation in order to be confronted effectively. For this, Turkey and the European Union agreed on a deal on 18 March 2015 following a long process of negotiation between the EU leaders and Turkish leaders.

The deal, referred as the EU-Turkey Statement, envisages addressing root causes of the problem and supporting Syrians who are under temporary protection regime and their host communities in Turkey. The Statement requires taking measurements both in Turkey and in Greece to stop crossings between Turkey and Greece. Accordingly, for every Syrian being returned to Turkey from Greek islands, another Syrian will be resettled to the EU from Turkey directly¹⁰. Since the implementation of the Statement on 20 March 2016, a total of 578 people who arrived to Greece irregularly have been returned to Turkey. In total, more than 1,600 irregular migrants returned from Greece to Turkey in the course of 2016¹¹.

As part of the Statement alongside cooperation between Turkey and the European Union, the EU would allocate €3 billion under the Facility for Refugees (both humanitarian and non-humanitarian assistance) in Turkey (a joint coordination mechanism designed to address the needs of the refugees). Once these resources are near finishing, the EU will presumably give an additional funding for the Facility up to an additional €3 billion till the end of 2018¹². Of the 3 billion envisaged, the total amount allocated has reached €2.2 billion for 2016-2017¹³. Apart from the €2.2 billion allocated for the Facility For Refugees in Turkey, European Commission's humanitarian funding for Turkey reached €583 million (as of September 2016)¹⁴.

Within the framework of the Statement, the discussions would also be held for lifting the Schengen visa requirement for the Turkish nationals and the revitalization of the EU membership process. However, the relations between the two sides had been affected in the post-coup period in Turkey after July 2016 in a way that the implementation of the deal comes to halt including the promised visa liberalization process, which caused resentment on the Turkish side. The EU-Turkey Statement prompted by the migration crisis opened an area for cooperation between two parties, which would further contribute to EU-Turkey relations in a positive way. The deal would best be achieved if both sides keep their promises to the Statement.

It is now very difficult for the host countries like Turkey, Jordan and Lebanon to continue with their open door policies in order to welcome more refugees as the number of the Syrian population inside these countries have even surpassed the number of the host populations in some cities while the number of refugees hosted by Europe still remains very low. The increased discriminative discourses of some European governments, most visibly the Hungarian Government, contributes to the negative narrative con-

¹⁰ European Commission, *Implementing the EU-Turkey Statement*, (September 2016)

http://europa.eu/rapid/press-release_MEMO-16-3204_en.htm

¹¹ *ibid.*

¹² *ibid.*

¹³ In January 2017 this represents almost 75 percent of the total. Of the total amount allocated, the amount contracted has increased to €1.45 billion and the amount disbursed has reached €748 million.

European Commission, *Turkey: Refugee Crisis*, (January 2017)

http://ec.europa.eu/echo/files/aid/countries/factsheets/turkey_syrian_crisis_en.pdf

¹⁴ European Commission, *ECHO Factsheet: Turkey: Refugee Crisis*, (September 2016),

http://ec.europa.eu/echo/files/aid/countries/factsheets/turkey_syrian_crisis_en.pdf.





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cerning the refugees. However, these discriminative views have been challenged by the people and not accepted as their own. The referendum held on 2 October 2016 to ask the Hungarians whether they want the EU to impose refugee quotas in Hungary without the consent of the Hungarian Government was challenged by the people as many refused to vote in the referendum. Europe's image has been negatively affected by this discourses prompted by the rising of the populism among the European Governments which eventually affected the Statement's achievements negatively.

After five years of the conflict in Syria, some problems have become more pervasive. Some of the biggest issues that the Syrians encounter in Turkey are the difficulties in access to education and health services. In spite of Turkish Government's efforts, some 90 per cent Syrian refugees, who reside in both urban and rural areas, are still living in challenging conditions. While high rents for small accommodations are creating negative effects on the livelihood of the Syrians, other problems such as the language problem; limited access to information, registration to public services including education and healthcare and underemployment; are equally parts of the challenges facing the refugees in Turkey including the Syrians.

In the framework of this project, GPoT Center staff conducted a group interview with a group of women from Syria, on the premises of HRDF in Esenler, Istanbul, on April 20, 2016. The group consisted of 17 women who were all from Syria. The main aim of this study was to understand and document the thoughts of different people who fled the war on certain issues, such as: 1) the push and pull factors; 2) access to services in Turkey; 3) informal support groups; and 4) registration and advancement to Europe. Some views expressed by the interviewees have been presented in this report.





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Developments in Greece

Over one million people adventured the perilous trip over the Mediterranean Sea in 2015 in order to find a refuge in Europe, 84% of those making the trip come from the world's top 10 source countries for refugees. The number of people displaced by war and conflict is currently the highest seen in Western and Central Europe since the Balkan crises of the 1990s.¹⁵ Based on UNCHR's figures, in the course of 2015, 850.371 irregular migrants arrived in Greece. The Greek police reported 911.471 interceptions for irregular entry and stay in 2015, over half of which were recorded in Lesbos¹⁶. Almost half of the arrivals are of Syrian origin, 20% are women and 35% are children¹⁷. Due to its geographical position at EU's external borders, Greece is the main entry point for migrants and is mostly affected by the migrant/refugee crisis.

The journey towards a refuge is not always successful and more than 3.000 people have died trying to reach a safe refuge. In April 13th 2015, a boat carrying 800 migrants capsized off the Libyan coast, only 28 people were rescued, the rest of those in the boat are either confirmed missing or dead. This was an unprecedented tragedy in time of peace for Europe, to witness the death of innocent people in their midst, in the Mediterranean Sea. This tragic incident was not an aberration, many other tragedies occurred. In Greece, on the 13th of September 2015, 34 people drowned off the Farmakonisi island among them many infants and children. According to the International Organisation for Migration (IOM) the sea-borne death toll on the Mediterranean was 3.279 for 2014 and 3.770 in 2015.

These tragedies led the leaders of the European Union to take immediate emergency action in order to stop the increasing death toll. In addition it was amply evident that the increasing number of arrivals through Europe's border countries put asymmetrical pressure to the capacity of entry point countries to effectively address all issues relating to the safety, registration, health and social support of migrants.

The European Agenda on Migration developed in May 2015 clearly articulates that the imperative is to protect those in need and to stop the tragedy that unravels in the Mediterranean shores. It recognizes that no member state can effectively address migration alone and calls for a European approach which will be governed by the principles of solidarity and of shared responsibility.¹⁸ The Agenda set the following priorities:

Saving lives at sea

The steep death increase at the Mediterranean called for an immediate emergency plan to counteract the number of deaths due to capsized vessels. To this end, it was decided that the EU will triple the budget for the Triton and Poseidon operations at sea, restoring them back to the operational levels of the Italian 'Mare Nostrum'.

Targeting criminal smuggling networks

It was recognized that the criminal smuggling networks should be targeted more effectively. Pro-

¹⁵ <http://www.unhcr.org/news/latest/2015/12/5683d0b56/million-sea-arrivals-reach-europe-2015.html>

¹⁶ Hellenic Police, "Intercepted third-country nationals for irregular entry and stay 2015", quoted in

¹⁷ Datasnapshot UNCHR, available at: <https://data.unhcr.org/mediterranean/country.php?id=83>

¹⁸ COM(2015) 240 final, Available at: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/communication_on_the_european_agenda_on_migration_en.pdf





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posals have been presented by the High Representative/Vice President on how possible Common Security and Defence Policy operations could systematically identify, capture and destroy vessels used by smugglers. It was noted that under international law, such action would be a 'powerful demonstration of the EU's determination to act'. Also, Frontex and Europol would also develop profiles of vessels that could be used by smuggler, and Europol will identify illegal internet content used by smugglers¹⁹.

Responding to high-volumes of arrivals within the EU: Relocation

Recognizing the unprecedented pressure on the asylum systems particularly of the entry states, the Agenda called for a temporary distribution scheme for persons in clear need of international protection to ensure a fair and balanced participation of all Member States to this common effort. The receiving Member state will be responsible for the examination of the asylum application in accordance with the established rules and guarantees. The distribution among Member states will take into consideration *inter alia* GDP, unemployment rates, past number of asylum seekers²⁰. It was also stated that this distribution scheme is not the end plan but it should be followed by a more permanent system for sharing responsibility for large number of refugees and asylum seekers in Europe.

A common approach to granting protection to displaced persons in need of protection: Resettlement

It was acknowledged that apart from the distribution plan for persons in need of international protection, the EU has a duty to contribute its share in helping displaced persons in need of international protection. The Commission set to make a Recommendation, by the end of May 2015, proposing an EU-wide resettlement scheme to offer 20.000 places. This scheme will cover all Member states and the quota will be established based on criteria such as GDP, size of population, unemployment rate and past numbers of asylum seekers and of resettled refugees. The EU budget will provide dedicated funding of an extra EUR 50 million in 2015/2016 to support this scheme²¹.

Working in partnership with third countries to tackle migration upstream

The Commission and the European External Action Service (EEAS) will work together with partner countries to put in place concrete measures to prevent hazardous journeys. The EU should step up its support to the countries bearing the brunt of displaced refugees. Also, migration will become a specific component of ongoing Common Security and Defence Policy (CSDP) missions already deployed in countries like Niger and Mali, which will be strengthened on border management²².

Using the EU's tools to help frontline Member States

The Commission was to set up a new 'Hotspot' approach, where the European Asylum Support Office, Frontex and Europol work on the ground with frontline Member States to swiftly identify, register and fingerprint incoming migrants. Under this arrangement, the persons that claim asylum will be immediately

¹⁹ Ibid.

²⁰ Ibid.

²¹ Ibid.

²² Ibid.





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channeled into an asylum procedure where EASO support teams will help to process applications as quickly as possible. For those, not in need of international protection, Frontex will assist Member states by coordinating the return of irregular migrants. Europol and Eurojust will assist Member states with investigations to dismantle the smuggling and trafficking networks. The Commission will mobilise an additional 60 million euros in emergency funding. While hotspots are a centrepiece of the EU response to the migration challenge as set out in the EU Agenda for Migration in early 2015, it is noteworthy that the policy framework governing how they operate was initially set out in an unofficial “explanatory note” sent by Commissioner Avramopoulos to Justice and Home Affairs Ministers on 15 July 2015, the principles of which were restated in an annex to the 29 September 2015 Commission Communication on managing the refugee crisis²³.

An EU Regional Task Force is responsible for coordinating operational support. It brings together officers from Frontex, EASO and Europol as well as host Member state authorities. Frontex provides assistance with registration and screening of irregular migrants; however, fingerprinting and EURODAC registration remains at Member States authorities. Frontex also is responsible for providing support for immediate returns after the screening interview. It supports in debriefing migrants to gather information (e.g. routes, modus operandi) on smuggling networks; lastly, it assists in coordinating the return of migrants who have no right to remain in the EU. EASO provides support in identifying those persons who wish to apply for asylum following the screening interview. It provides asylum support and it helps with the registration of asylum seekers and the preparation of case files. Europol and Eurojust work to enhance intelligence exchange on smuggling networks and therefore step up investigative efforts²⁴.

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Search and Rescue operations

Operation Poseidon Sea was launched in 2014 in Greece to implement coordinated operational activities at the external sea borders in the Eastern Mediterranean region with the aim to control irregular migration flows to the Member states and to tackle cross-border crime activities. In December 2015, it was replaced by Poseidon Rapid Intervention following a formal request by the Greek government, in order to ‘up-scale’ and ‘replacing’ the Poseidon operation. This new intervention puts more emphasis on ‘security checks’ aimed at accelerating registration and fingerprinting. The number of officers and interpreters on the ground is foreseen to amount to 376 plus several vessels with their crew. The additional officers will assist Greece to speed up the registration of irregular migrants and to support security checks²⁵. According to the European Commission, Frontex interventions and the deployment of Frontex Rapid Border Intervention Teams (RABITs) in the Aegean helped to detect over one million irregular immigrants and apprehend over 900 suspected smugglers²⁶. Also, according to EC data, in the course of 2015, Frontex Joint Operation

²³ On the frontline: the hotspot approach to managing migration, DG for Internal Policies, 2016. Available at: [http://www.europarl.europa.eu/RegData/etudes/STUD/2016/556942/IPOL_STU\(2016\)556942_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2016/556942/IPOL_STU(2016)556942_EN.pdf)

²⁴ Ibid.

²⁵ <http://frontex.europa.eu/news/frontex-and-greece-agree-on-operational-plan-for-poseidon-rapid-intervention-yjSxga>

²⁶ European Commission (2016a), “Communication on the State of Play of Implementation of the Priority Actions under the European Agenda on Migration”, available at: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/managing_the_refugee_crisis_state_of_play_20160210_en.pdf





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Triton and Frontex Joint Operation Poseidon rescued over 250.000 people.

The other significant maritime initiative launched in response to the April crisis targets migrant smuggling networks. Operation Sophia was deployed by the EU after the tragic death of hundreds of migrants off the coast of Lampedusa in July 2015. The aim of this new operation is to undertake systematic efforts to identify capture and dispose of vessels as well as enabling assets used or suspected of being used by migrant smugglers or traffickers. Twenty-two member states now contribute to the operation, which includes nine naval units and seven air assets. Designed in three sequential phases, the first phase supported detection and surveillance of migration networks. The Operation's second phase, begun in October 2015, targets the seizure and diversion of vessels suspected of smuggling, whether on the high seas or in the territorial waters of a state of origin. Phase three originally envisioned the destruction of smuggling vessels in the territorial waters of the coastal state concerned (widely understood to be Libya). This phase requires either United Nations Security Council approval or consent of the Libyan authorities. More than 13,000 migrants have been rescued from the sea in the course of this operation.

EU-Turkey Statement

A Joint Action Plan was launched in November 2015 at the EU-Turkey summit. The aim of this initiative was to increase the cooperation for the support of Syrian refugees under temporary protection and their host communities in Turkey and to prevent irregular migration flows to the EU.²⁷ Under this plan, the EU expressed its commitment to mobilise substantial new funds to support Turkey, to continue providing humanitarian assistance via relevant organisations in Turkey, to support existing Member states and EU resettlement schemes and programmes and to further support Turkey to strengthen its capacity to combat migrant smuggling. On the other hand, Turkey expressed its commitment to continue ensuring that migrants are registered and provided with appropriate documents on a compulsory basis, to continue efforts to facilitate access for Syrians under temporary protection to public services including education, health and employment, to ensure that vulnerable people continue to be identified and taken care of and to further strengthen the interception capacity of the Turkish Coast Guard. Also, to step up cooperation with Bulgarian and Greek authorities to prevent irregular migration across the common land borders and to step up cooperation to smoothly readmit irregular migrants who are not in need of international protection and were intercepted coming from the Turkish territory and pursue the progressive alignment of Turkish and EU visa policy, notably for countries representing an important source of illegal migration. On the 18th of March 2016, the members of the European Council and their Turkish counterparts met in Brussels and further to the Joint Action plan they agreed the following additional action points:

- All new irregular migrants crossing from Turkey into Greek islands as from 20 March 2016 will be returned to Turkey
- For every Syrian being returned to Turkey from the Greek islands, another Syrian will be resettled to the EU

²⁷ European Commission: Managing the refugee crisis: EU-Turkey joint action plan: Implementation report, available at: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/managing_the_refugee_crisis_state_of_play_20160210_annex_01_en.pdf





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- Turkey will take any necessary measures to prevent new sea or land routes for irregular migration opening from Turkey to the EU
 - Once irregular crossings between Turkey and the EU are ending or have been substantially reduced, a Voluntary Humanitarian Admission Scheme will be activated
 - The fulfilment of the visa liberalisation roadmap will be accelerated with a view to lifting the visa requirements for Turkish citizens at the latest by the end of June 2016. Turkey will take all the necessary steps to fulfil the remaining requirements
 - The EU will, in close cooperation with Turkey, further speed up the disbursement of the initially allocated €3 billion under the Facility for Refugees in Turkey. Once these resources are about to be used in full, the EU will mobilise additional funding for the Facility up to an additional €3 billion by the end of 2018
 - The EU and Turkey welcomed the ongoing work on the upgrading of the Customs Union
 - The accession process will be re-energised, with Chapter 33 opened during the Dutch Presidency of the Council of the European Union and preparatory work on the opening of other chapters to continue at an accelerated pace
 - The EU and Turkey will work to improve humanitarian conditions inside Syria

The implementation of this agreement at a great extent depends on the commitment and cooperation of the governments of Greece and Turkey. Their authorities have to do a bulk of legal and operational work. The Commission is assisting Greece with advice, expertise and support from the EU budget and by coordinating the support which is being provided by other Member States and EU agencies. The implementation report on September 2016 shows that the EU-Turkey deal reaches its objective and it is successful in curtailing the number of irregular migration to Europe. There is a substantial fall in the crossings from Turkey to Greek islands which also decreases massively the number of deaths at sea of migrants. More specifically as presented in the implementation report, in the weeks before the implementation of the Statement, around 1,740 migrants were crossing the Aegean Sea to the Greek islands every day. By contrast, the average daily arrivals since 21 March are down to 94. From over 270 fatalities in the Aegean Sea in 2015, the number of losses of lives has fallen to 11 since the Statement. So far, 1,614 Syrian refugees have been resettled from Turkey to Europe and the return of 578 irregular migrants has been carried out from the Greek islands to Turkey, in full respect of EU and international law. Since June 2016 (time of the second implementation report), the total numbers of arrivals from Turkey to the Greek islands was 9,250 - representing an average daily arrival of around 81. Although an increase was recorded in August, the numbers were still 97% lower than in August 2015²⁸.

At the beginning of September, the Commission signed its largest ever humanitarian programme, the Emergency Social Safety Net (ESSN). Starting in October, the ESSN will cover every day needs of 1 million refugees across Turkey via a system of monthly transfers onto electronic debit cards. The most vulnerable of the refugees in Turkey will receive an electronic debit card to which monthly cash transfers will

²⁸ Information available at: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/20160928/factsheet_implementation_of_the_eu-turkey_statement_en.pdf





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ensure that they have sufficient funds for covering their basic needs. As such, refugees can make their purchases independently and have the dignity of choice and get back to a normalisation of everyday life, making their purchase list, doing them in their preferred time.

The Commission signed at the end of September, two direct grants with the Turkish Ministries of National Education and Health, for an additional €600 million. The total of contracted funds now stands at €1.252 million. Further projects to help build schools, hospitals and utilities will be signed over the next few months under the Special Measure worth €1.4 billion adopted on 28 July 2016. To date, 34 projects have been contracted worth €1.252 million, out of which €467 million has been disbursed. The total allocated for implementation under the Facility for Refugees in Turkey on humanitarian and non-humanitarian actions now stands at €2.239 billion²⁹. Based on the agreement, the Greek Parliament adopted law 4375/2016 on 1 April 2016 under urgent procedure. The new law, which aims to transpose the provisions of the EU Asylum Procedures Directive into Greek legislation, introduces new provisions to apply the concepts of safe third country and first country of asylum, as well as ensuring fast-track procedures for the examination of asylum applications, including appeal procedures³⁰.

²⁹ Ibid.

³⁰ [http://www.europarl.europa.eu/RegData/etudes/STUD/2016/556942/IPOL_STU\(2016\)556942_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2016/556942/IPOL_STU(2016)556942_EN.pdf)





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SOCIOECONOMIC CONCERNS, MANAGEMENT OF THE BASIC SOCIAL SERVICES FOR THE REFUGEES (WITH ELABORATION OF THE INTERVIEW FINDINGS)

Turkey

Healthcare

AFAD, the governmental body in charge of the disaster and emergency situations, helped the first newcomers from Syria on 29 April 2011 and provided them with the basic primary needs: shelters and food. Subsequently, AFAD took the responsibility to take care of the healthcare problems of the Syrians arriving to Turkey.

Primarily, the Syrians have been provided healthcare at Family Health Centers. However, with time, as the number of the Syrian population increased in Turkey, the local infrastructures and services have become insufficient. It has been a fundamental necessity to open more health centers to treat the Syrians. As a result, new polyclinics have been opened in the cities where the Syrians are mostly living in order to treat them specifically. Furthermore, these cities are providing mental health clinics, physical therapy facilities, and vaccination centers. They provide primary health services, prenatal care and rehabilitation, and psychosocial support for the Syrians residing in Turkey.

In 2013, AFAD's role as a healthcare provider to the Syrians has been expanded and improved with the introduction of the Law on *Foreigners and International Protection*. Since the start of the implementation of the Law on 22 October 2014, all the Syrians who have arrived to Turkey after 28 April 2014 were considered under the 'temporary protection'³¹.

The Law emphasizes that every Syrian in Turkey has free and universal access to the primary public healthcare, also expanding the healthcare provision to the Syrians throughout Turkey, which was limited to 11 cities before. Even though the law is advantageous for them, its implementation is a complex process for both the Syrians as well as other groups of refugees and asylum-seekers that have been residing in Turkey for many years.

The general health insurance scheme makes it compulsory for all those who are residing in Turkey to have either public or private health insurance³². Refugees and asylum-seekers in Turkey whose application processes have started and who are holding residence permits and a foreigner's identity number, are able to benefit from the healthcare services provided by the Government. However, the process of obtaining foreigner's identity numbers and residence permit issues were improved after the arrival of the Syrians to Turkey. The non-Syrian refugees are geographically limited as they have access to the health-

³¹ UNHCR, Syrian Refugees in Turkey Frequently Asked Questions
http://www.unhcr.org/turkey/uploads/root/frequently_asked_questions.pdf

³² Asylum Information Database, *Statistics: Turkey*, Report, 2015.
<http://www.asylumineurope.org/reports/country/TURKEY/statistics>





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care services only in the satellite cities where they are assigned to live. The refugees who are living in these satellite cities have a signature duty to show their presence in the city. Accordingly, they can access the healthcare system inside these cities and not in another city.

UNHCR has been helping those who need healthcare³³ too. Alternative to the public hospitals, there are private health institutions which are easier to be reached as there are fewer formalities. However, the treatments in these hospitals are expensive, and not affordable by all.

"Article 89 of Law on *Foreigners and International Protection* stipulates that "international protection applicants and status holders who are not covered by any medical insurance scheme and do not have the financial means to afford medical services" shall be considered to be covered under Turkey's general health insurance scheme and as such have the right to access healthcare services provided by the public healthcare service providers free of charge. For such persons, the health insurance premium payments shall be paid by the Directorate General of Migration Management (DGMM)"³⁴.

The lack of a national policy for the urban refugees is the main obstacle for all groups of refugees in their quest to access healthcare. The challenges to the healthcare system for those who are residing inside the cities are not identified and dealt with. A formal needs assessment of the urban refugees including the Syrians is necessary to be conducted in order to identify their problems and how they have been coping with their situation. Apart from AFAD and the Turkish authorities including the Ministry of Health and Ministry of Family and Social Affairs, some national and international NGOs work independently with refugee groups in different cities³⁵. However, due to lack of coordination between the institutions and organizations, these help and needs assessments remain limited to the groups that have been worked with and had not reached to many people including decision-makers who could benefit from these reports.

One of the interviewees living outside the camps emphasized that in 2014 when she was pregnant, she could not access healthcare services, such as the ambulance, to assist her. She noted that even when healthcare services were available, they had been costly, very basic and not enough to meet their needs. A major issue which the interviewees raised during the in-depth interviews pertained to the challenges in getting identity cards from the Government of Turkey that are necessary for any kind of admission to a hospital. One other interviewee said that her son couldn't get medical treatment when he had been severely injured, following a marble falling on his hand, as the mother didn't have an ID. She eventually received help from her neighbour, who managed to facilitate the process to get the needed treatment for the child. Another participant of our workshop said that her son who broke his arm got mistreated in the hospital upon the doctor learning that they were Syrian.

³³ UNHCR, Syrian Refugees in Turkey Frequently Asked Questions, Fact Sheet, 2014

http://www.unhcr.org/turkey/uploads/root/frequently_asked_questions.pdf

³⁴ Asylum Information Database, *Statistics: Turkey*, Report, 2015.

<http://www.asylumineurope.org/reports/country/TURKEY/statistics>

³⁵ "Turkey Overview", ReliefWeb. 2016

<http://reliefweb.int/country/tur>

For further information on the national and international organizations operating in Turkey to provide relief to the refugees:

<https://graphcommons.com/graphs/a5f158c2-9d58-4745-9fe5-97bc9d86dac4>





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In the Symposium which had the main theme of healthcare services for refugees in Turkey and which was held by the Turkish Ministry of Health and the Turkish Ministry of Family and Social Policy on 10 December 2015, Elif Selen Ay from UNHCR presented the³⁶ results of field research on the healthcare provision to Syrians in Turkey emphasizes the common problems that the Syrians have encountered since their arrival as; 1) complicated guidance mechanism which is also updated frequently; 2) the language barrier between the doctors and the patients; 3) the problems encountered during the registration; 4) problems with accession to healthcare because of registration problems to the MERNIS System³⁷ (a system which collects the identities and addresses of the individuals in a pool); 5) difficulties in accession to psychological support are those among the problems encountered in the healthcare system.

Residence Permit

Before the Syrian newcomers, Turkey opened its doors to other refugee groups in the past. They are majorly Iranians, Iraqis, Somalians, Afghans, and Chechens. Their receptions to the country and process of admission to asylum have been different in comparison to Syrian refugees. Article 17 of the Law on Residence and Travel of Foreigners³⁸ reveals that foreigners who seek asylum for political reasons shall reside at places assigned by the Ministry of Interior³⁹. After the newcomers apply for the asylum, they are assigned a city in Turkey where they could reside during their residence. These are called satellite cities and are mostly located in central and southeast Anatolia. Metropolitan cities – Istanbul, Ankara, and Izmir - are not considered as satellite cities. The refugees and the asylum seekers cannot leave these cities without receiving permission from the local branch of the Foreigners Department. After being assigned to satellite cities, the individuals need to approach Foreigners Department in their relevant cities to present themselves and fulfill their signature duty everyday or once a week or during defined timeframe depending on the situation. Local branches of the Foreigners Departments are obliged to issue an 'asylum-seeker ID card' for each applicant not later than three days following their registration⁴⁰.

As mentioned above, the process has been different for the Syrian refugees. All of the Syrians are covered by the Temporary Protection (TP) regime, including those without identification documents. The TP also covers Palestinians from Syria and stateless people from Syria⁴¹. All the refugees who are covered by this protection are immune from being sent back to their countries unless they ask to be sent. However, not being registered by the government institutions creates difficulties in accession to basic services like healthcare or education.

Syrians, who are living in Turkey under the TP regime are registered by the Turkish Ministry of Interior

³⁶ Ay, Elif Selen. "Suriyeli Mültecilerin Sağlık Hizmetlerine Erişimi". Ülkemize Sığınan Yabancıların Sağlık Hakları organized by the Turkish Ministry of Health and the Turkish Ministry of Family and Social Policy. Ali Emiri Efendi Kültür Merkezi, Istanbul. 10.12.2015.Symposium

³⁷ <http://www.mernis.net/>

³⁸ Law no. 5683 on Residence and Travel of Foreigners, dated to 1950

³⁹ UNHCR The Practice of Satellite Cities in Turkey

<http://www.unhcr.org/50a607639.pdf>

⁴⁰ ibid

⁴¹ ibid





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Directorate General of Migration Management (DGMM) officials. The Directorate was established by the *Law on Foreigners and International Protection* in 2014 and executes registration throughout all 81 cities in Turkey. However, where the registration takes place differs in each city; for example in the police departments, which are in charge of the foreigners, or in AFAD's offices. Syrians who officially entered Turkey with passports are able to receive a residence permit from the Foreigner's Department of the Ministry of Interior. The residence fee is waived for Syrians, but they are required to pay administrative fee for the residence permit booklet. For all Syrians with a passport, the Government of Turkey provides a one-year residence permit. If one holds the valid residence permit, they don't have to register with the TP regime.

In the camps, registration is done prior to the Syrians' placement in the camp, and in the registration facilities that are placed inside the camps. After registration, camp residents receive registration cards, which are also used as identity cards that lead them to have access to several public services.

The registration is of great importance for the migrants and refugees in Turkey. It creates the legal framework for the accession to public services like health and education. The registration documents give the Syrians the right to stay in Turkey. However, these registration documents are not equal to the residence permit as the Temporary Protection Regulations indicates. The Syrians who do not wish to use the rights provided by the Temporary Protection Regulation, have the right to apply for residence permits.

During the in-depth interviews conducted by the Global Political Trends Center staff with a group of women from Syria, on the premises of HRDF in Esenler, Istanbul, on April 20, 2016⁴², difficulties regarding the work permits raised by the interviewees. The most common problem encountered, is the difficulty in accessing necessary information regarding the process. The biggest obstacle in reaching the information is the language barrier. Currently, besides the government offices, national and international NGOs are employing Arabic speaking personnel to bridge the language barrier in order to reach more people to inform them about their rights.

Another face of the residence and housing issue is the high rental costs following landlords' raising the rents upon the arrival of the Syrians to Turkey. Syrians who came in large families are struggling to find appropriate accommodations with a reasonable price. One interviewee said that she has a tense relationship with her landlord who asked her to leave. She said that her apartment was occupied by many people; both young and old, due to the high rental prices and so, the neighbours knocked on their door constantly to tell them to keep their voices low. Now she even tells her guests to lower their voices inside the apartment.

Access to Employment

The process of finding a job is already a challenging road. Being a refugee doubles the challenges. Formalities of employment differ for different refugee groups. The individuals who come to Turkey in order to work should be issued residence permit in any case before working and within a month following their

⁴² The group consisted of 17 women who were all from Syria. The main aim of this study was to understand and document the thoughts of different people who fled the war on certain issues, such as: 1) the push and pull factors; 2) access to services in Turkey; 3) informal support groups; and 4) registration and advancement to Europe. Some views expressed by the interviewees have been presented in this report.





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arrival⁴³. Those who have come to Turkey in order to work and obtained the work visa abroad, should be issued residence permit at the latest within 30 days following their arrival and before their working⁴⁴.

Those who come to Turkey as refugees, however face different procedures. Those who are living in the satellite cities have to find jobs in the cities they are living. Nonetheless, it is hard to find jobs for the refugees and asylum-seekers even if they have residence permit and foreigner's identity cards. They usually work informally, and hence cannot benefit from the general health insurance scheme.

Inasmuch as the employment issue is difficult for the Syrians they are more visible in their current situation, due to this, they acquired some rights faster than the other groups. It cannot be denied that they have a significant impact on the Turkish labour market since they first arrived to Turkey in 2011. Temporary Protection allows them to access the labor market, unless they are registered and documented. They can apply for work permits in defined sectors like textile, professions and geographical areas.

In the beginning of 2016, Turkey passed a new legislation to allow Syrians apply for work permits. Until May 2016, Labor and Social Security Ministry has given work permits to 3,800 Syrian refugees who fulfilled the required qualifications. The work permits are given in certain fields of work like construction, textile and manufacturing sectors and will be valid for one year. When the work permits are to be renewed, they lose validity and cannot be used instead of the residence permit. The legal framework envisages more Syrians will apply for the work permits in the upcoming months.

However, as the numbers looking for jobs increased, the wages dropped immediately, sometimes to the level of abuse of work force. Some of the Syrians reportedly continue to be employed with very low wages and poor conditions despite the Turkish Government's efforts to improve the situation. The employers are not applying for the work permits for the refugees which means that they have to pay at least the minimum wage to their workers – however, they do not. This discrimination remains silent, as some of the Syrians are not well informed about their rights. As the poor conditions continue, Syrians cannot benefit from social security and decent wages. Some interviewees shared their experiences of how difficult it is to receive a Social Security Insurance Card. They also do not fully understand the process of doing so. Refugees are working longer hours than Turkish citizens and they are known to be hard workers. Some men work more than 12 hours a day and receive very little to no compensation for their work.

One of the major problems arising after Syrians refugees' arrival to Turkey is increase in child labor. Many children are working long hours up to 10 hours in hard jobs just to be paid very low wages. The reason of increase in child labour lies in the heart of the conflict. Some children who lost their fathers, brothers or uncles, found themselves as the head of their families as such have to be breadwinner. The elderly do not have the opportunities to work, which makes life difficult to sustain and some families also prefer to send their children to work as the wages are too low for adult jobs. The interviewees said in some instances their children dropped out of school to provide for the family.

⁴³ Turkish National Police (EGM), Definitions Regarding the residence permits procedures of the foreigners.

<https://www.egm.gov.tr/EN/Pages/Residence-Permit-Procedures.aspx>

⁴⁴ ibid





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Social Welfare

As mentioned above, AFAD, Turkish Government's official body for humanitarian aid during disasters and which is the official authority to regulate the camps took an immediate action when the Syrians first arrived to Turkey. They helped Syrians with basic needs like food aid and shelter. Other international and national organizations like UN agencies (e.g. UNHCR, UNICEF, WHO) that arrived in the cities where the Syrians came in numbers do not have the authority on regulating the camps, though community centers have been established by some of the NGOs in these cities.

The camps built by AFAD are reportedly the best refugee camps that have been built until now when compared with the other examples in the world. Even though the international and national organizations are not allowed inside the camps, informally it is confirmed by the Syrians living inside the camps that the camp conditions are good. Besides providing shelter for the individuals who need a place to stay, the camps provide medical centers, education centers and recreational facilities alongside vocational training programs.

NGOs assist in many different ways like distribution of emergency vouchers. Also, they are helping the camp conditions to be adapted to winter season. UN agencies are also collaborating with the Turkish Government and some selected NGOs to develop a comprehensive plan to help vulnerable Syrians to survive the harsh winter conditions of the southeast Turkey. Under these programs, the vulnerable persons receive a cash voucher to cover their much-needed items⁴⁵.

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Outside of the camps, life is little bit more difficult. The refugees who live in the cities face challenging circumstances. High rents and large families are restricting them to have quality accommodation places. Their access to information is usually informal via Internet tools such as Facebook groups. Even though the Turkish Government offers some access to education, healthcare and public services, access to these services are often limited. Many refugees live in poor conditions outside of camps, with rents and food causing great strain on their already depleted resources⁴⁶.

Besides the Turkish authorities and NGOs, the European Union (EU) has been helping the refugees in Turkey. The EU has launched the Facility for Refugees in Turkey to deliver complementary support to Syrian and other refugees and host communities in close cooperation with the Turkish authorities. As of October 2016, the European Commission rolls out Emergency Social Safety Net, a single card social assistance scheme that will allow up to 1 million of the most vulnerable refugees meet their most pressing basic needs⁴⁷.

One big challenge is ahead of all situations is the language barrier. It creates difficulties in reaching information. Beyond acquiring adequate knowledge on their rights, it is an important asset for the inte-

⁴⁵ UNICEF, *Turkey Humanitarian Situation Report*, (14 October 2016).

<http://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF%20Turkey%20Humanitarian%20SitRep%20-%20September%202016.pdf>

⁴⁶ European Commission, *ECHO Factsheet: Turkey: Refugee Crisis*, (September 2016),

http://ec.europa.eu/echo/files/aid/countries/factsheets/turkey_syrian_crisis_en.pdf.

⁴⁷ European Commission, *ECHO Factsheet: Turkey: Refugee Crisis*, (September 2016),

http://ec.europa.eu/echo/files/aid/countries/factsheets/turkey_syrian_crisis_en.pdf.





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gration process into the Turkish community. The ones who do not speak Turkish, very rarely or never make friends and get the chance to integrate inside the society. Besides, integration is important to normalize the life and get out of the war's reality. For posterity's sake, it is vital to forego the experiences and harm cause by the war.

Education

The children of migrants and refugees in Turkey must have foreigner's identification number in order to register in the schools within the Ministry of National Education system. Before the Law on Foreigners and International Protection was passed, it was very difficult for the migrants and refugees residing in Turkey to get an identification number because of the financial difficulties. After the Law was enacted, the fee for the foreigner's identification number was lifted. However, the prolonging processes have still been a reason for retracting their applications.

The Turkish Government gave a very quick and dynamic response to the emergency situation when the first Syrians arrived in Turkey in April 2011. A decree, which allows Syrians, whatever the age of the person, to be registered in the education system in Turkey, was passed after their arrival. This decree was prolonged every year and still continues to be implemented⁴⁸.

However this right had not been previously given to other migrants and refugees. Children of migrants and refugees are to provide documentation to show their level of education, in case they could not, if necessary an oral and written exam is conducted for the children. Ministry of National Education is the official body to organize these exams where also an interpreter who knows the language of the child participates.

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There are several educational choices for the children of migrants and refugees in Turkey primarily official public schools, and the formation given inside the camps⁴⁹. For the Syrians, another option came into being – their own private schools. Until 2015, the number of these schools was 42⁵⁰. The Syrian Government, communities, political parties or other economic groups privately fund these schools that require a fee to be paid. These schools are following the Syrian syllabus with a teaching language in Arabic. However they are not recognized by the Turkish Government, and are planned to be closed soon. The Syrian children, who will start schooling for the first time, are encouraged to inscribe in the Turkish public schools, which will would be essential in the integration process.

The Syrian children have the right to register in schools no matter what the months is, they don't have to wait for the beginning of every semester. It is known that half of the Syrian population in Turkey falls within school going bracket. In primary and middle schools, there are approximately 150 thousand Syrian children who are enrolled in the schools. However the numbers are dropping for the secondary schooling, as the children have to start working to provide for their families.

However, one interviewee said that even though there were some opportunities presented to Syrian students, it was difficult to acquire education. Two reasons account for this. One is the language barrier. On the second barrier she expresses that they have to pay high fees for the schools. She adds that they

⁴⁸ Yurttaşlar Derneği, Saha Dergi, Eğitimde Reform

⁴⁹ Yurttaşlar Derneği, Saha Dergi, Eğitimde Reform

⁵⁰ Yurttaşlar Derneği, Saha Dergi, Eğitimde Reform





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barely feed their children bread as such they are not considering paying these fees. She says that the Turkish Government promised they would not take fees and assist the children to enrol in schools; however the schools are still demanding school fees. When she was asked how they learnt that the Government would not take fees and assist the children with schooling, she answered as "...we access our news through the internet, Facebook, and word of mouth (which are sometimes rumours)" and she added "We were informed that there were supposed to be many organizations that assist with school fees".

Even though Turkey is far ahead of other host countries in providing public services for the Syrians, there should be some time to establish the system fully. For now, Turkish education system lacks teachers who have acquired the formation to teach lessons to the refugee children. The decree indicates that, all the schools where there are the Syrian students (admitted with the e-school system), a teacher who knows Arabic should be assigned. But, in practice, this is not implemented effectively.

Parallel with the Syria crisis, Temporary Education Centers (TEC) have become prevalent in Turkey. These Centers are operating within the Turkish Ministry of Family and Social Policies system and the diplomas and certificates obtained from these are recognized by the Ministry of Education. The Centers are located in several places; including office blocks, NGO buildings, and Turkish public school buildings which are available after Turkish students leave, so the classes are held in the evening.⁵¹ As of September 2016, there are 73 centers; Deputy Secretary of Turkish Ministry of National Education Ercan Demirci had said in a conference on 6 September 2016 that the TECs would complete their mission in three years, and their students would be integrated into the Turkish public school system⁵². Alternatively, there are also the unofficial schools, which are not regulated by the Government. Those who cannot have the opportunity to enrol in official schools send their children there, for them to have at least a formation.

Travel Documents

While the non-Syrian refugees need permission from the local branch of the Foreigners Department in the cities that they are assigned, in order to leave the city for any reason, this does not apply to the Syrians who are living in Turkey. This is mostly due to the large numbers of population and it is difficult to track the travel of every Syrian inside Turkey. If a person does not present himself/herself in the Foreigners Department to fulfil his/her routine signature duty and leave the city of residence without permission, such a person is registered in the official database of 'escapees.' However his/her file is not closed because of this situation, and if he or she returns, his or her file is reopened for processing.

If a person from another group of refugees other than Syrians needs to be transferred to another satellite city, he/she also has to receive approval from the General Directorate for Security after an assessment of the reasons for transfer request raised by the applicant⁵³.

⁵¹ Aras, Bülent, and Salih Yasun. "The Educational Opportunities and Challenges of Syrian Refugee Students in Turkey: Temporary Education Centers and Beyond." Istanbul Policy Center/Sabancı Univ Press. (2016).

⁵² Demirci, Ercan. T.C. Milli Eğitim Bakanlığı, 06.09.2016

<http://bigb.meb.gov.tr/demirci-gemler-uc-yil-icinde-misyonunu-tamamlayacak/haber/11850/tr>

⁵³ UNHCR *The Practice of Satellite Cities in Turkey*

<http://www.unhcr.org/50a607639.pdf>





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As UNHCR reported⁵⁴, registered Syrian refugees residing in the camps, are granted leaves from the camps during daylight hours on a regular basis. For Syrians who are living outside the camps, a specific permission to go to another city/province is not required. Some individuals prefer to leave the camps in order to live in the cities. For this, they need to approach the camp management. After leaving the camps, they are legally required to provide the authorities with their new address within 20 days. Those who wish to go back to Syria voluntarily can return back to their country. However, this return is considered a ground for cessation of temporary protection. And if they decide to come back to Turkey, they need to re-apply for the Temporary Protection; DGMM has discretion regarding this request⁵⁵.

Individuals, who wish to go to a third country, may be given right to resettlement in another country upon request. However this right is given by the UNHCR only to those who are the most vulnerable. At this stage, UNHCR Turkey and the Turkish authorities are working together to facilitate the process. Another option to resettle in a third country is through family reunification of the members of the same family who are residing in two separate places.

Those who have the valid travel documents and a valid visa are free to travel from Turkey to a third country. However, those who do not have the valid residence permit and the visa or entered Turkey irregularly, have to take an exit visa from the Turkish authorities to go to a third country. This is a requirement also for resettlement procedures and family reunifications. The exit visa can be obtained from DGMM for the purpose of leaving Turkey permanently or temporarily⁵⁶.

Family Unity

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War conditions in Syria inevitably damaged the family unity of Syrians. During the five years, many families have been separated from each other, some forever. Some families want to send their children abroad in order to secure their future. Sometimes, the financial reasons and health conditions of the elderly in the family cause the children to take this journey alone.

A lot of families who arrived to Turkey, came with many members of their family. Crowded families are living together inside the camps or in cities in shared accommodation units if they cannot afford separate places. Sometimes a member of the family goes abroad in order to benefit from the family reunification procedure, to have his/her family with him/her in a European country or any other preferred country. As part of the family reunification, individuals can resettle in a third country. This type of resettlement right is given to those families that the resettlement is the only means for them to reunite after being separated by borders or entire continents. The procedure differs from one country to another depending on where the other member of the family is.

Ideally, all close members and dependents should be resettled together to preserve the unity of family. It is however not always possible for families to stay united. According to the Temporary Protection regulation, applications for the family reunification in Turkey with relatives (spouse and children) who

⁵⁴ UNHCR, Syrian Refugees in Turkey Frequently Asked Questions

http://www.unhcr.org/turkey/uploads/root/frequently_asked_questions.pdf

⁵⁵ Mülteci Hakları Merkezi – information booklet on registration and status for Syrian refugees

⁵⁶ ibid





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may be residing abroad and wish to join in Turkey shall be evaluated by DGMM⁵⁷.

For the reunification outside of Turkey, the applicants should get in touch with the embassies. Most countries only accept family reunification requests of nuclear family members (spouses and children under the age 18)⁵⁸. The international community is encouraged to be more open and more generous to accept the families as unified with all the members of the nuclear family. UNHCR promotes family reunification, and try to facilitate the process for refugee families. This means it provides assistance to family members to join the other family member who is recognized as a refugee in another country. At this point, there are incidents where family members take dangerous journeys to Europe from Turkey to wait for recognition as a refugee and later for their families to join them⁵⁹. However, sometimes they become victims of smugglers on the Aegean route to Greece on the way to Europe, and sometimes they never reach the shore.

There are cases where children arrive Turkey unaccompanied. Turkey's Child Protection Law No. 5395⁶⁰ ensures the protection of all children regardless of their nationalities. Under the Temporary Protection regime, unaccompanied children may be accommodated through coordination between UNHCR and the Turkish Ministry of Family and Social Policies. When appropriate conditions are met, in cooperation with AFAD, these children are accommodated in camps under the control of the Ministry of Family and Social Policies. Under the existing legal framework, the Syrian children are registered and are provided with primary education and medical care⁶¹.

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In exceptional cases such as unaccompanied children whose parents reside in a third country, UNHCR Turkey uses its offices to facilitate a speedy reunification by liaising with relevant embassies and making sure the appropriate arrangements are done for the children during their stay in Turkey⁶².

Psychological Support

One of the priority issues about the refugees is the psychological effect of the war trauma on the individuals, which needs to be treated professionally. Turkish Government reports that 55 per cent of Syrian refugees in Turkey are in need of a psychological service and close to half of the Syrian refugees think they or their family members need psychological support.⁶³

Specific groups may have specific ways of coping mechanisms with their psychological problems. Besides being witnesses to violence or experienced violence, there are difficulties in starting over in another country from the beginning. Financial problems as a result of difficult employment processes, registration stress, changing family dynamics, surviving sexual and gender-based violence, surviving violence

⁵⁷ UNHCR, Syrian Refugees in Turkey Frequently Asked Questions
http://www.unhcr.org/turkey/uploads/root/frequently_asked_questions.pdf

⁵⁸ *ibid*

⁵⁹ *ibid*.

⁶⁰ <http://www.lawsturkey.com/law/juvenile-protection-law-5395>

⁶¹ UNHCR, Syrian Refugees in Turkey Frequently Asked Questions
http://www.unhcr.org/turkey/uploads/root/frequently_asked_questions.pdf

⁶² *ibid*.

⁶³ www.humanityinaction.org the response to syrian refugee women's health in lebanon turkey and jordan





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as a LGBTI individuals form some of the reasons why psychological support is needed. Children too are affected psychologically. More than 50 percent of Syrians displaced internally or as refugees are children and of these nearly 75 percent are under the age of 12⁶⁴. According to a UNHCR report, some of the refugee children in Turkey are suffering from high levels of emotional and behavioral problems; nearly half of them have clinically significant levels of anxiety or withdrawal, and almost two thirds were fearful⁶⁵. The Turkish authorities indicated that they will work towards enhancing existing mechanisms for the identification of refugees in need and through strengthened support to relevant national institutions and collaboration with the health and education sector to expand psychosocial services.

UN Regional Refugee and Resilience Plan 2015-2016⁶⁶ envisaged the improvement and enlarging the psychosocial support to the refugees living inside Turkey. UN agencies such as UNICEF, World Health Organization provide refugees psychosocial support and organize and conduct technical workshops on mental health and psychosocial services. Also, the European Commission's financial contribution to basic needs of the refugees covers psychological support and protections programs to refugees in camps and urban settings.

Vulnerable persons

Refugee communities who are forcibly displaced are already the most vulnerable inside the new society they have resettled. Their rights and access to services are limited in the new country. Nonetheless, there are also extremely vulnerable persons among them who need to be identified and addressed properly. Poverty and vulnerability are linked, multidimensional and, at times, mutually reinforcing⁶⁷. Forcibly displaced people go through sensitive periods as their whole life is affected.

The identification of the vulnerabilities and the vulnerable persons among the refugees are done by the Turkish Government and the international and national organization officials. There are several methods to assess vulnerability. AFAD conducts household surveys, UNHCR works on the data collection mechanisms to improve, identify those refugees living outside the camps in order to address them properly if they are in need. UNFPA conducts demographic and socioeconomic analysis of the situation as well as helping to identify the gaps and vulnerabilities of the non-camp refugee population in Turkey. UNFPA has also been working closely with the Turkish Ministry of Family and Social Affairs in improving gender equality and the elimination of violence against women.

The European Union is involved in supporting the vulnerable persons by both providing humanitarian aid while also focusing on longer-term development needs for example livelihoods. The European Commission financially supports the programs, which include trainings and workshops to promote children's education, empowerment of women while also supporting improving living conditions of the refugees living in camps and outside of the camps. The EU's focus on education is not only for the children, there is also vocational trainings for people of any age.

⁶⁴ UNHCR *Culture, context and the Mental Health and Psychosocial Wellbeing of Syrians*

⁶⁵ *ibid*

⁶⁶ *UN 3RP Regional, refugee and Resilience Plan*

⁶⁷ <http://hdr.undp.org/sites/default/files/hdr14-report-en-1.pdf>





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Many refugee women considered as one of the most vulnerable groups in Turkey are those who have experienced gender-based violence. Gender-based violence support program is given high priority in many NGOs alongside the children protection program. The children who are the other most vulnerable group need to be taken care of carefully. For many of them, their education lives have been interrupted, they also struggle with the changing dynamics of life and try to adapt to their new situation.

UNHCR provides technical advice on registration standards as well as identification mechanisms for vulnerable persons and counsels on existing referral mechanisms under Turkish law. For the most vulnerable, the resettlement process is conducted by the UNHCR and the right is given to those who are the most vulnerable refugees. However they are sometimes the least visible and vocal groups of refugees. To be fair and transparent, UNHCR conducts very careful identification mechanisms for those who are in need of a resettlement.





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Greece

Athens Network of Collaborating Experts conducted interviews with a group of refugees from Syria, at the settlement of Piraeus port in Athens, Greece, on 10 June, 2016. The refugees group consisted of 18 men and women. The main aim of this activity was to understand and document the thoughts of different people who left Syria, on certain issues, such as: 1) the push and pull factors; 2) access to services in Greece; 3) informal support groups; and 4) registration and advancement to Europe. Findings of these interviews are incorporated in the analysis below on the socio-economic conditions of refugees.

Residence Permit & Travel documents

Asylum applicants are allowed to remain in the country until the administrative procedure for the examination of their application is concluded and they shall not be removed, in any way⁶⁸.

Once asylum seekers lodge their application and have the status of asylum applicant, they are issued with the 'asylum card', valid for six months. As stipulated in PD 220/2007, having obtained the asylum card, asylum seekers are free to move freely within the territory of Greece or in the area assigned by the authorities and choose their place of residence⁶⁹. This is subject to the condition that the authorities may restrict asylum seekers to a specific area for reasons of public interest, public order or to ensure a fast and effective completion of the asylum procedure. In any case, asylum seekers should promptly inform the authorities on any residence address change. While their applications remain pending, so does their residence.

In a report published by AIDA (Asylum Information Database), the time lag between pre-registration and full registration of asylum applications was estimated at an average period of one year in May 2016, though in practice many appointments for full registration are scheduled within months of pre-registration. In the case of accelerated procedures different deadlines and time limits are in effect; in the case of Greece the maximum duration of the accelerated procedure is 90 days. Once there is a decision on their application and they are granted international protection, then the beneficiaries are granted a three-year residence permit. The residence permit is renewable after application by the beneficiary. Family members of the asylum beneficiaries are granted residence permits of equal duration⁷⁰.

After the issuing of residence permit, the beneficiaries can apply for travel documents. The asylum beneficiary applies for a travel document in the relevant authority and after receipt and examination, a

⁶⁸ Presidential Decree No. 114 of 2010 on the establishment of a single procedure for granting the status of refugee or of beneficiary of subsidiary protection to aliens or to stateless persons in conformity with Council Directive 2005/85/EC on minimum standards on procedures in Member States for granting and withdrawing refugee status

⁶⁹ Presidential Decree 220/2007, Adaptation of the Greek Legislation to the provisions of Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers

⁷⁰ Presidential Decree 96/2008, Adaptation of Greek legislation to the provision of Directive 2004/83/EC on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted





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travel document (titre de voyage) is issued that allows the latter to travel abroad subject to conditions as given in Article 25 of PD 96/2008. The issuing requirements and documents that apply for Greek citizens apply for asylum beneficiaries.

Healthcare

According to Greek law, asylum seekers have the right to receive free of charge the necessary health, pharmaceutical and hospital care, on condition that they have no health insurance and no financial means. Provision of such healthcare may be clinical and medical examinations in public hospitals, health centers or regional medical centers.⁷¹ Disabled persons are granted a disability allowance as long as their asylum application is pending and in cases where the disabled persons are not staying in the reception centres. Regarding the victims of torture and violence, the relevant authorities of first reception should ensure that victims of torture are referred to special services for the appropriate support and treatment. Greek public hospitals can certify victims of torture; however, access of refugees and asylum seekers to public hospitals is impeded by shortage in health professionals as well as language barriers, given the unavailability of interpreters in hospitals.

Once granted asylum, asylum beneficiaries have access to national health systems on the same terms as they are applied to Greek citizens.⁷² Moreover, the asylum beneficiaries that belong to vulnerable groups such as pregnant women, disabled persons, victims of torture, have access to healthcare with the same conditions as applied to Greek citizens.

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It is amply evident that the financial crisis has put severe strains in the Greek healthcare system both in personnel and supplies terms, this situation has repercussions on the healthcare provision on asylum seekers. There are cases that access to health care services may require prior approval by a Committee, this consequently creates significant administrative barriers and refusal or restriction of the provision of health services by public hospitals to asylum seekers. In any case, emergency first aid support is provided in all cases free of charge. MSF reports that "hospitals are struggling to respond to the needs of both local people and migrants, mainly due to a lack of resources. As a result, people regularly face difficulties in accessing proper healthcare, especially specialised care. Whilst they theoretically have access to the treatment in hospital for specialised issues, in reality access is difficult due to a general lack of capacity, including a lack of financial and human resources"⁷³. Furthermore, refugees face various barriers in accessing healthcare; transportation to and from the health facilities is difficult as the majority of camps is geographically isolated; also the health facilities lack cultural mediators who are critical for understanding the case of each patient⁷⁴.

According to the WHO update report in April 2016, disinfection and sanitation measures have been reported as insufficient in several migration overflow centres. Also, hygiene and inadequate water supplies

⁷¹ Presidential Decree 220/2007, Adaptation of the Greek Legislation to the provisions of Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers

⁷² PD 96/2008, Article 29

⁷³ Source: http://www.msf.org/sites/msf.org/files/report_vulnerable_people_201016_eng.pdf

⁷⁴ Ibid.





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are currently among the main concerns. Furthermore, the report noted that skin conditions have been reported and could increase if living conditions do not improve. Female refugees and migrants frequently face specific challenges, particularly in maternal, newborn and child health, sexual and reproductive health, and violence.

Access to employment

According to Article 10 of the PD 220/2007, asylum applicants can have immediate access to the labour market subject to conditions as stipulated in PD 189/1998. Asylum seekers may work temporarily as long as they have a valid asylum card.

Once granted asylum, beneficiaries have the right to employment or to start their own business subject to the conditions of PD 189/1998. They share the same rights regarding access and participation in vocational training as well as regarding the provisions on social security as applies for Greek citizens.

However, access to employment and labour market inclusion is deteriorating in Greece following the financial crisis. Unemployment rates are persistently the highest in the EU, this constrains the employment opportunities of asylum seekers. On top of the ensuing financial crisis, asylum seekers have to face a multitude of other barriers such as language. Access to employment is also hindered by obstacles to participation in the very limited employment programmes, where beneficiaries of international protection often fail to register because of a lack of required documentation.

There is no targeted national strategy to promote employment or increase the employability of those granted international protection. Beneficiaries of international protection with disabilities or other specific needs are further affected by current austerity measures. Recent laws exclude non-Greeks or persons who did not reside in the country for a considerable time from access to social rights.

As derived from the interviews conducted in Greece with refugees, work issues were not mentioned during the interviews as most of them do not wish to stay in Greece and to find a job here. An interviewee said "I don't want to stay in Greece because this country cannot treat all those people with this bad economic situation".

Education

The children of asylum seekers who are minors as well as minors who are asylum seekers have access to the national educational system subject to certain conditions similar to those for Greek citizens. According to the PD 220/2007, integration into the educational system should take place no later than 3 months after the date of receipt of the asylum application. This time period may extend to one year when special language training is provided in order to facilitate access to the educational system. Also, asylum seekers have the right to participate in vocational training courses delivered by public or private organisations.⁷⁵ As noted in the interviews with refugees, both work and education go hand in hand and they should be equally prioritised. According to the provisions of PD 96/2008, minors who are granted asylum have the same rights as Greek citizens in participation in education. Also, asylum beneficiaries have equal treatment regarding degree recognition and other academic titles.

⁷⁵ PD 220/2007





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In August 2016, a Ministerial Decision was issued for the establishment of preparatory classes for all school-age children aged 4 to 15. This programme is implemented in public schools close to camps or places of residence. According to the information provided by the Ministry of Education, children aged between 6-15 years, living in open temporary facilities, will be enrolled in afternoon preparatory classes from 14:00 to 18:00 in neighbouring public schools that the Ministry has identified. The curriculum will include Greek as a second language, English, maths, sports, arts and computer science. Their transport will be organised by the International Organisation for Migration (IOM)⁷⁶. When this programme was put in effect, there were some cases of tension mainly provoked by far right groups in some areas.

When this decision was put in effect, there were some cases of tension provoked by far right groups; for example, problems were reported in Schisto camp due to the strong presence of the far right party Golden Dawn in Perama; as a result, IOM established security procedures for bus drivers on what to do if there is a security risk for the children they are transporting⁷⁷

However, in many cases activities have been organised in order to welcome refugee children. In addition to state organised educational activities, more than 80% of the accommodation sites are hosting informal education activities⁷⁸.

Vulnerable persons

Article 14 of law 4375/2016 sets out an extensive list of categories of vulnerable groups and stipulates stronger procedural guarantees. The competent authorities should ensure that special treatment is provided to applicants belonging to vulnerable groups such as minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence. As far as the islands are concerned, the law exempts vulnerable applicants from the exceptional border procedure. Conversely, Article 50 of 4375/2016 protects certain vulnerable groups in need of special procedural guarantees, namely victims of torture or serious physical or sexual violence, from truncated determination processes by requiring their applications to be examined always under the regular procedure. At the same time, vulnerable persons may benefit from the aforementioned channels of direct referral by organisations to the Asylum Service for registration, thereby avoiding the severe obstacles to access faced by the majority of prospective applicants in the mainland.⁷⁹ The identification of vulnerable persons is also part of the first reception procedures carried out at the FRC and involves the medical unit of the FRC. The medical unit is also responsible for an initial age assessment of unaccompanied young persons whose age is uncertain. The Head of the First Reception Centre (FRC), upon receiving a recommendation of the Head of the Medical Screening and Psychosocial Support Unit, refers persons belonging to vulnerable groups to the competent body of social support or protection. The referral of persons must be conducted within 15

⁷⁶ Source: <http://www.asylumineurope.org/reports/country/greece/reception-conditions/employment-and-education/access-education>

⁷⁷ Ibid.

⁷⁸ Ibid.

⁷⁹ With Greece: Recommendations for refugee protection, AIRE Centre and ECRE, July 2016.





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days, and may be extended for a period of 10 days under exceptional circumstances.

A report published by MSF in 2016 criticizes the serious lack of appropriate accommodation and specialised care for people categorised as 'vulnerable people'. For example, as pointed in the report, in the island of Samos there were pregnant women and new born living under tents and consequently are exposed to unsafe conditions. The report concludes that the specific needs of the vulnerable population in Greek camps are still not satisfied by public institutions⁸⁰.

Family Unity

The right to family life is internationally recognized. States have the obligation to protect family and family rights, and their action must respond to the guarantees enshrined in the Universal Declaration of Human Rights⁸¹ and in the International Covenant on Civil and Political Rights⁸². In the European Union⁸³ the rights of child and family are guaranteed by the Charter of Fundamental Rights of the European Union.

Article 23 of PD 96/2008 refers to maintaining of family unity. More precisely, it stipulates that the relevant authorities should ensure that all necessary measures are in place to ensure the maintaining of family unity. Under PD 220/2007, during their stay in reception centres, families should be housed in the same place. Children should be accommodated with their parents or with the adult family member responsible for them, with the aim of safeguarding their family life. Moreover, while providing accommodation to the applicant, the competent authorities must take all adequate measures as possible to keep together the applicant's family that is present on the Greek territory with the applicant's consent⁸⁴.

The Dublin III Regulation is the framework applied for people to move from Greece to other EU countries and provides family unity clauses. As noted in a report by AIDA, Greece's use of the Dublin procedure has been one of the more successful EU-wide vis-à-vis the number of outgoing requests resulting in effective transfers. Last year, the Asylum Service issued 1,117 outgoing Dublin requests to other countries and carried out 847 transfers, mainly addressed to Germany, Sweden and Switzerland. These figures seem to indicate a satisfactory application of the family reunification channel of the Regulation on the part of Greece⁸⁵. Despite those efforts, however, the Dublin procedure remains a cumbersome and slow solution for refugees seeking channels out of Greece. NGOs such as PRAKSIS and Save the Children have also stressed the length of the Dublin procedure, which lasts on average one year but may often take 15-18 months for children reuniting with family members, as a central challenge to those seeking legal routes to other countries⁸⁶.

The NGO ActionAid notes several problems on family reunification levels. First of all, it states that it can take up to 8 months for family to be reunited, a timespan which is painful in particular for young chil-

⁸⁰ Ibid.

⁸¹ Article 16: <http://www.un.org/en/universal-declaration-human-rights/>

⁸² Article 23: <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

⁸³ Article 24.2 of the Charter of Fundamental Rights of the European Union, see <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12012P/TXT&from=EN>

⁸⁴ Country Report: Greece, Asylum Information Database (AIDA), November 2015.

⁸⁵ http://www.asylumineurope.org/sites/default/files/resources/with_greece.pdf

⁸⁶ Ibid.





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dren. The second important problem that the NGO marks is the lack of legal remedies to appeal against a negative decision on their application⁸⁷.

Psychological support

Most war refugees have experienced serious traumas; death of family members, physical or emotional traumatic events. In addition, they face the uncertainty of a journey through the sea, the uncertainty of what the future lies for them in a new country. Provision of psychological support is a key priority for all persons that arrive after a perilous journey crossing the Aegean. Children and especially unaccompanied minors are the most vulnerable. The National Centre for Social Solidarity (NCSS) has accepted 1.824 requests since January 2015. The role of civil society organisations is central in the provision of support to refugees and migrants both in the islands as they firstly arrive and in the mainland. UNCHR Greek response and organisations such as Doctors without Borders provide psychological support among other services to refugees and migrants. The findings of an MSF report indicate that many refugees suffer from symptoms of anxiety, depression, and post-traumatic stress disorder. For example, medical data from the first 6 months of 2016 from our activities in Lesvos shows that 26.64% of our patients show signs of depression.

MSF explains that the psychological conditions of refugees are constantly affected by a multitude of external factors. First of all, psychology is affected by the conditions in the camp. If the refugees cannot meet the most fundamental of needs for hygiene, this severely impacts on how they feel. Secondly, lack of legal information is a major concern in refugee camps and it adds to the feelings of insecurity of refugees. Another factor identified that impacts on the psychological health of refugees is the uncertainty about the future.

In the mainland, many NGOs are active on providing psychological services. Despite their efforts to cover the needs, the sheer number of cases means that more needs to be done towards helping refugees in overcoming their traumatic experiences and coping with the new reality of their lives.

⁸⁷ http://www.actionaid.org/sites/files/actionaid/aa_relocation_reunification_report_eng.pdf





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THE CURRENT PRACTICES OF DATA COLLECTION AND IDENTIFICATION- THE BENEFITS AND THE DEFICIENCIES OF THE CURRENT SYSTEM

Turkey

Non-European asylum seekers, who enter Turkey with the purpose of asylum, are provided with temporary asylum. After being registered by the Turkish authorities, they are provided with identity cards and assigned to the satellite cities where they would settle down. For the Syrian refugees, they are covered by the Temporary Regime including those without identification documents. Nonetheless, registering the newcomers to Turkey is the first step of the identification. One of AFAD's duties is the collection of necessary basic data on disaster risks and development of planning tools so as to monitor the relationship between the development policy and disaster risk.⁸⁸ AFAD collects data regarding the refugee crisis and is responsible for the dissemination of these data in order for other organizations to develop their own development policies to reduce the negative effects of the crisis.

AFAD's capacity of response to crisis, of which data management and identification are part, has gradually grown for almost six years since the beginning of the Syrian crisis. The response is systematized and the knowledge and expertise capacity of the organization is increased.⁸⁹

Turkey was not expecting that the numbers of the Syrians coming to Turkey would reach officially 2.7 million (unofficially 3 million). The registration system was not very well developed when the current system is compared to the past one. The registration process had been conducted by AFAD and the Turkish Red Crescent and a central authority did not aggregate the data⁹⁰ But since then Turkey has been working to systematize its response to emergency situations like this crisis. In 2013, a single database was established called GöçNet⁹¹ where the foreigners in Turkey who are registered by the authorities can reach their personal information. Another development is in the employment area, the Turkish Labour Agency (İŞKUR) has developed a system to identify the sectors where there is need of additional work force and map the abilities of Syrians, so that an employment strategy can be worked on⁹².

Regarding the data management and identification, AFAD has established Disaster Information Bank of Turkey (TABB) system.⁹³ The Bank collects all sorts of documents and academic studies, incidence-based reports in order to give insights to future researchers, policy makers and decision-makers about the disasters likely to happen in Turkey. In this database, field research reports regarding the migration

⁸⁸ AFAD 2013-2017 Strategic plan/AFAD

https://www.afad.gov.tr/upload/Node/2584/files/Afad_Strtjk_web_en_son.pdf

⁸⁹ ibid

⁹⁰ ORSAM Syrian refugees in Turkey:challenges to and opportunities for longer-term integration

⁹¹ <http://www.goc.gov.tr/gecicikoruma/Pages/YabanciKimlikSorgulama.aspx>

⁹² ORSAM Syrian refugees in Turkey :challenges to and opportunities for longer-term integration

⁹³ <https://tabb.afad.gov.tr>





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and refugees can be found as well. The library however is still going through improvements with new information and documents.

Data collection and management is important regarding the development plans. The problems that refugees are encountering in their efforts to reach healthcare, education and employment services should be quickly identified and addressed. It is also important to have information on the demography of Syrians in Turkey as well as their possible movements in and out of the country. This is to prevent them from being tricked by the smugglers who present them unsafe passages as an opportunity to go to Europe. Significantly, this prevents anonymous deaths as well as people going missing.

Needs assessments are conducted and reports are written to address the problems differently. Many international and national organizations alongside Government institutions are conducting works to address the people's problems. However, this identification and needs assessments remain unacknowledged, as there is irregular coordination between different organizations and what they do. The European Commission and Turkey cooperate so, that Turkey develops further its data analysis capacity with the view to better assessment and management of the migration flows on its territory.

Greece

Out of nearly one million entrants in Greece, only 1.5% claimed asylum in Greece, while the rest moved to neighboring countries so long as the route permitted. At the end of February 2016, this "wave through" approach came to an end following a regional agreement between police authorities of a coalition of EU Member States (Austria, Slovenia, Croatia) and non-EU countries (Former Yugoslav Republic of Macedonia [FYROM], Serbia), and the closure of the Greek-FYROM border in Idomeni.⁹⁴ The turning point in Europe's management of the refugee crisis was confirmed by the European Council shortly after that: "irregular flows of migrants along the Western Balkans route have now come to an end".

The closing of the borders rendered Greece from a transit country to one of final destination. Hence, Greece had to shift from an approach of short-term assistance in transit to undertaking the long-term responsibility for refugees and prepare a plan for their staying in Greece longer⁹⁵. This put extra pressure on the Greek government and state authorities and public services consequently, as they have to re-formulate in short time existing measures and also to develop new response mechanisms, including measures regarding the long-term integration of migrants in the Greek society. The Greek authorities prepared in early March 2016 an emergency action plan that made provisions for the accommodation of 100,000 refugees and migrants. Out of the 100,000 persons, 50,000 would be hosted in reception facilities, while another 50,000 were to be accommodated in hotels and other structures near the country's main cities⁹⁶. Based on the provisions of the action plan, almost 8,000 specialised staff from the Asylum and the First Reception services respectively will be deployed as well as doctors and nurses for the provision of health services to thousands of migrants. The government has budgeted 50 million euros for food for the

⁹⁴ With Greece: Recommendations for refugee protection. AIRE Centre and ECRE report, June 2016

⁹⁵ Ibid. p. 8

⁹⁶ Ibid. p. 7





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refugees⁹⁷. At the same time, the EU has mobilized **83 million euros** in financial assistance towards eight international organisations in order to improve humanitarian conditions⁹⁸.

Notwithstanding the pressure on public services and the imminent humanitarian crisis that the Western Balkan route closure engendered, it also put a strain on the Greek asylum service as the asylum applications increased resulting in more migrants and refugees finding themselves trapped in Greece. In the first quarter of 2016, the Asylum service had to process 2.140 applications and 2.016 in May only; in the first five months of 2016, 13.583 applications have been lodged in Greece⁹⁹.

A new legal framework reforming the asylum system was adopted in 2011 with Law (L) 3907/2011, creating an Asylum Service, a First Reception Service and an Appeals Authority. Due to delays in the establishment of this new Asylum Service, the asylum procedure has been subject to a transitional phase. The Asylum Service opened its office in Athens on 7 June 2013 and comprises five Regional Asylum Offices (Athens-Attica, Northern Evros-Fylakio, Southern Evros-Alexandroupolis, Lesbos and Rhodes) and three Mobile Units (in the detention centre of Amygdaleza, Patras, and Thessaloniki) which register and process asylum applications.

Since the opening of the first Regional Asylum Office (RAO) of the new Asylum Service and the immediate adoption of PD 113/2013 on 13 June 2013 (published on 14 June 2013), Greece operates a twofold examination regime for applications for international protection, whereby:

- Applications lodged before 7 June 2013 fall within the scope of PD 114/2010 ("Old Procedure"), modified by PD 113/2013 and PD 167/2014;
- Applications lodged after 7 June 2013 fall within the scope of PD 113/2013 ("New Procedure").

The core change brought about by the New Procedure relates to the authorities competent for handling the asylum procedure. Specifically, under the Old Procedure, the Police authorities were competent of registering and assessing applications for international protection, whereas under the New Procedure this competence lies with the Asylum Service. Asylum applications lodged before 7 June 2013 (Old Procedure), which are still pending, remain under the competence of the Police.

The Appeal Authority established under the aforementioned law coordinates the work of independent Appeal Committees and is responsible for the examination of appeals against negative decisions or decisions to grant subsidiary protection by the Asylum Service.

The First Reception Service (FRS) was established in 2011. As stipulated in law 3907/2011, it operates under the Ministry of Citizen Protection and directly under the authority of the Minister of Citizen Protection¹⁰⁰. Its mission as described in Article 6 of the law 3907/2011 law is "to effectively manage the flow of illegally entering third-country nationals in the country under conditions that respect their dignity by including them in the procedures of First Reception"¹⁰¹. The First Reception Service is the institution who

⁹⁷ Σχέδιο έκτακτης ανάγκης για φιλοξενία 100.000 προσφύγων στην Ελλάδα, available at:

<http://news.in.gr/greece/article/?aid=1500061827>

⁹⁸ Op. cited

⁹⁹ Op. cited 8

¹⁰⁰ UNHCR Observations: Current Situation of Asylum in Greece - December 2014

¹⁰¹ Unofficial translation in English by UNCHR Athens, cited in What's in a name? The reality of First "Reception" at Evros, AIDA fact-finding visit in Greece.





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has the role of organizing the screening and referral of all irregular migrants that enter Greek territory in order to ensure their prompt referral to the relevant procedures and authorities within Greece¹⁰². Hence, it engages in appropriate routing, needs assessment and the provision of assistance¹⁰³. Law 3907/2011 foresees that the first reception procedure includes identification and registration and medical and psychosocial screening. It also requires provision of information and identification of specific needs. Finally, the procedure foresees either referral to the Asylum Service or to the police who can initiate removal procedures. The procedure also foresees referral of persons with specific needs, including UASC, to appropriate structures or services¹⁰⁴. Since March 2013, with EU funding, UNHCR provides information on the rights and obligations of arrivals and on the asylum procedure, through presence at all entry points, including those not covered by the FRS, Metadrasi UNHCR's implementing partner, and delivers interpretation services.

According to the current legal framework, applications for international protection are lodged before the Asylum Service's RAOs or Asylum Service Units. If persons apply for asylum they are referred to the competent Regional Asylum Office (RAO). They remain detained at least until their application is registered, which may take up to several months. Identified unaccompanied minors are normally transferred to reception facilities for children; however, there are cases, as UNHCR reports demonstrate, whereby the age of unaccompanied children was not properly estimated and as such they were considered adults and consequently they were detained as adults.

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Once lodging an application, asylum seekers are provided with cards valid for 6 months (asylum seeker card), except for Egyptian, Albanian, Georgian, Bangladeshi and Pakistani nationals, whose cards are valid for 3 months only. Depending on whether the application falls under the Old or the New Procedure, the Police authorities and the Asylum Service are respectively responsible for examining applications for international protection at first instance and for carrying out Dublin procedures. The recent law 4375/2016 although seen as a product of the EU-Turkey deal brought about significant changes in the Greek asylum system. Most notably regarding the 'new procedure' the law introduces free legal assistance for appeals before the Appeals Committees and circumscribes the grounds for detention of asylum seekers. It also brings improvements regarding the time limits for appeals against negative decisions for asylum seekers in detention in Reception and Identification centers¹⁰⁵.

In order to circumvent the cumbersome process facing persons seeking international protection in the mainland, the Asylum Service announced the launch of a pre-registration process starting at the end of May 2016, with support from UNHCR and EASO. The objective of the process is to enable a first registration of basic personal details of prospective applicants ("making" of the application), following which they will be notified of a date of appointment with the Asylum Service for their full registration ("lodging" of the application) without needing to go through the process of obtaining appointments via Skype.

¹⁰² Ibid.

¹⁰³ UNHCR Observations: Current Situation of Asylum in Greece - December 2014

¹⁰⁴ Ibid.

¹⁰⁵ With Greece: Recommendations for refugee protection, AIRE Centre and ECRE report, June 2016





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The time lag between the two steps was estimated at an average period of one year in a Decision of the Asylum Service Director published on 31 May 2016. This programme was formally launched on 8 June 2016 and lasted until July, after, expectedly, some degree of adaptation and re-design. Firstly, whereas UNHCR staff has obtained security clearance in order to participate operationally in pre-registration activities together with the Asylum Service, EASO's role will be limited to provision of information Support from NGOs such as PRAKSIS and Save the Children complements the effort of the authorities¹⁰⁶.

¹⁰⁶ *ibid.*







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POLICY RECOMMENDATIONS

Turkey

- The Turkish authorities and international community needs to think and find solutions beyond emergency aid and invest in longer-term planning. It is necessary to create a sustainable and livable environment for both Turkish citizens and Syrians. Policies towards integration would benefit both the local communities and the refugees.
- Public and private investment in education and human capital should be encouraged. Scholarships could be made available to educate the Syrians wherever they are, so they can be the leaders in their own country when they choose to return home one day.
- Everybody would benefit from an effective data management strategy. An established data management system will allow for more developed future plans which will address the situation in mid-term and in long-term.
- Mapping of the situation is conducted by different organizations, however these remain on an institution level as there is little coordination with other organizations. A detailed and coordinated mapping would benefit everyone.

Greece

- A common approach adopted by both Greece and Turkey is needed in order to improve the management of the migrant crisis but also and more importantly to improve the conditions for migrants/refugees.
- Refugees and migrants should be systematically and comprehensively informed of their right to seek asylum and on the requirements and procedures.
- The capacity of all staff that are in services relevant to migrants and refugees (Asylum office staff, coast guards, police officers and others) should be enhanced and they should receive training and update their skills continuously.
- For better management of migration flows and for ensuring and promoting the rights of asylum seekers and migrants, there should be a better cooperation among academia, civil society organisations and policy makers in order to develop better evidence based migration policies.

