

Syrian Refugees in Turkey Frequently Asked Questions

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Legal Framework for Syrian refugees in Turkey

On 22 October 2014, the Council of Ministers of the Republic of Turkey issued a regulation on temporary protection, as per Article 91 of the Law on Foreigners and International Protection. According to Provisional Article 1 of the Temporary Protection regulation, the regulation applies to Syrian nationals, as well as stateless persons and refugees from Syria.

The regulation in Turkish is available at:

<http://www.resmigazete.gov.tr/eskiler/2014/10/20141022-15-1.pdf>.

What is the Temporary Protection regime and to whom does it apply?

The regulation on temporary protection defines “temporary protection” as a protection status granted to foreigners, who were forced to leave their country, cannot return to the country they left, arrived at or crossed our borders in masses or individually during a period of mass influx, to seek emergency and temporary protection and who international protection request cannot be taken under individual assessment.

A mass influx is defined as “significant numbers of arrivals over a short period of time of person from

the same country or geographical region, and for whom, due to their numbers, individual refugee status determination is procedurally impractical”.

As part of the temporary protection regime enacted by the Government of Turkey, Syrian nationals, refugees and stateless persons from Syria seeking international protection are admitted to Turkey and will not be sent back to Syria against his or her will. The temporary protection regime is applied to all Syrian nationals, stateless persons, and refugees from Syria, who are in need of international protection, including those without identification documents.

The rights applicable to Syrian refugees, whether they are residing in or outside of the camps, are also enumerated within the temporary protection regulation. These cover, broadly: access to health, access to education, access to social assistance, and access to the labor market. The implementation of some of these rights, such as access to social assistance and to the labour market, will be clearer in the future and is subject to further decisions by the relevant line ministries, including the Ministry of Labor and the Ministry of Family and Social Policies.

Does the TP regime guarantee access to Turkey?

Access for Syrian refugees to Turkey is managed by the Turkish authorities. The Turkish authorities have adopted a system of staggered arrivals at the border due to a rapid increase in new arrivals and the difficulties in expanding the capacity of the camps to meet the numbers of new arrivals.

Syrian passport holders may legally access Turkey without visas through the official border crossings that are open and there are no restrictions to entry.

The admission of Syrians without passports at official border crossings is controlled by the Turkish Passport Control Police. At the border points controlled by the Gendarmerie or the Turkish Land Forces, entry of Syrians is similarly generally restricted to medical emergency cases. Given the restrictions at the border, many Syrians without valid passports seek irregular entry into Turkey, some with the assistance of smugglers.

UNHCR continues to advocate with the Government for unrestricted access to territory, and also to draw the attention of authorities to the protection risks that Syrians face when forced to resort to irregular entry.

As per Article 5 of the temporary protection regulation, administrative fines shall not be implemented to Syrian refugees on account of their illegal entry into Turkey, provided that they present themselves to the authorities for the purpose of registration within a reasonable time period.

Where can Syrian refugees register?

Syrian refugees in Turkey are registered by the Turkish authorities. Article 19 of the temporary protection regulation places the authority for the registration of foreigners covered by temporary protection on the Directorate General of Migration Management (DGMM). The DGMM is a civilian institution operating under the Ministry of Interior, established under the auspices of the Law on Foreigners and International Protection, which was adopted by the Turkish Grand National Assembly in April 2013 and entered into force in April 2014.

Registration of Syrian refugees is taking place throughout the country in all 81 of the Turkish provinces. The actual location of the premises where registration takes place differs from city to city.

For example, registration may take place at the Foreigners' Police offices, or in AFAD operated Coordination Centers Registration with the authorities is a legal obligation under the national legislation.

All Syrian refugees in Turkey are protected against *refoulement*. This means that no one will be returned to Syria against his or her will. However, not being registered will present obstacles in access to services and assistance.

Waiting periods for registration may vary depending on the location of the refugee and the volume of registration that the authorities may have pending.

Why should I register with Turkish authorities?

Registration is a very important obligation for foreigners in Turkey and forms the legal basis for access to public services, including medical assistance and education.

Can I obtain a residence permit?

While registration documents grant Syrians the right to stay in Turkey, according to Article 25 of the temporary protection regulation, these are not equivalent to the residence permit (*ikamet*).

With the entry into force of the Law on Foreigners and International Protection in April 2014, and the ensuing regulation on Temporary Protection issued in October 2014, those who do not wish to benefit from the temporary protection framework for Syrians may apply for a residence permit (*ikamet*). However, such applications will only be considered if they meet the general requirements for residency of foreigners under the Law on Foreigners and International Protection. Further guidance may be received from Foreigners Police offices throughout the country.

About registration in and placement to camps

The Disaster and Emergency Management Authority of the Republic of Turkey (AFAD) is responsible for managing refugee camps in Turkey, while the Ministry of Interior retains the authority for carrying out registration of refugees residing in camps. Registration facilities are located within each camp.

Upon registration, camp residents receive registration cards from the Foreigners Police which can be used as identification documents, and which secure access to a number of services, including medical care.

The demand for camps has surpassed the available spaces in the camps. Whether or not a Syrian refugee is placed and registered in a camp, as well as which camp, is at the discretion of the Government of Turkey. Camp placement will be determined by DGMM in coordination with governorates. Persons with special needs identified by DGMM or by the governorates shall be prioritized for camp placement.

Syrians who are already in Turkey and wish to be placed in a camp can approach the AFAD Provincial offices and Governorate Offices to inquire about this possibility.

How and where are new-born children registered?

Notification of a birth that occurred in Turkey has to be done at the Population Department at the foreigner's place of residence by the foreigner within thirty days following the birth date. Notification shall be done by the mother, father or legal guardian of the child. In the absence of parents and legal guardian, grandmother, grandfather, adult siblings or persons accompanying the child shall notify the Population Department. Registration of the child is free of charge.

Notification can be made through submission of official documents or, if documents cannot be submitted, through oral statements of the notifying party. Syrians should approach the Population Department in the province where they reside with the original birth report obtained from the hospital/health facility and, with any other personal documents/ID cards they possess (issued in Syria or in Turkey). In the absence of any identity documents and in cases where the birth did not take in a hospital/medical institution, the Population Department in the province should register the child and issue a birth certificate upon the notification of the concerned persons.

Birth registration does not confer Turkish nationality upon children born in Turkey to non-Turkish parents.

Can Syrian children access education in Turkey? How?

According to Turkish national law, all children in Turkey, including foreigners, have the right to receive primary and secondary school education free of charge. The Ministry of National Education's circular on foreigners' access to education (No 2014/21) issued in September 2014, ensures that foreigners under Temporary Protection have access to educational services delivered through schools and temporary education centres overseen by the provincial education directorate in each province.

Syrian refugees may enroll in Turkish state schools and temporary education centres. Enrolment procedures are determined by the Provincial Education Commissions set up under the Provincial Directorates of Education in each province and may vary slightly from place to place.

Foreign students seeking admission to Turkish schools should approach the Provincial Education Directorate in the provinces in which they live. Provincial Education Commissions are responsible for placing children in schools and for determining the grade into which they will be admitted. Grade determination is based on documentation showing the level of education reached in the country of origin. Where this documentation is not available, this determination will be based on an interview or the completion of a short written assessment.

Temporary education centres are institutions (schools) that have been established for Syrian refugees. These centres exist in camps and in some urban areas and teach in Arabic, using a modified form of the Syrian curriculum. At the end of the school year, children are issued a document certifying their attendance and successful completion of the school year, with their results. Families residing in camps should approach the camp schools directly to enroll their children; those living in communities should approach the Provincial Education Directorate in order to be enrolled in a temporary education centre, if one exists in their location. Provincial Education Directorates will be responsible for placement in a temporary education centre and for determining the grade into which a child will be placed – as described above. Please note that temporary education centres may not be available in all cities and they may not have the capacity to enroll all children. In such cases, parents are advised to enroll their children in the national school system.

What documents are needed to register in a school?

In order to be enrolled in either a Turkish school or temporary education centre, it is necessary to be registered with the Turkish authorities and have either a residence permit (ikamet), temporary protection identification document, or the Foreigners Identification Card (Yabancı Tanıtma Belgesi). In cases where an application has been made for a temporary protection identification document but the document has not yet been received, students may be enrolled as “guest” students. Once their identification document is issued, their school enrolment status will be amended.

If parents do not have any documents related to the child’s prior educational experience (e.g. school report cards), the grade into which the child will be placed will be determined by the Provincial Education Commission through discussions with the parents; they may also hold oral interviews with children and may ask them to complete a short written test to assess their knowledge.

Can Syrian youth attend university in Turkey?

Syrian youth may apply to attend Turkish universities, provided that they satisfy language and academic requirements. The Council of Ministers announced that tuition fees for Syrian students would be waived for the 2014/2015 academic year for State universities.

Students wishing to study in Turkey will need to demonstrate that they are able to pass the foreign students’ examination (YOS) which is administered by each university. Universities may charge fees to those applying to write the YOS examination.

Syrian students wishing to apply for a bursary to study at Turkish universities should apply to www.turkiyeburslari.gov.tr. This is a competitive scholarship application and there is no guarantee of the award of a scholarship. UNHCR also offers a limited number of scholarships for study at Turkish universities through the DAFI scholarship programme. Application details are announced on the UNHCR Turkey website (www.unhcr.org.tr)

Will a school or university certificate from Syria be recognized in Turkey?

All foreign school certificates, records of university achievement, degrees, diplomas or other qualifications must be validated by the Provincial Education Directorate if these documents are used to gain access to schools or higher education institutions.

What skills training opportunities exist for Syrians in Turkey?

Syrian refugees may attend Turkish language courses and skills, hobby and vocational courses offered by Public Education Centres (Halk Egitim) free of charge. A temporary protection identity document is required in order to be registered for courses offered by Halk Egitim. Each Halk Egitim may determine which courses it offers and may open new courses based on local demand.

The Ministry of Labour and Social Security has indicated that persons under Temporary Protection may participate in skills training programmes offered by ISKUR. It is expected that more information will be made available in the coming months as to which courses and programmes will be open to Syrian refugees.

What support mechanisms are available for unaccompanied Syrian refugee children?

Protection for all children, regardless of nationality, is ensured by the legal framework of Turkey's Child Protection Law No. 5395. Thus, in principle, the national legal system has the capacity to address the protection needs of Syrian children, including unaccompanied and separated refugee children (UASC).

The increasing number of arrivals of Syrian refugees has had an impact on the capacity of state institutions to continue to meet the growing needs of identified unaccompanied children. As such, the Ministry of Family and Social Policy is seeking alternative arrangements to address the needs of these children under the legal framework.

As per Article 23 (4) of the temporary protection regulation, unaccompanied children shall be accommodated in coordination with the Ministry of Family and Social Policies. However, when appropriate conditions are met, unaccompanied children may be accommodated in cooperation with AFAD in separate areas of the temporary accommodation centers (camps) under the control of the Ministry of Family and Social Policies. Best interest of the child shall be observed in all proceedings related to the children. Under the existing legal framework, contingent upon the Syrian child's registration with the authorities, primary education, as well as medical care, is to be provided to identified UASC Syrian children.

UNHCR continues to provide guidance to the authorities on identification of the most suitable care arrangement that serving the specific circumstances of the child. Syrian UASC should be referred to UNHCR, which will follow up with the authorities on the appropriate response and support.

What support is available to Syrian refugees with medical needs or other vulnerabilities?

In relation to access to health and medical services, free access to medical treatment is facilitated for all Syrian refugees residing inside and outside the camps.

The temporary protection regulation (Article 27) clearly sets forth the situation concerning access to health and medical assistance for persons covered under temporary protection, with the Ministry of Health in lead of coordination and supervision of provision of medical services.

Under the regulation, the patient contribution fee is not collected for primary and emergency health services, or for the respective treatment and medication. Secondary and tertiary health care is provided if the treatment falls within the Health Implementation Directive [SUT]. To access secondary or tertiary health care, a referral is needed from the State Medical Hospital . Provision of psychosocial services is also envisaged, to be carried out by the Ministry of Family and Social Policies, with the support of partners.

Registration is a pre-requisite for access to medical treatment.

Concerning persons with special needs, the TP regulation, under Article 48, explains that health services, including psycho-social assistance and support, rehabilitation, and other assistance required by those who are identified as having special needs, will be prioritized and provided free of charge. The regulation additionally highlights the observation of the determination of best interests of the child, the implementation of preventive and protective measures under relevant national laws for survivors of violence, and assistance and protection for those identified as victims of human trafficking.

Where and how can I access medical assistance?

In relation to access to health and medical services, free access to medical treatment at public health facilities is facilitated for all registered Syrian refugees residing inside and outside the camps. Emergency health care is accessible to all. Registration is required in order to access all non-emergency medical care.

Under the temporary protection regulation, the patient contribution fee is not collected for primary and emergency health services, and the respective treatment and medication. Secondary and tertiary health care is likewise provided under the regulation if such health care is covered by the Health Implementation Directive [SUT] and if a referral is made for such from the State Hospital. In some provinces, 80% of the cost of medication purchased in pharmacies is borne by AFAD, while 20% needs to be paid by the patient. In some other provinces, 100% of the cost of medication needs to be paid by the patient.

The cost of the medical treatment is borne by AFAD up to a certain limit determined as per the Health Implementation Directive (Sağlık Uygulama Tebliği) determined for beneficiaries of general health insurance (Genel Sağlık Sigortası). Registration is a pre-requisite for access to medical treatment.

What recourse to assistance do Syrian refugees have if they are victims of a crime in Turkey?

In the context of the temporary protection regime, all Syrian refugees may avail themselves of the protection of the Government of Turkey. In practice this means that they may approach the authorities, including the police, and report and seek assistance for any crime that they may experience while in Turkey. It should be noted that while the absence of registration with the authorities would not prevent any Syrian from approaching a police station and seeking assistance, registration is the only way to ensure full access to protection and assistance offered by Turkey.

Are registered Syrian refugees and asylum seekers free to move within Turkey?

Camp managers grant Syrian refugees temporary leaves from the camps during daylight hours on a regular basis. For Syrian refugees living outside of the camps, a specific permission to go to another city/province is not required at this particular time; however the authorities need to be notified in cases when the person/s moves to another province and in order to ensure continued access to services.

What is the role of UNHCR Turkey in ensuring the protection of Syrian refugees?

UNHCR has been requested by the authorities to support the temporary protection regime through the provision of technical advice.

In southeast Turkey, UNHCR has a presence in Gaziantep, Sanliurfa and Hatay. UNHCR teams visit regularly all refugee camps and provide technical assistance on registration, camp management, identification of vulnerabilities, voluntary repatriation, technical support on education, health and nutrition, water sanitation and site planning.

In non-camp locations, UNHCR has multi-functional mobile teams which frequently visit areas hosting large numbers of Syrians throughout the country. The presence of UNHCR ensures outreach

to Syrian refugees and aims to establish relations with local authorities, stakeholders and institutions actively engaged in working with Syrian refugees on the ground including AFAD, Kizilay, NGOs/INGOs and provincial directorates of various Ministries' technical units. During the visits, UNHCR seeks to gain a comprehensive understanding for the challenges and achievements of the situation of Syrian refugees both in camps and urban areas. UNHCR also disseminates good practices observed in order to advance protection standards and to find practical solutions.

What assistance does UNHCR Turkey provide?

UNHCR provides policy and technical advice to the Government of Turkey, including in the areas of protection such as registration, access to territory, documentation and legal counseling and management of urban refugee caseloads. UNHCR Turkey seeks to assist the camp officials and local authorities in finding practical solutions to protection and other technical issues coming up in the camps and urban areas where Syrian refugee's population mainly concentrated.

In relation to material assistance, UNHCR Turkey has and will continue to provide core relief items and NFI's including, tents and shelter materials, blankets, tarpaulins, kitchen sets, vocational training kits and clothes for children. UNHCR also supports to the Government of Turkey through the provision of mobile registration centers for the registration of non-camp refugees, prefabricated and mobile health clinics that will be used both in and out of the camps to provide health services for refugees, and also water and sanitation containers to improve sanitation in the camps. Wheelchairs for disabled refugees have been also procured and delivered to those in need.

UNHCR has supported the establishment and funding of a number of community centers/multi-functional services centers providing a wide array of assistance and services to Syrian refugees living in communities, outside of camps.

Does UNHCR Turkey register Syrian refugees?

UNHCR Turkey is not carrying out registration or refugee status determination for Syrians in Turkey, as their protection is ensured by the temporary protection regime. Syrian refugees are registered by the Turkish authorities.

UNHCR however supports the GoT and humanitarian partners in identifying vulnerable Syrian refugees with specific protection needs who may require additional / complementary protection interventions. Individuals referred to UNHCR for a protection assessment may be contacted by a UNHCR staff for follow up. A protection assessment is meant to determine the most appropriate solution to your protection needs in the country of asylum. A protection assessment is not a registration process.

Does UNHCR resettle Syrian refugees?

Resettlement and humanitarian admission are processes through which refugees who are vulnerable in their country of asylum can be moved to a third country. Certain governments have informed UNHCR of their interest in resettling Syrians from the region. Currently there are limited opportunities for resettlement which are available for the most vulnerable refugees from Syria. Not every refugee who is vulnerable would be considered for resettlement.

Resettlement is not a right. It is a last resort solution for the most vulnerable refugees. Only a very limited number of refugees will have access to this solution. Refugees cannot choose the country of

resettlement. The final decisions with regards to resettlement are taken by the receiving countries and not UNHCR.

If resettlement is identified as an appropriate durable solution, you will be contacted by UNHCR staff. Resettlement is free. Anyone asking for money or claiming that they can help you get resettled is committing fraud. This is a crime and punishable by Turkish law.

Refugees found to be resorting to fraud in an attempt to access the resettlement process will have their cases placed on-hold pending investigation and/or withdrawn from resettlement consideration.

All Syrian refugees in Turkey continue to be covered by the Temporary Protection regime and should register with the authorities.

Refugees with family reunification requests

Family reunification to Turkey

According to the TP regulation (Article 49), applications for family reunification in Turkey with relatives (spouse and children) who may be residing abroad and wish to join in Turkey, shall be evaluated by DGMM, which may be in contact and work in cooperation with relevant public institutions and organizations, international organizations and civil society organizations, as relevant. Such requests therefore should be raised directly with the Turkish authorities.

Family reunification outside of Turkey

Anyone who wishes to lodge an application for family reunification outside of Turkey should be in direct contact with the relevant embassy. According to the laws of most countries, family reunification procedures require that the family member in the third country approaches the immigration authorities there first, in order to initiate the process. Most countries only accept family reunification requests of nuclear family members (spouses and children below the age of 18).

While UNHCR can assist with providing information, the most efficient way for a person with a nuclear family member in another country is for this person to approach the relevant embassy.

All Syrians accepted by a third country on the basis of family reunification need to get registered with the authorities prior to their departure from Turkey; otherwise they may not be allowed to leave the country.

For exceptionally vulnerable cases brought to UNHCR Turkey's attention, such as, for example, unaccompanied children who have parents residing in a third country, UNHCR Turkey has used its good offices to facilitate a speedy family reunification by liaising with relevant embassies, and has ensured appropriate care arrangements while the children are in Turkey.

I have an urgent protection problem and need the assistance of UNHCR Turkey.

Within the context of the temporary protection regime, the Government of Turkey is responsible for ensuring the protection of all Syrian refugees. UNHCR can be contacted to provide counseling on the temporary protection regime and referrals.



The **hotline** numbers for UNHCR Turkey:

(+90312) 405 80 66 (General counseling line)

(+90312) 405 81 27 (Syria line)

Queries can also be sent by e-mail to TURAN@unhcr.org.

UNHCR Turkey

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