

# **OBSERVATIONS THROUGH THE FIELD**

**CURRENT PRACTICES TOWARDS  
MIGRANTS AND THEIR REFLECTIONS**



**REFUGEES  
ASSOCIATION**

*This report has prepared by social welfare directorate as an outcome of field activities carried out in the migration for ten years. Content of the report was prepared before occurred developments in Syria on 08.12.2024 and remains valid.*

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*With all our gratitude to colleagues who carried out the field studies of the Refugees Association and meticulously conveyed their observations...*

*Our communication channels for your kind questions, comments and criticism regarding the report:*

<https://multeciler.org.tr/bize-yazin/>

[info@multeciler.org.tr](mailto:info@multeciler.org.tr)

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## **OBSERVATIONS THROUGH THE FIELD:**

### *Current Practices Towards Migrants and Their Reflections*

#### **EXECUTIVE SUMMARY**

##### **Introduction**

Practices on migration management are evaluated under eight main titles where field observations and feedback concentrated: “Access to Legal Documents”, “Applications of Administrative Detention and Repatriation Procedures”, “Access to Education”, “Access to Healthcare”, “Access to Social Services”, “Access to Security and Complaint Mechanisms”, “Access to Registered Employment and Entrepreneurial Activities” and “Establishing Social Cohesion”. Refugees Association provides services to both citizens or migrants regardless of nationality or registration status. However due to %85 of the Refugees Association's beneficiaries base consists of Syrian migrants and, likewise, Syrian individuals are the majority among the migrant population in Turkey, the information conveyed under these headings is focused on Syrian individuals.

##### **Access to Education**

In our country, there are no legal obstacle for migrant children to Access education in terms of the international documents to which we are a party, on the other hand due to some problems in practice, there are **children without ID and children whose ID is not registered in the city they live in** who cannot access the right to compulsory education. Children without any disabilities on ID are having hard time to enroll because of the unofficial **registration fee** requested by schools. Migrant children are in need of non-formal education mechanisms owing to the difficult conditions they live in, yet non-formal education mechanisms such as the Accelerated Education Program and Vocational Training Center are not active and inclusive enough. Open education system remains incomplete because it cannot provide the **protective and preventive effect** of education for children. Another group with limited Access to education is **children with special needs**. Since individuals must present their Turkish ID Numbers for registration in accordance with the Regulation on Private Educational Institutions of the Ministry of National Education, they cannot receive free education in rehabilitation centers, which are state institutions, even if they have the necessary documents. They can only benefit from paid and private educational institutions. This situation also causes disadvantaged children with special needs not to be included in any educational activities. Although **the children of earthquake victim families** who experienced the February 6 Kahramanmaraş earthquake and migrated to different cities were initially able to receive education in the city they migrated to, they are currently unable to continue their education. Children who are included in education are being pushed to absenteeism and dropping out of school due to the recent increase in **bullying by teachers, administrators and parents** in addition to the **peer bullying** they experience in schools.

Children who can Access compulsory education, when they reach university age and willing to receive a university degree, are subject to the same curriculum as Turkish citizen youth during the compulsory education process, but are subject to the decentralized and costly **Foreign Student Exam (YÖS)**; the fact that the **foreign student quotas** are not sufficient for Syrian students who have arrived in mass migration; and students who are eligible to enroll in universities are required to pay high **tuition fees** with an unspecified upper limit, determined on a school and department basis, of at least 30,000 TL when requested in TL and at least \$1,500 when requested in dollars. Students who have enrolled in and started an educational programme in universities are facing requirement of having an ID card city transfer or **road permit document** for intercity mobility if they study outside their registered city. The fact that travel between the province where they study and the province they reside or other provinces is subject to permission limits the social activities of individuals. Despite all the difficulties, students who continue their education are subject to **discrimination and exclusion** due to false information spread on social

media such as “*Syrians can enter universities without exams.*” Because of these difficulties in accessing education, our country is losing its chance to have trained and educated human resources day by day.

The **lack of sufficient coordination** between the Directorate of Migration Management, the Directorate of National Education and the Directorate of Social Services Centers causes children who cannot access education to enter a cycle through notifications between these three institutions, but the problem cannot be solved.

### Access to Legal Documents

Adding compelling factors to the processes of **accessing legal documents** such as identification, identity update, identity transfer, road permit, work permit, licensing, and disabled health board report; causes the number of unidentified/passive ID individuals to increase, which makes it impossible to track individuals and their mobility. The group that suffers the most from this situation is “children”. Unidentified children of unidentified parents and children of families whose identity records do not belong to the city where they live are vulnerable to neglect and abuse, as they cannot access their primary rights such as education, health and social services. Requesting unofficial payments from individuals to make an appointment at the Syrian Consulate prevents individuals from establishing connections with their country.

### Applications of Administrative Detention and Repatriation Procedures

The **lack of clear standards in the implementation of administrative detention and return procedures** leads to well-intentioned people not reporting their complaints to the relevant authorities due to the concern of “what if I get sent back” even when carrying out the procedures that are their right, and malicious people not hesitating to commit crimes or use violence due to the complacency of “I won’t be sent back anyway” or “I’ll come back even if I go”. Lack of standards leads to people **not resorting to security and complaint mechanisms** in the face of any grievance, not reporting the crime, and failure to provide justice. Return procedures are carried out **quickly and abruptly**, and the person who is sent back/taken to a return center is sent back without being dealt with together with his/her family. In this case, **families that are separated and in need of social services** are formed in our country. We also encounter children who become “unaccompanied children” as a result of the return of their parents. Individuals who are taken to return centers but are not returned later or who are sent back and come back to our country illegally and re-enter society state that they are **subjected to ill-treatment and violence** during this process; For this reason, their anger towards the society and the administration poses a risk to social security. In addition, repatriated individuals can return to our country illegally and continue their lives without an identity card. This leads to the problems mentioned under the heading of “access to legal documents”, security problems and flexible attitudes towards the repatriation procedure.

### Access to Healthcare Services

Although individuals under temporary protection status have right to benefit from free **health services**, this can not be used in some cases. The fact that the temporary protection health insurances of people who start working with a work permit are canceled and insured through the Social Security Institution(SGK) and that **the temporary protection health insurances are not reactivated** when the work permit process is over prevents individuals and families from accessing health services. This situation also causes individuals not to prefer to be included in registered employment. **Individuals without an ID and individuals who do not have an ID document registered in the city they live in** cannot even benefit from emergency health services free of charge. This situation creates a major problem for **newborn babies**. Hospitals want to collect the fee in advance by threatening not to return the baby to the family if the fee is not paid, or to report the family to the police if the fee is not paid. Babies are victimized in this process. Another important issue regarding access to health is **drug addiction**, which is becoming more widespread and poses a great danger. There is a lack of motivating individuals with drug addiction to seek treatment, conducting preventive studies and taking action against reports.

### Access to Social Services

Challenges in accessing to legal documents give rise to problems for **accessing social services** as well. In social assistance processes, the request for documents that are extremely difficult for migrant individuals to obtain constitutes an obstacle to accessing social assistance. In particular, the failure to take **protective and supportive precautionary measures** for children without IDs and those registered with different IDs, and the failure to properly implement the precautionary measures taken,

causes children to continue their lives as victims of neglect and abuse. **Specialized social assistance and social service models for single, elderly, disabled and male individuals** are very limited. Although the migration administration appears as the institution responsible for all procedures for migrants in the procedures, this is not the case in operation; this leads to a continuous cycle between the migration administration and educational institutions, health institutions and social service institutions, and children who cannot access their rights in this cycle; the **lack of task distribution and coordination** makes it difficult for individuals, especially children, to access their rights and services.

### Access to Security and Complaint Mechanisms

The reality that the interpreters working at police stations are from the refugee community causes people to have **doubts about whether the confidentiality of their statements will be ensured**; the existence of examples where confidentiality is not protected causes people to hesitate to file a complaint in cases of victimization. Additionally, due to the many **deterrent factors** such as directing people to the police stations in the region where they reside in order to file a complaint, making them wait for long periods of time to file a complaint, or persuading them to drop the complaint, people do not apply to police stations to file a complaint even when security risks occur. In addition to the deterrent attitude at police stations, a dysfunctional process is also being carried out in other feedback and complaint mechanisms, namely the call lines. A system that does not facilitate the communication of complaints and notifications, and even **makes complaints impossible**, is used in call lines belonging to different ministries such as the 112 Emergency Call Center, 183 Social Support Line, 170 Working Life Communication Center, and 157 Foreigners Communication Center. At the same time, the lack of coordination between these lines and the fact that reporting the complaint to the appropriate line is at the discretion of the person poses a problem. The fact that hotlines refuse to record frequently encountered cases has the potential to **prevent the size of these cases from being noticed and their intensity from being determined**, leading to the failure to correctly determine the strategies of ministries. **Petitioning**, which is another feedback mechanism and also a constitutional right, is not received by institutions through official channels, and the petitions received are not responded to. In addition to individuals, **inter-institutional cover letters** are not answered with an evaluation and this creates the idea that the notifications are being made in vain, leading institutions to give up on making notifications.

### Access to Registered Employment and Entrepreneurial Activities

Registered employment is not preferred because the **work permit process is carried out by employers**, the result takes a long time to be known, and it is a **costly and long process**. Although the majority of the current migrant population is of working age and has a great potential for labor, they contribute to the country's economy below their potential by being included in unregistered employment due to the difficulties in the work permit process. In addition, employers' negative practices such as **deducting the SGK payment from the employee's salary** also direct people to unregistered employment. **The requirement for not working with SGK in social assistance** also causes people not to prefer registered employment. Moreover, **the non-standard and discriminatory attitude of local governments towards migrants in the licensing and license update processes**, which is an obstacle to entrepreneurial efforts and operating a registered workplace, is a deterrent factor for migrants to provide for themselves and the contributions they will make to our country. The requirement of a "road permit" for intercity travel, the increasing difficulty of obtaining a **road permit document** and the absence of any exceptions for trade prevent tradesmen from continuing and expanding their commercial activities.

### Establishing Social Cohesion

Access to legal documents, implementation of administrative detention and return procedures, access to education, access to healthcare, access to social services, access to security and complaint mechanisms, barriers to access to registered employment and entrepreneurial activities, and **lack of equal, fair and standard access to rights and services are factors that undermine social cohesion**. In addition, the **promises made by political leaders, especially during election processes, targeting migrants**, and the absence of any obstacles to **discriminatory practices by municipalities against migrants**, the **spread of false information and hate speech about migrants** through media tools and especially social media, and the lack of sufficient sanctions are causing the climate of social cohesion in our country to be damaged and the environment of social peace, tranquility and trust to be endangered. This situation and the spread of negative discourses are manifesting themselves

in various parts of our country - as was the case after the Kayseri incidents - with physical attacks targeting life and property. **The possibility that migrant individuals, especially children, who are marginalized, targeted and harmed, may respond to attacks for humanitarian reasons such as self-defense, revenge and grudge as a result of the pressures they are exposed to, is creating an environment for a great fracture and hostility within society; this situation is of great importance for the peace and security of our country.**

### Conclusion

Improvements to be made in the areas of “Access to Legal Documents”, “Applications of Administrative Supervision and Repatriation Procedures”, “Access to Education”, “Access to Healthcare Services”, “Access to Social Services”, “Access to Security and Complaint Mechanisms”, “Access to Registered Employment and Entrepreneurial Activities” will also provide development in the issue of “Establishing Social Cohesion”. Similarly, developments in the area of “Access to Legal Documents” will eliminate many problems in the areas of “Access to Education”, “Access to Healthcare Services”, “Access to Social Services”, “Access to Registered Employment and Entrepreneurial Activities”. In this respect, all the issues mentioned are interrelated. All the improvements to be made will ultimately serve to ensure that a climate of social cohesion prevails in our country and to ensure social peace and security.



## **OBSERVATIONS THROUGH THE FIELD:**

### *Current Practices Towards Migrants and Their Reflections*

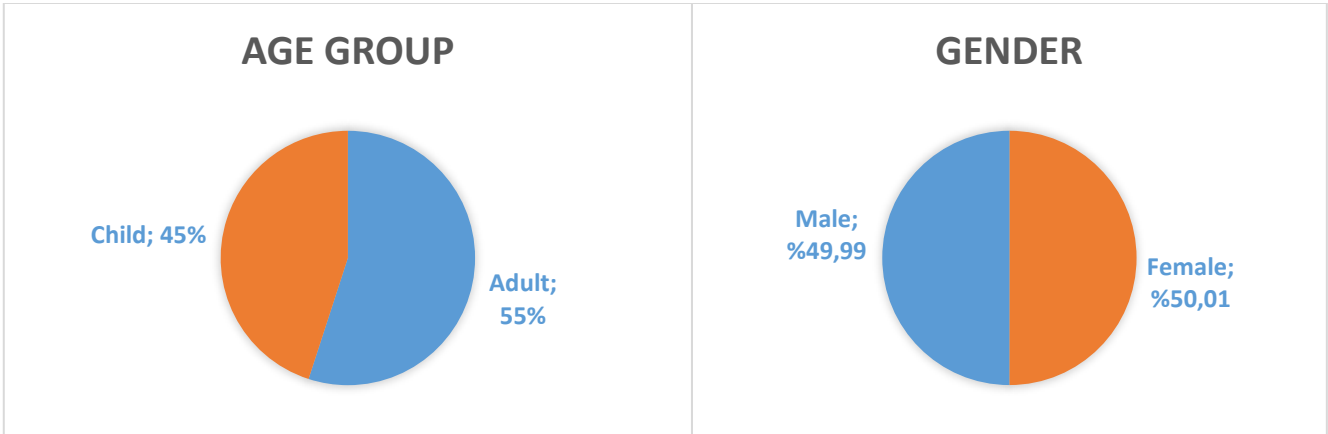
#### **INTRODUCTION**

##### *About Refugees Association*

The Refugees and Asylum Seekers Assistance and Solidarity Association, known as the “Refugees Association” in short, is a non-governmental organization with the status of a “public benefit association” established in 2014 to work with and about migrants in order to increase and sustain the level of social welfare in our country. Since its establishment, the Refugees Association has been carrying out its work by utilizing an international perspective and in cooperation with public institutions and organizations, by following the United Nations sustainable development goals and our country’s development plans. Within the scope of cooperation with public institutions and organizations, the Refugees Association assigns certain personnel it employs within its own organization to undertake the assigned tasks in institutions such as Sultanbeyli Municipality, Sultanbeyli Social Service Center, Ümraniye Social Service Center. Currently, the Refugees Association operates in two centers, a community center in Sultanbeyli, Istanbul and an office in Ümraniye, Istanbul, and throughout Istanbul with its field activities; In addition, it continues to provide its services throughout Turkey through remote interviews. In addition, the Refugees Association has a children and youth center in Sultanbeyli where it carries out educational activities. While the Refugees Association's services are aimed at migrants regardless of status and nationality, care is taken to ensure that the local population is included in the services provided and supported with appropriate resources. The Refugees Association covers activities in many sectors including social cohesion, employment, health, protection and education, as well as monitoring our country's migration policies and supporting them with field observations. In this context, various forms of support are provided to relevant institutions in the fields of examining, monitoring and improving-developing all practices targeting migrants, such as reporting, notification and partnership establishment. As a reflection of this effort, the Refugees Association has contributed to many academic studies in Turkey and the world, has been the subject of and has been cited as an exemplary practice; it has been presented as an example of good practice by many national and international institutions in many media.

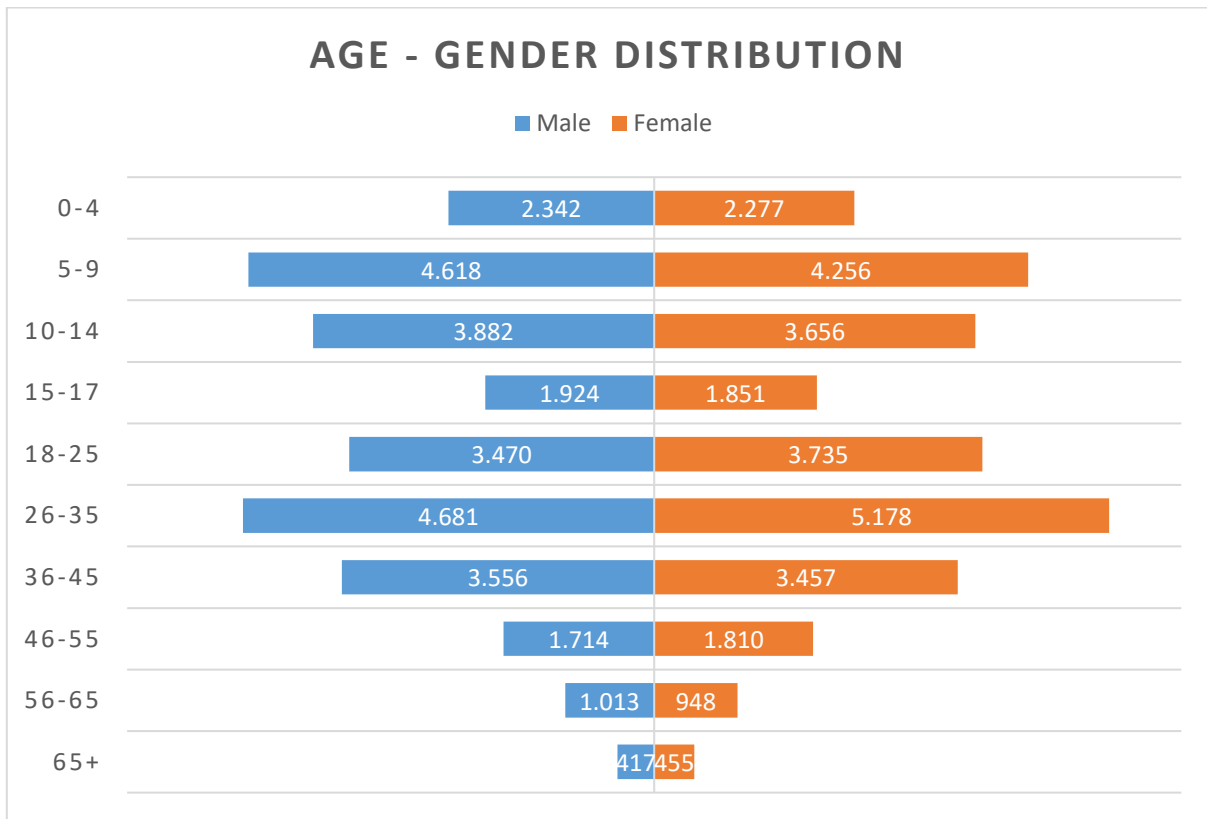
##### *About the Target Audience of the Refugees Association*

Refugees Association keep records the information of individuals and families it serves under the Personal Data Protection Law (KVKK). As of 31.10.2024, 11,745 families and 55,264 individuals are registered in SUKOM, the Refugees Association's database. The demographic information of these individuals is provided in the graphs below.

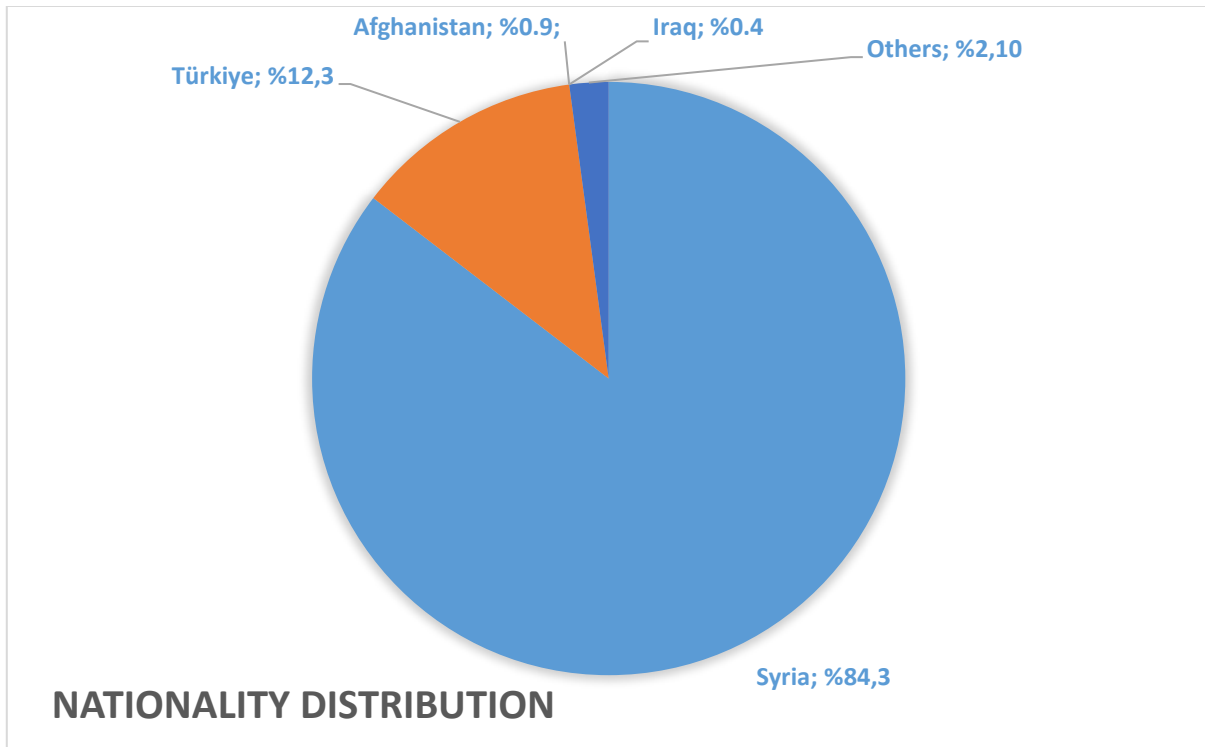


Graph 1: SUKOM age group distribution

Graph 2: SUKOM gender distribution



Graph 3: SUKOM age-gender distribution



*Graph 4: SUKOM nationality distribution*

*About the Report “Observations Through The Field: Current Practices Towards Migrants and Their Reflections”*

In line with its founding purpose, the Refugees Association has identified many areas that need improvement through its continuous communication with migrants directly/without intermediaries in regions where migrants live intensively, throughout its ten-year field experience, and has taken steps to make the necessary improvements and informed the relevant parties about these areas. This report is presented as a product of the effort to compile and convey to the relevant parties the areas that need improvement that continue to exist in the current status of migration management practices in order to support the social welfare and order of our country. Syrians in our country cannot be legally classified as “refugee” according to the national and international official sources to which our country is subject. As the Refugees Association, we have no doubt that Syrians are in the position of “refugees” in terms of the “life security concerns” being the main factor in migration from Syria, however, in order for the situations conveyed in this report not to lose their effect due to any conceptual exclusion and to be comprehensive, the term “migrant” has been used in general throughout the text. In this report, the areas that need improvement in migration management are addressed under eight headings, however – if requested – it is possible to re-address and present these areas from two different perspectives, namely “Needs of Institutions and Organizations” and “Disadvantaged Groups of the System”, in order to make them visible specifically for the relevant institutions and the affected groups.

## AREAS TO BE IMPROVED IN MIGRANT MANAGEMENT

### 1. Access to Legal Documents

- a. The **identification** processes of Syrian migrants are becoming more challenging and almost impossible day by day

Syrian migrants are considered to be under temporary protection status in our country, **but currently, temporary protection ID applications cannot be made** from provincial directorates affiliated with the Migration Administration or district coordination centers - except for newborn babies whose mother and father have IDs. Although this decision was initially made only for provinces with a large Syrian population, it has now been expanded to include all provinces. In the past, individuals applying for IDs were directed from cities with a dense migrant population, such as Istanbul, to cities with a less dense population, but individuals who applied to the city they were directed to were not issued IDs despite having provided all their documents and regularly fulfilling their signature obligations. Currently, all individuals applying to receive a temporary protection ID are directed to apply only to "Temporary Accommodation Centers". However these centers are not preferred due to their locations and challenging conditions. One of the most important reasons for not applying to Temporary Accommodation Centers is that if one or a few family members, not all of them, do not have an ID, and the other family members have an ID, the person or persons without an ID will be separated from their family members and the family unity will be disrupted if they apply to. As a result, people remain without an ID and since there is no record of the people, it becomes impossible to follow the mobility of the individuals.

Although our country has turned a strategy of not accepting new protection applications due to density of migrant population, exceeded service and accommodation capacities in cities, it is a fact that entry from Syria to our country mostly by marriage is continue. It is not unique to Syrians that migrants marrying with individuals from their country of origin. In sources on migration sociology, it is scientifically stated that migrant individuals may tend to keep their networks and connections with their countries strong by marrying people from their countries of origin. In our country, if these individuals are not registered or their registration is made difficult, they cannot benefit from any rights and services and there is a risk of disrupting social order. The major problem in this area is when an individual living in Syria marries an individual living in Turkey who has a temporary protection ID through a religious marriage and comes to Turkey illegally and cannot obtain a temporary protection ID due to the current decision. If the individual applies to a temporary shelter center, family unity cannot be ensured. When pregnancy occurs after this marriage, the individual cannot perform any pregnancy checks during the pregnancy and also has problems giving birth. Due to reasons such as reporting the lack of identity and the risk of deportation, and the fact that birth is paid, individuals prefer to give birth at home or in private hospitals rather than in state hospitals, which poses a risk for some health problems. Furthermore, after the birth, due to the mother not having an ID - even if the father has a temporary protection ID - the baby's birth certificate is recorded as "nationality: stateless". When the family applies to the population directorate for identification procedures, the mother is asked to present documents from her country of origin - due to not having an ID - and after examining these documents, it is concluded that the mother is Syrian, and since the baby's birth certificate says "stateless", the **birth notification form** is not given, stating that the nationalities of the mother and the child cannot conflict. In this case, the baby cannot get a temporary protection ID in any way, as a result, he/she continues his/her life without access to any rights such as health and education. The hospitals do not change the phrase "stateless" on the birth certificate and a lawsuit is requested, which requires a long process in which the baby remains without an ID and cannot access his/her rights. In other words, **one person without an ID actually means more than one person without an ID**, and this poses a great threat to social order. In such a case, individuals can neither be deported nor are they identified, and they continue their lives without access to any of their rights. This issue does not only apply to mothers without ID cards. Sometimes hospitals may process the nationality information as "stateless" not only for babies of mothers without ID cards but also for babies of mothers who did not give birth in the city where their ID is registered. This practice is considered a "complicated" practice because it is known that every individual under temporary protection is a "Syrian" national, regardless of the city where their ID is registered.

- b. As the process of **updating the identity** of Syrians becomes more challenging day by day, the number of individuals without ID/with inactive ID is increasing.

Individuals under temporary protection are required to apply to the immigration office at certain times of the year to update their information, and similarly, if there is any change in their lives such as marriage or address change, they need to apply to the immigration office for these updates, but the update process is becoming more difficult day by day. In order for individuals to update their identity/identity information, they must first make an appointment with the immigration office, however the immigration office gives an appointment for **2 months at the earliest**. In this case, individuals who cannot update their identity information in a short time cause them to lose their rights. For example, if a person who moves cannot directly update their address, they cannot transfer their child to school, and this prevents children from accessing education. Due to this process, children who are absent from school and who are disconnected from education are encountered. This situation also poses a problem for address-based social assistance and social service processes. Families who move and cannot yet update their address information cannot access Social Cohesion Assistance and cannot apply to the social service center in the region where they live. **Newborn babies** are not subject to this appointment system during the identification process, however, if any problems are detected with the mother and father's IDs during the identification process of the babies, an update is requested and the newborn baby's ID is not given without the update being made. Since the mother and father will need to make an appointment to update their IDs, this situation is also reflected in the identification process of newborn babies.

People who have experienced this process report that there are "**immigration administration contact persons**" whose information is disseminated among individuals under temporary protection. It has been stated that these contact persons can arrange appointments for earlier times for certain fees. This situation as reported is a completely unofficial practice with no basis whatsoever.

In identity updates, a notarized family record is requested from all individuals, and **if the person's records in Syria do not match the records in their temporary protection identity documents, no update is made**. The reason for this is that when individuals first arrived in Turkey, identification was made based on declaration. In such a case, when individuals apply with a petition to correct the information on their identity - even in the simplest spelling errors that are material - a court decision is requested by the immigration administration. In this process, even documents obtained from the consulate are not accepted. Applying to the courts requires both legal support and time. Individuals cannot pay a fee to access the necessary legal support, and even if they do, they face the risk of their identity being deactivated and not being able to benefit from any basic rights because they cannot update their identity because the courts take a long time to conclude. *For example; When the family first arrived in Turkey, identification was made and the date of birth was added to the identity. During the identity update process, a notarized family record was requested from the family. When the family presented the family record book after a long period of time, the date on the child's ID did not match the date on the family record book, so the ID was not updated and the family was requested to apply to the court and submit a court order to adjust the age on the ID.* However, the court process is not an easy and short, especially for migrant individuals. Due to reasons such as the fact that different documents will be requested during the court process and that the process requires a certain economic income, this process is often not carried out and the children continue their lives with a passive ID. In this case, they cannot access their basic rights such as education and health.

In addition to the fact that the identity information in temporary protection does not match the identity information in Syrian records, there are also problems during updates due to the fact that the **information determined by the immigration administration itself during the identification process loses its validity in the eyes of the immigration administration**. *For example, the "marital status" of a Syrian mother's temporary protection ID card was written as "living together" and the mother was able to obtain an ID for her children after her first two births, however when she applied to the immigration administration to obtain an ID for her child after her third birth, it was stated that the statement in her marital status was invalid and that an ID could not be issued and that this statement had to be changed first. A referral was made to the court to change this statement. Although the statement "living together" is not a valid marital status in Turkey, this statement was preferred by the immigration administration during the identification process and it was stated that an application to the court should be made for the regulation, although this statement was preferred by the immigration administration itself.* Since the court is a long process, children may remain without an ID for a long time.

During the update process, the immigration administration requests **more documents/information that are harder to access**. The process is made more challenging by the request for documents that unwanted during the identity registration process. In such case, people may not be able to update their information and as a result, they face the deactivation of their

identities. For example; for some time now, a **notarized rental agreement** has been requested for address updates. In order to obtain this document, the landlord must go to the notary with his/her tenant, and this process also requires a fee. Landlords often do not want to carry out these transactions because they do not trust their tenants; they see this process as an additional burden and are hesitant to go to the notary, and people cannot access the notarized rental agreement. Even if people can access the notarized rental agreement, this document is not enough for address updates on its own. In addition to the notarized rental agreement, the immigration administration requests that the person take possession of the house's **bills** and submit them. The problem here is that the administrative institutions of resources such as water, electricity, and natural gas request the address to be updated for the transfer of the bills, and this process continues in a vicious circle. It becomes impossible to update the identity under these circumstances. Today, it is known that there is an intense conflict between rents, tenants and landlords. Migrant individuals who do not have the opportunity to easily find a new house or change houses are at risk of losing their identities. Individuals resort to a method such as getting a landline phone for their house and registering the bill on their name for bills, but this means using a resource they do not need, waste and expense.

Similarly, during information updates, **birth certificates** are sometimes requested for children, but this document is already presented to the immigration office when the child is born to obtain an identity document. In cases where the family loses the birth certificate and the birth takes place in a different province, it becomes challenging to reobtain a birth certificate. Hospitals state that the birth certificate can only be issued within the first 10 years after birth, in other words it is not possible to obtain this for children over the age of 10. In this case, the children are unable to access basic rights such as health and education since their identities have become inactive. *For example; Normally, when a child who does not live in Gaziantep but was born in Gaziantep, a birth certificate was presented to the Immigration Office in the city where he lived and his identity was obtained, however when the child reapplied to the same Immigration Office when he was 10 years old to update his identity, he was asked to present the birth certificate again. Since the family lost the document during the move, they could not represent the birth certificate and the child's identity was not updated. The family is having a hard time going to Gaziantep to get the birth certificate, and there is no guarantee that they will be able to get it if they go to Gaziantep. Since the child's ID cannot be updated, his ID will become passive and he will not be able to benefit from basic rights such as education and health.*

When children go to the immigration office for identity update procedures - for example, to update their address - both parents are requested to accompany the process, however, this is not possible in cases where one of the parents has been deported/voluntarily returned or has gone to a different country illegally. In this case, a document stating that the other parent has been deported/voluntarily returned or a "custody decision" is requested. However, it is impossible to obtain documents from the deportation files of individuals, voluntary return procedures are also carried out directly by the immigration office and no documents are delivered to the person's family. For this reason, it is not possible to present these documents. Even if a custody case is filed, the cases remain inconclusive since notification cannot be made to Syria, and in the best case scenario, the cases last at least 1 year. The fact that the child's identity remains passive during this process means that they cannot access their basic rights, and failure to update the information during this process also results in the cancellation of the identity, leading to longer-term problems.

**c. Because of the failure to carry out **identity transfer** procedures, individuals are living in a province where they are not registered and are unable to access their basic rights**

According to our policies, individuals should not be outside of the province where their temporary protection identity document is registered without a travel permit, and if they do not have a travel permit, they cannot benefit from basic rights and services in provinces other than the province where their identity document is registered, however there are many individuals and families living in a city where their identity document is not registered due to various social and economic reasons. The majority of these individuals and families are in Istanbul and consist of individuals who continued to live in Istanbul by obtaining a temporary protection identity from a different province during the period when Istanbul was closed to temporary protection applications.

These individuals do not go to the province where their identity document is registered with reasons such as having more social circles, relatives, etc. in the province where they are settled; finding more job opportunities, having an established order and home, not having any acquaintances in the province where their identity document is registered, needing to re-establish a home, or finding a job. Since identity transfer is not carried out in the province where they are settled, families and their

children cannot access their basic rights such as education and health. Individuals who do not live in the province where they are registered also face the problem of their identity becoming inactive because they cannot update their identity.

Previously, even if people had registered their IDs in a different province, if they obtained a work permit, they could transfer their IDs and those of their family members to the province they worked in, however this practice is no longer continuing. Transferring the province of ID is still done as an exception in the case of having a **work permit**, but it is only done for the person with the work permit and is limited to the duration of the work permit process. As a result, it becomes impossible for individuals to establish a settled life within their **family unit**. The process of allowing the person with a work permit to continue living with other family members, meaning the family reunification and the transfer of the identities of the other family members, is not being carried out. This situation undermines family unity and leads to various social problems. When the work permit ends, the identity of the person is transferred back to the old province. This situation causes individuals to constantly change their living conditions, to repeat many transactions such as finding a house, finding a job, moving, and families cannot have a stable life order.

With the September 24 Decree of the Istanbul Governorship, when people registered with different IDs are detected during police checks, their IDs are confiscated and they are directed to the provinces where their IDs are registered with a road permit. In order to access their IDs again in the province where their IDs are registered, they need to pay high administrative fines; if the administrative fines are not paid, they cannot obtain their IDs. The reason why people do not settle in these provinces is already economic reasons, therefore it is quite challenging to re-identify by paying the specified amounts. In the process, extremely difficult procedures need to be carried out for migrants who do not have social support such as transferring their families' IDs to this province, establishing a new house in this province, or finding a new job. For these reasons, people do not return to their provinces of registration and want to transfer their ID provinces, however ID transfer procedures are not carried out. **University students under temporary protection who are studying outside their province of residence** have difficulty in obtaining their residence in the province where they are studying. Students who study outside their province of residence and move their province of residence to the province where they study have problems in getting their IDs registered with their families after graduation. This process leads to unregistered status and loss of rights.

**d. The requirement for a road permit for interprovincial mobility and the difficulties in obtaining a road permit make it challenging for people to engage in social and economic activities.**

According to our policies, individuals are required to obtain a “travel permit” for any movement outside the province where their temporary protection identity document is registered. When individuals travel outside the province without obtaining a travel permit, they are not only unable to benefit from their fundamental rights, but also their IDs are confiscated and they are subject to high amounts of administrative fines approximately 40% of the minimum wage. Individuals are required to return to their provinces of registration and start the registration process from the beginning. The registration process is not completed and the ID is not delivered without presenting a receipt showing that the administrative fine has been paid. Travel permits can technically be requested via e-government, however for a long time, applications made via e-government have been directly rejected, even if documents that prove the necessity of travel are attached. Until approximately 8 months ago, travel permits could be obtained for cities other than Istanbul, but in recent months, travel permits have not been obtained for any city. However, in case of an emergency, travel permits can be obtained depending on the initiative of the officer on duty in physical applications made to the immigration administration, and their duration is extremely limited. This situation limits people’s social and economic activities such as family and relative visits, school trips, and business trips. The process poses an obstacle for people who live in different cities and want to get married through an official marriage. Another of the biggest victims of this problem is **university students** who study in a different city than the one where their ID is registered. Since they need to obtain a travel permit during holidays, family visits, and school trips, they often cannot participate in these and/or continue the process out of fear of being fined. This problem is discussed in detail under the section “*Young people who want to receive a university education face many social and economic difficulties*” under the title “*Access of Migrants to Education*”. **Migrants who carry out economic activities** that require intercity travel, such as trade, also have challenging in carrying out their activities and experience financial difficulties due to this practice. The requirement for a travel permit acts as a deterrent for commercial activities and also harms our country’s economy. This issue is discussed in detail under the heading “*Access to Registered Employment and Entrepreneurial Activities*” under the section “*Licensing and restrictions on intercity travel constitute an obstacle to commercial activities.*”

The migrants living in the regions affected by the February 6 earthquake centered in Kahramanmaraş in 2023 and who were victims were able to access basic services in the cities they migrated to after the earthquake disaster with “road permits”. However, due to the failure to update the travel permits of earthquake-affected families or carry out identity transfers, their access to basic services is restricted. Some families who experienced the earthquake have still not been able to return to their cities due to the many material and moral losses they have suffered, and the lack of housing and resources in the earthquake region is a known issue. Despite this, the fact that **earthquake-stricken families** cannot access basic services in the cities they currently live in - where they started living after the earthquake - poses a problem, and this situation causes many different social problems.

**e. Difficulties in work permit and licensing processes make it challenging for people to have formal employment and economic activities.**

In our country, migrants must have a work permit in order to be employed registeredly. A work permit is a document that can be obtained as a result of the **application of the employer**, not the worker. A work permit is granted for a **fee** that varies depending on the duration and requires the submission of many documents regarding the worker, employer and workplace. In addition, the completion of applications takes a long time and the documents submitted during the application process may be requested repeatedly. The fact that obtaining a work permit is a costly and long process causes many problems in terms of accessing registered employment and sources of income.

From time to time, some municipalities, regardless of which party they belong to, display arbitrary and discriminatory attitudes towards migrants who want to open a registered and licensed business, such as "You cannot get a license in this region, go open your shop somewhere else", making the licensing process challenging. Furthermore, in some municipalities, individuals who operate licensed businesses are expected to **renew their licenses every year**, this is not the case for Turkish tradesmen. When applying for a **renewal of the license**, they may be faced with the attitude of not renewing the license without stating a reason. It shows that municipalities do not carry out licensing procedures within the framework of a certain standard, but within the framework of their own standards.

**f. The inability to make a free or direct appointment at the Consulate General of the Syrian Arab Republic in Istanbul limits access to legal documents.**

Individuals under temporary protection cannot find an appointment when they use channels such as websites or phone lines to make an appointment with the institution when they need to get a document from the Syrian Consulate. In order to make an appointment, it is necessary to go to the consulate, talk to the intermediaries in the consulate or its vicinity, and make an appointment by paying a fee in dollars. This method has no official or legal basis, and when individuals do not perform the procedure, they cannot complete their transactions at the consulate and cannot obtain the documents they need. This situation also serves an obstacle to individuals access many different rights and services. Since there is no legal record, tax, etc. of the money received, this process continues to exist as an illegal practice that harms both individuals under temporary protection and our country. In the event of an appointment, a fee in dollars is requested for each transaction and each document page performed. Individuals with a court case, such as for divorce, identity update, etc., and who need documents approved by the consulate, are unable to proceed with the legal process if they do not have the financial means to make an appointment to access the documents.

**g. Changes made to the application process for foreigners' disability health board report make it challenging to access the disability health board report.**

Syrian migrants with temporary protection IDs were able to apply to hospitals in the province where their IDs were registered and receive a disability health board report free of charge, however as of the 9th month of 2024, a process has been initiated to request a fee from foreign nationals for disability health board report applications. In addition to paying a fee, an official letter from the institutions stating that this report was requested has been added as a requirement for individuals to apply for a disability health board report. This situation is justified by stating that changes have been made in practice in order



to prevent unnecessary applications. Those who need to update their current disability health board are expected to apply to hospitals by obtaining an official letter from the immigration administration. Report fees are not fixed and vary from a hospital to another. It is known that this fee is 1,200 TL at Sultanbeyli State Hospital and 1,900 TL at Ümraniye State Hospital.

The fact that the application for the disability health board report is subject to a fee makes it challenging to access the report. This report is needed in order for individuals to access the support they will apply/receive in order to minimize the disadvantages arising from their disability and/or to participate in socio-cultural activities for the disabled. In the current economic climate of our country, in addition to the disadvantages they already have as a disabled refugee, being subject to a fee to document their situation makes it difficult for individuals and delays their processes.

The disability health board report is not only a requirement for applying to social services, social assistance and health services, but is a right that a person can use based on their right to document their condition. The fact that individuals record their condition with a disability health board report is important not only for individuals but also for our country's institutions and policies. Having official data on how many Syrian disabled individuals there are in our country, how many of these individuals have which type of disability, is important for knowing our country's migrant profile, determining immigration policies and shaping the services of institutions. The difficulty of accessing the disability health board report will also cause this data to remain incomplete.

## 2. Applications of Administrative Detention and Repatriation Procedures

### a. Failure to implement the repatriation process in a standard manner causes anxiety in well-intentioned people and complacency in ill-intentioned people.

Due to the lack of standards in the application of procedures, people experience both the anxiety of “what if I get sent back” and the comfort of “I won’t get sent back anyway.” Lack of standards creates anxiety for well-intentioned people and comfort for ill-intentioned people.

Recently, the number of people who have been deported by the Immigration Administration on the grounds of “threatening public order/security” has been increasing, however it is not clear which situations are considered as threats to public order and security, because even the simplest discussion and complaint filed at the police station is considered within this scope, and sometimes even people who are in the position of “complainants” can be evaluated within this scope. Therefore migrants do not have knowledge of the standard rules regarding which behaviors they may pose a threat. This situation causes people to refrain from applying to the police or the immigration administration, reporting their grievances, even in important situations that require urgency, and to hesitate to carry out transactions that are their basic rights. Lack of standards causes people not to apply to security and complaint mechanisms in the face of any grievance, not to report crimes, and to prevent justice from being served. In fact, individuals who do not want to apply to the immigration administration for identity update procedures due to fear of deportation are encountered. Furthermore, malicious people can act comfortably by believing that they will not be sent back as a result of their behavior due to the lack of clear standards for return; committing crimes, committing violence, etc. Because people observe that the individuals who are sent back return to Turkey in a short time and mix unregisteredly with society, they go one step beyond the idea of "they won't be sent back anyway" and think "I'll come back even if I go", and this eliminates the deterrent effect of the return on committing crimes and disrupting social order.

Because of various deficiencies or errors, restriction codes are assigned to people's IDs and their IDs are deactivated. The restriction code may be for informational purposes, to prevent entry into the country, or for deportation purposes, in other words, not all people who are assigned a restriction code to their IDs are assigned a restriction code because they need to be deported, the purpose of the restriction code varies according to the assigned restriction code. For example, since the person has not updated their address information, a restriction code can be assigned and this code can be removed after the necessary update, this restriction code does not require deportation or being taken to a repatriation center. However, despite all this, a process is carried out by law enforcement officers such that everyone with a restriction code on their ID is taken to a repatriation center, regardless of the purpose for which the restriction code was placed.

- b. In repatriation processes, individuals and families are not considered holistically, as a result of repatriation processes, fragmented families and individuals in need of social services emerge.**

There is no research or action taken regarding the impact of individuals taken to a repatriation center for any reason on their family members, the individuals they are responsible for, or their relatives who will continue to live in our country or our country when the person is repatriated. This situation leads to various problems such as the disruption of family unity, children and individuals in need of care left without a caregiver, and the need for social services, and these have many social and economic impacts on our country.

Returns are usually carried out suddenly and rapidly under police checks, and it is observed that adult men are mostly sent back/taken to a repatriation center. These individuals are usually in a position to provide for their families and homes. As a result of these individuals being sent back individually and quickly without being considered together with their families, the integrity of the family is disrupted and individuals in need of care and social services are created. In addition, from time to time, situations are encountered where single parents are taken to a repatriation center and their children are left alone at home, or where adults in the family are deported and their children who are not with them at the time are left here as “unaccompanied children”. In such cases, it is of great importance to evaluate the situations of dependent individuals such as children, elderly, disabled individuals and their families under the care and supervision of the people sent back or taken to a repatriation center; and to contact social services so that they can stay safe. This situation poses great security risks, especially for children.

- c. People held in administrative detention in repatriation centres are exposed to inappropriate conditions.**

Individuals who are taken to deportation centers for any reason and are either not deported or are deported and then return to our country through illegal means, rejoining society, report experiencing violence and ill-treatment during their time in deportation centers. In addition to physical violence, individuals state that they were unable to access other rights guaranteed by the state in repatriation centers. Individuals with health problems are made worse off when they are taken to a repatriation center by not being able to use their medications and being housed in poor conditions. *For example, a diabetic individual stated that he could not access his medications - which he was supposed to use regularly - during his stay in a repatriation center. The officers did not provide these medications and did not even give him the medications that his family had given to the officers. Another example case is about an advanced bipolar patient who also had other psychological disorders. He could not access his medications in the repatriation center, and he was not given the medications that his family had given to the officers. Although it was reported by the experts working at the deportation center that it was not appropriate to keep the person in the deportation center, the person continued to be held there, and eventually, the individual could not endure these harsh conditions and voluntarily returned.* The violence and ill-treatment in repatriation centers are sometimes reflected in media channels and social media with images. Individuals who stated that they were subjected to pressure and coercion to return to their country by signing a voluntary return form were also encountered.

Encountering these situations causes individuals to view repatriation centers as prisons/prisons. These individuals, who have war and migration traumas, may sometimes be individuals who have been subjected to torture in regime prisons in their own countries. The violence and ill-treatment they experience in repatriation centers, the suppression of their free will, can cause their traumatic experiences to become apparent, affect their behavior, and pose security risks.

The conditions of the repatriation centers and the treatment they are subjected to significantly affect the behaviors and tendencies of individuals if they are sent back or stay in our country. The anger of individuals towards society and the administration due to the treatment they receive poses a risk to social security.

In addition, individuals who are sent back after being subjected to all these treatments can return to our country illegally and continue their lives without an identity card. This leads to the problems mentioned under the heading of "access to legal documents", security issues and flexible attitudes towards the repatriation procedure.

### 3. Migrants' Access to Education

- a. Getting involved, staying involved and completing **compulsory education** has become a major challenge for migrant children.

Although primary and secondary education is a basic obligation for all children, regardless of nationality and identity, according to Turkish law and international agreements to which it is a party, **children between the ages of 6 and 17 who do not have an identity card or are registered in a province other than the province they live in** cannot be registered in primary and secondary education in any way and remain excluded from education. Due to the fact that the immigration administration does not perform identification for various reasons and schools do not register without identification, a large group of school-age children who are out of school is formed. Again, for various reasons, children whose identity cards are registered in a province other than the province they live in are not transferred to the province they live in, and when families prefer to continue living in the province where their IDs are not registered for various reasons such as job opportunities and being together with their acquaintances, children are not registered for school. Although this situation can be considered as a neglect of the family, the Migration Administration Presidency or the Ministry of Family and Social Services (ASHB) does not have any effect on this process. While in the past, children in this position were provided with access to the right to education through the "guest student" application, currently children cannot even participate in compulsory education in any way. Children who cannot access the right to education fall behind their peers, cannot develop their skills and lose the possibility of accessing future job opportunities. Furthermore, they begin to experience different social problems such as child labor, children being dragged into crime, and early marriage.

Children who do not have an identity problem may not be able to register for school and may not be included in compulsory education due to different difficulties. Families who want to register their children for school have challenge registering because of the money requested as "**registration fee**" or "subscription fee" and parents who do not have sufficient awareness about the inclusion of their children in education give up on registering their children for school due to the fee. In this way, children may remain excluded from education.

In some cases, due to the **parents' belief in the necessity of education and their lack of awareness of the laws and obligations in Turkey**, the child is not enrolled in school despite being of school age, and even if they are, their attendance is not ensured. Children who have to work/are forced to work due to economic problems/child laborers and children who are married at an early age cannot be included in education. The cultural belief that girls should not be in mixed environments is also one of the reasons why children are not included in education. Due to the **lack of active follow-up** by the National Education Directorates on this issue and the **lack of coordination** with social service centers and the migration administration, these children cannot be identified and enrolled in education in time.

Social and economic difficulties such as child labor and early marriage following war and migration can cause children not to be included in the education level they should be at the age they should be. When children reach the age where they can be included in education, they are past the age where they can be included in their own level. In this case, they are excluded from education due to the **age-level mismatch**. In the past, Accelerated Education Programs were initiated to address this problem so that children can reach the appropriate level for their age and continue their processes in MEB schools, however this program is not implemented today. Since the Accelerated Education Program (HEP) activities have ended, children are deprived of the opportunity to access the right to education by being included in HEP and then continuing to MEB schools.

Children who cannot continue formal education due to age-grade mismatch are directed to **open education**, but since the academic and social contribution capacity of open education to children is quite low, children cannot be subject to the **protective-preventive effect of education**, cannot come together with the local people and integrate into social life. The contribution of open education for children is limited to having a diploma, but migrant children need more than a diploma for integration.

Children are staying away from education even though they could be involved in it, because of the fact that **common education methods such as Accelerated Education Program (HEP) and Vocational Education Center (MEM) are not used actively and effectively enough** (absence tracking is not done, children are not directed to workplaces where they can do their internships by MEMs, payments are not monitored to be made fairly, etc.) both families and children are not encouraged enough.

Some Syrian children, despite being born and raised in Turkey, may not have sufficient knowledge of the **Turkish grammar** - especially in cases where there is no family environment that has reached the level of social adaptation awareness that will support language development. In this case, when they are directly involved in the education process, they cannot adapt to their peers and the classroom environment and need additional support. Children who are not sufficiently supported by the school administration, guidance service, teachers or other actors who can be effective in this regard are reluctant to continue school; they move away.

Within the scope of the Project for Supporting Inclusive Education for Children in the Turkish Education System (PIKTES), children from all age groups, education levels and language levels are included together in social adaptation classes opened in MEB schools, which causes children to not benefit from the education provided and to not make progress. Children need to be separated into classes according to their age, level and language skills. Children receiving education in social adaptation classes are also exposed to labeling.

Migrant children living in the regions affected by the February 6 earthquake centered in Kahramanmaraş in 2023 and who were victims were included in compulsory education with “road permits” in the cities they migrated to after the earthquake disaster. However, when these children completed the level they were registered for and were going to move on to a new level, they were not registered for school in the city they were in -including those with current road permits-. Some families who experienced the earthquake have still not been able to return to their cities because they suffered many financial losses, and the housing shortage in the earthquake region is a known situation. Despite this, the fact that **earthquake-affected children** cannot continue school in the cities they currently live in - where they started living after the earthquake - poses a problem and this situation causes many different social problems.

If children enroll in school without experiencing any problems or overcoming all difficulties, they **face peer bullying, parental or administrative bullying and discrimination** due to being foreigners/migrants. On the other hand, not being able to access the necessary and sufficient language and academic support programs they need as foreign students causes them to experience academic failure and to be exposed to social and economic problems such as child labor and early marriage. All these reasons result in them not being able to continue their education.

In addition to compulsory education, **preschool education** is also not accessible to Syrian children. There are not enough preschool education institutions in the districts. Due to the lack of quotas, priority is given to Turkish citizens and the admission of migrant students is carried out at the initiative of institutions/administrations, yet this is not an inclusive method. Preschool education should be accessible to all children, especially due to its importance and positive effects on language acquisition, social adaptation and continuity in education. The inability of migrant children to benefit from our country's preschool institutions leads families to send their children to **unregistered, unofficial schools** where the language of instruction is Arabic, the conditions are not safe or healthy for the children, and which are not subject to any inspection due to their unregistered status. No activities aimed at social adaptation are carried out in these institutions and an attitude closed to the outside/society is displayed. Families continue to prefer these schools due to the combination of deterrent factors such as not being able to access state institutions and not having enough facilities for private institutions, and attractive factors such as providing Arabic and religious education and charging very low fees. However, since these schools are not subject to any inspection, they pose a risk for both children and society and constitute a barrier to the development of social cohesion.

#### **b. Young people who want to get university degree face social and economic difficulties.**

Despite the many problems mentioned regarding access to compulsory education, there are also migrant youth who can complete their compulsory education and want to continue/be included in higher education. According to the data announced by the Council of Higher Education (YÖK), there are 336,366 international students studying in our higher education institutions in the 2023-2024 academic year, 60,751 of whom, 18%, are Syrian youth in our country under temporary protection status.

International students in our country are subject to the **Foreign Student Exam (YÖS)** in order to be included in Higher Education Institutions. Syrian students, like other international students, are placed in universities as a result of this exam, however Syrian students, unlike other international students, are forced migrants who have taken refuge in our country due to war, are currently subject to our country's education system, and earn their living in our country's economic conditions. For this reason, they are placed in higher education not with an exam related to the curriculum they are subject to, but with a different

format, YÖS, which is prepared for students who are not subject to the education system in Turkey, which causes difficulties in the preparation process and university placement ranking. YÖS is an exam system that is not carried out centrally, and is held on the dates determined by each university, and for which an additional fee must be paid. This makes it challenging for Syrian students to receive higher education both financially and mentally.

Students who successfully take the YÖS exam are now faced with the danger of not being able to receive the education they want due to **foreign student quotas**. Syrian students, despite having come to our country through mass migration and being much more numerous than other foreign student groups, are accepted to schools with a very limited quota, just like other international students, and this creates the risk of not being placed in schools due to their foreign nationality, despite their success. This means paying fees for high student exams again the following year, which in the current economic structure puts a strain on families and sometimes causes children to give up on receiving education. Some students also state that they are discriminated against in quotas because they are Syrian.

Students who are successful in the YÖS and can overcome the quota barrier have to pay a **tuition fee** in order to register to the university and department they are placed in. Tuition fees are set individually by each university and department, sometimes requested annually or per semester, with some schools asking for fees in dollars or euros, while others ask in Turkish lira, consisting of high amounts that are determined anew every year. For example; a Syrian student who meets all the requirements to study at Istanbul University Cerrahpaşa Faculty of Medicine cannot receive medical education unless he pays 12,000 Dollars every year. Tuition fees have no specified upper limits, being at least 30,000 TL when requested in TL and at least 1,500 \$ when requested in dollars. It is extremely challenging for a student living in the economic conditions of our country and coming from a disadvantaged segment to pay these amounts. For this reason, there are students who cannot be placed in the departments they are accepted to, who have to study in schools and departments that are not their preferences/not suitable for their abilities, and who are subject to lower quality education than they could receive. Currently, the tendency towards private universities is increasing due to the higher tuition fees of state universities.

Students who are successful in YÖS, do not have quota restrictions and can pay the tuition fees can start university education, however they often have to change cities for university. In this case, problems arise in terms of both accommodation and mobility.

There is no legal obstacle for foreign students with legal residence to apply to Credit and Hostels Institution (KYK) dormitories. There is an area on e-government where international students can apply to KYK, but this area **has not been opened for applications for the last 2 years** and foreign students have not been able to apply to KYK dormitories. However, if the quotas are not filled after the applications and placements are completed, they can apply as “guest students”, but in this case they must pay certain fees. Students who are placed in KYK as guest students for a certain fee may have to leave the dormitory due to the closure of the guest student quota as a result of a Turkish student being included in the quota in the second semester. There is no general announcement about whether KYK quotas will not be opened for foreign students or when they will be opened. In this case, students are subject to an uncertain process and cannot find accommodation if they do not have the financial means or meet their housing needs in unsafe areas.

As mentioned in the article “Access to Legal Documents”, Syrian students also need to obtain a “**travel permit**” in order to change cities for university, but travel permits are issued for a limited period of time and currently, requests made through e-government are frequently rejected. Students can transfer their IDs to the city they move to for university if it is open to temporary protection registration, however in this case, when they want to transfer their ID province again when graduate and return to their families, they face the risk of not being able to do this transfer. If they do not transfer their ID and cannot access the travel permit, they cannot benefit from health services in the city where they study. Even visiting their families during the holidays and participating in intercity trips organized by their schools becomes challenging for these students. The fact that university students are subject to a travel permit restricts their mobility and access to their rights.

As will be mentioned in the article titled “Establishing Social Cohesion”, false information spread through media tools and especially social media channels, such as Syrian students entering universities without exams and being prioritized in hospitals, causes students to be **discriminated** against and mistreated in the cities they go to and the schools they attend. Although university students can cope with these pressures easier due to their knowledge of the Turkish grammar, cultural adaptation and intellectual level, all the difficulties they experience during the university entrance, acceptance and registration processes

can cause them to lose motivation and drift away from education, and *although rare, examples of this turning into physical attacks have been encountered.*

**c. Children with special needs cannot receive free **special education** in rehabilitation centers.**

Children with special needs are subjected to tests at the Guidance and Research Center (RAM) to determine their special education needs. There is no obstacle to children whose educational diagnoses are made by RAM being placed in special education classes in state schools and benefiting from the special education services available at the school. However, children with special needs who cannot receive education in these schools and who need to receive education in rehabilitation centers cannot receive free education in rehabilitation centers, which are state institutions, despite having other necessary documents, since individuals must submit their Turkish ID Numbers for registration in accordance with the Regulation on Special Education Institutions of the Ministry of National Education. They can only benefit from paid and private educational institutions. This situation causes disadvantaged children with special needs not to be included in any educational activity. Children and families who are not included in special education cannot develop any skills by being isolated from social life, continue their lives as dependents, and the care burden of the parents increases.

#### **4. Migrants' Access to Healthcare Services**

**a. Since the **temporary protection insurance of people with work permits and their families is closed**, their right to benefit from free health services is eliminated when their work permit expires.**

Since the last quarter of 2023, when individuals under temporary protection are included in registered employment processes and start working with a work permit, the temporary protection insurance of individuals and their families is deactivated and their insurance is initiated under the SGK. The work permit is a temporary document and may not be renewed at the initiative of the employer. When the work permit of individuals ends - when the individual is laid off, the work permit is not updated or takes time to update, or when they are not employed in a new job as registered - the temporary protection insurance, which is their main right, is not reactivated and in this case, the individual and their family cannot benefit from health services - even emergency health services - free of charge. "In response to this situation, when individuals apply to the Migration Directorate, they are informed that they can only access free healthcare services if they obtain a new work permit and are insured under SGK (Social Security Institution). It is stated that it is not possible to reactivate temporary protection insurance. As a result, individuals and their families cannot benefit from free healthcare services, despite being entitled to them. This situation also causes individuals to avoid registered employment.

**b. **Individuals without an ID or registered with a different ID** cannot benefit from free health services even in emergencies.**

Individuals without ID cannot benefit from free health services and generally prefer private hospitals due to the fear of being reported. Individuals with ID cannot access free health services outside the province where their ID is registered if they do not have a travel permit. However, there are many individuals who live in a province different from the province where their ID is registered. An active and comprehensive policy is not implemented for individuals to return to their ID province and ID transfer procedures are not carried out. These individuals cannot benefit from basic services such as education and health in the city where they are settled - *as mentioned under the heading "Migrants' Access to Education"*-. Although some service restrictions have been made due to policies, "emergency health services" are within the scope of services that should be accessible to everyone, but individuals without ID and registered with different IDs cannot benefit from these services free of charge. Even if the emergency department of hospitals is entered from the red zone, a fee is requested from patients and their relatives. Individuals who are not in a position to pay this fee cannot access treatment and this situation creates great risks that can lead to the individual losing their life. If individuals are admitted to the hospital for emergency intervention, they are not discharged without payment, and individuals and their families are threatened with being reported to the police if they do not

make the payment. Urgent and serious health problems such as childbirth, cancer, falls-injuries, etc. are also included in this process. This process paves the way for individuals to encounter life-threatening risks by not going to hospitals even in emergencies. Earthquake victim families who migrated from the earthquake zone to other cities due to the February 6 Kahramanmaraş earthquake and whose ID belongs to the earthquake zone also experience the same problem if they do not have a travel permit.

One of the biggest victims of this situation is **newborn babies**. When mothers without ID apply to the hospital for emergency delivery, the hospital demands a fee from the patient and their relatives after the birth and does not return the baby to the family if the fee is not paid. Since the fees in question are not low and since people without ID and their families have serious difficulties in accessing employment and livelihood, the fee cannot be paid in a short time and the baby remains in the hospital during this process. This situation poses risks to the health of the mother and the baby. The “hostage” process is not legal under normal circumstances, therefore when a complaint is made about the hospital by calling the Ministry of Health’s hotline ALO 184, the baby is returned to the family, however this time the family members are threatened with being reported to the police. In this situation, families are driven into a major impasse. Reporting people without ID or registered in a different state to the police may be the responsibility of the public official, however using this as a threat and attaching it to a condition damages the goodwill in the process and the impartiality that should be shown in health services. Newborn babies of unidentified parents still face the problem of identification after being discharged from the hospital as mentioned under the heading "Access to Legal Documents".

- c. **Drug addiction**, as a public health and social security problem, is becoming more widespread and diversified day by day, however rehabilitation and treatment services for it are not widespread and accessible.

Recently, substance addiction cases have been encountered very frequently and feedback has been received from the residents of the province/district/neighborhood regarding drug use and trafficking. The fact that the age of substance addiction is decreasing day by day also shows that the **prevalence is increasing**. Families and individuals are extremely helpless in the fight against substance addiction. Although families would normally hesitate to choose such a method for their children and despite all the risks, they resort to methods such as reporting their children to the police, but still no result can be reached.

It does not seem possible for individuals to be treated without their own request/volunteerism regarding getting rid of substance addiction. A consistent and determined volunteering is an extremely difficult process for an addicted individual and requires very intense motivation. Individual efforts made to motivate people, -especially children- towards treatment are insufficient. Although **supportive counseling services** are provided to families by civil society organizations such as Yeşilay, technical problems such as “lack of interpreters” are encountered. Therefore, during this process, families are left alone in convincing/motivating their children for treatment and the addiction process continues to increase.

When people are willing, admission to AMATEMs takes time. The fact that the only health institutions related to the subject are AMATEM and ÇEMATEM and that the **number of these institutions is insufficient** makes the process difficult. There are only 4 AMATEMs and 2 ÇEMATEMs in Istanbul. Since treatment in these centers is on a voluntary basis and has an open service nature - as mentioned above - inpatient treatment is not provided unless the individual and the child request/volunteer. Even in cases where the child is at risk and requires compulsory admission, inpatient treatment cannot be provided if the child does not request it.

Apart from the treatment and rehabilitation process, there is no rapid, agile and effective response to reports/notifications made to the security forces in order to prevent drug addiction from spreading and to prevent trafficking. This issue is discussed in more detail under the title “*Access to Security and Complaint Mechanisms*”. This situation leads to the continuation of drug trafficking, its further spread and its transformation into a public health problem.

## 5. Access to Social Services

### a. There are limitations for individuals under temporary protection in accessing existing social assistance and social services.

Individuals under temporary protection have not been able to bring their necessary legal documents with them because they left the war zone and migrated to our country quickly and suddenly. In the current situation, since returning to their country poses a danger and the mechanisms through which they can communicate in their country are not active, when they need to obtain documents from their country, this is not possible or the process is long and costly. Although people who have acquaintances or relatives in Syria receive support from them in the process of obtaining documents, this is not possible for everyone. When the document comes from Syria, a fee must be paid for the notarized translation process. -As stated under the heading “*Access to Legal Documents*”- when a transaction is to be made through the Consulate General of the Syrian Arab Republic, it is also necessary to make an appointment and pay an additional fee for each transaction to be made. It is not easy for people in need of social assistance to pay these fees. Not being able to document the processes prevents people from accessing social assistance or prolongs the process.

**Single parents** constitute the most victimized group in this regard. Many Syrian women/mothers whose spouses have died, gone missing or are in prison in Syria are living in our country and these people often need social assistance. When they apply to social assistance channels, they may be asked for documents indicating that their spouse/father is not here, has passed away or is missing, however it is not possible or easy for people to access these documents due to the reasons mentioned above. Since the missing persons are not lost in Turkey but in Syria, it is not appropriate to file a missing person report here, so this document cannot be obtained and accessing social assistance becomes difficult. At the same time, single parents who migrated to Turkey with their spouses and have a married ID but then returned to Syria or were deported after their spouses went to a different country illegally cannot find any documents to prove this. It is impossible to obtain documents from the persons' deportation files.

It is known by institutions and individuals that Syrian individuals under temporary protection benefit from Social Cohesion Assistance (SUY). The monthly payment of SUY is not enough to meet the basic needs of a family for a month if there is no one who can work, and not all families can benefit from it. Despite this, the information that “**Syrians are already receiving Social Cohesion Assistance**” can prevent individuals from accessing other social assistance. Within the framework of this information, individuals in social assistance and social service institutions can reject social assistance requests or apply Turkish citizenship as a criterion and exclude Syrians from direct social assistance.

**Home Care Assistance** paid by ASHB for the care of disabled individuals is not provided to Syrians. Since Syrians are a group coming from war, the rate of disability is high and disabled care is a serious need for them. Although additional support is provided to families with disabled individuals within the scope of SUY according to the number of disabled individuals, this amount is not equal to home care assistance. Based on the figures of October 2024; ASHB's Home Care Assistance is 9,097 TL, while the disability assistance provided to Syrians within the scope of Social Cohesion Assistance (T-SUY) is 2,400 TL. Considering the cost and difficulty of disabled care, it is clearly seen that 2,400 TL is not enough. This situation causes disabled individuals to not be able to access adequate care and supervision, to live in humane conditions and to create risks for the family and society. If families are not supported enough, they cannot provide adequate care to the disabled and in this case, disabled individuals need to be placed in institutional care, however placement in institutions is also a long and challenging process. During this time, people with disabilities continue their lives in danger of harming their surroundings and themselves, or in danger of their life safety.

If individuals are able to overcome all obstacles to access social assistance and social services and apply for them and are found suitable for the services they apply for, there is a problem in terms of **providing social assistance**. Banks do not have a standard attitude in opening accounts for foreign nationals. It is observed that some banks request different documents from each individual and open accounts for some and not for others. This problem is especially experienced by families who are eligible to benefit from ASHB's Social and Economic Support (SED) service. SED payments are made through Ziraat Bank, but **Ziraat Bank requests work permits to open accounts for foreign nationals**. However, the individuals in question benefit from the SED service because they are already unable to work. It is a paradoxical problem that the bank requests work permits from individuals in order to mediate social assistance provided due to economic deprivation. **Although individuals are deemed eligible for social assistance by the relevant authorities and it has been stated by the official authorities that children in the household will become children in need of protection if the family is not supported socially and**



**economically, the bank does not support the family to access this assistance by opening an account.** Although some branches try to help individuals by opening “temporary accounts”; since not all branches and not all employees are aware of this process, individuals who need social assistance often experience problems in this regard.

**b. Not all children in need of protection benefit from protective supportive measures decisions within the scope of the Child Protection Law.**

When migrant children are victims of neglect or abuse and it is determined that they should be evaluated within the scope of “children in need of protection”, if they do not have an ID or if their ID is not registered with the place where they live, **protective and supportive measures cannot be taken** for these children in accordance with the cover letter titled “Services for Foreign National Children” sent to the provincial directorates of Family and Social Services of 81 provinces on 18.07.2024 by the General Directorate of Child Services of the Ministry of Family and Social Services. According to the letter, children and their families must be reported/referred to the immigration administration, however, when the relevant children and their families are directed to the immigration administration, identification, identity transfer, sending to the place where their ID is registered or, if necessary, deportation procedures are not carried out. Although children are defined as “children in need of protection” by our country’s mechanisms according to our country’s policies, they continue to live within the borders of our country as victims of neglect and abuse without any intervention.

When protective and supportive measures are ordered for the children, these **measures are not implemented** or are **not implemented in accordance with the procedure**, and the implementation process is not **subject to supervision**.

Children who are registered in different provinces and without identity cards, who are subject to an **education precaution** decision, are not registered to school and their education is not ensured. Despite the precaution decision, there are children who are child laborers and do not attend school and are at risk of early marriage. Even if precaution decisions are implemented, they are implemented with a **delay**, which causes the precaution decision to lose its protective and supportive nature; the potential to prevent risks and improve the child’s living conditions is eliminated and children are harmed.

The implementation of **health measures** is not carried out in accordance with the procedure specified in the law and regulation. Although it is clearly stated in the legislation that the treatment and medicine costs will be paid by the hospital and the relevant ministry while health measures are being implemented, **families are charged a fee** or treatment is not provided. This situation remains valid for patients in emergency situations. As a result, children show health problems such as developmental delays because they cannot access their existing rights, and their life is at risk because their existing diseases are not treated.

**c. Due to the lack of division of responsibilities and coordination between the Migration Administration and other public institutions and organizations, access to social services is disrupted**

The migration administration is seen as the implementing and decision-making mechanism regarding migrants by other public institutions and organizations due to its purpose of establishment, duties and responsibilities conveyed in the legislation, however, this does not work in this way in practice, the migration administration only deals with the identification/documentation processes of individuals. For example; although it is stated in the Unaccompanied Children Directive that the procedures regarding unaccompanied children will be carried out by the Provincial Directorates of Migration Administration, this process is carried out by security forces and social service centers in the field. Since the migration administration is not an institution that can be reached outside of working hours, procedures regarding migrants are generally carried out through the 112 emergency line. The fact that the procedures are not carried out as specified in the legislation and that an effective distribution of duties has not been made leads to arbitrariness in practices.

The protection desks of the migration administration make referrals to the ASHB for social services, to the MEB for education, etc. as a result of their detections. However, since the necessary identification processes are not carried out in the referrals made and other public institutions and organizations do not take action without identification, the relevant institutions repeatedly make referrals to the migration administration and individuals in need of social services - especially children - are lost in this cycle. The lack of an effective coordination and guidance process, and the inability to establish cooperation and a

division of responsibilities, causes individuals to be unable to access services in a timely manner according to the identified needs, leading to their victimization and destabilizing social order/security/reliability.

**d. There are no social aids and social services covering all disadvantaged groups; services for elderly and disabled individuals alone do not meet the needs.**

Apart from the SUY, there is no cash-based assistance for elderly migrants. Elderly individuals who migrate to our country do not have a retirement income because they do not spend their working periods in our country. It does not seem possible for them to earn an income because they cannot work due to their age and health conditions. In this case, there are no **social assistance mechanisms that single elderly individuals whose needs are not met by their children or relatives can apply for and benefit from**. This situation causes single elderly people or families consisting of elderly people to not be able to live in humane conditions.

In our country, there are shelter services provided by both public institutions and organizations and civil society organizations for women who are victims of violence or at risk and for women alone, but there are no **shelter services for men**. Housing support mechanisms for male individuals who have lost their shelter as a result of an emergency and who do not have a social support mechanism are limited. In such cases, when the security forces are contacted, individuals are directed to the immigration office, but the immigration office does not play an active role in this regard and directs individuals to municipalities. When individuals are directed to the immigration office, they often hesitate to apply due to fear of being sent back. Municipalities do not have sufficient and comprehensive shelter services for men. People staying on the streets poses a risk to their personal and public safety and has the potential to lead to other social problems such as being drawn into crime and substance addiction.

As stated in the article *“There are limitations for individuals under temporary protection in accessing current social assistance and social services.”*, sufficient financial support is not provided to caregivers for the disabled. As mentioned in the heading “Migrants’ Access to Education”, disabled migrant individuals cannot benefit from rehabilitation services either. In particular, the care of adult mentally disabled individuals puts a great strain on caregivers in terms of both physical and financial strength and spiritual and mental strength. From time to time, adult disabled individuals who use violence against their families and caregivers are encountered. Since these individuals cannot benefit sufficiently from either rehabilitation services or cash-based assistance, after a while, families/caregivers cannot cope with the violence and care burden and request that the individuals be taken into institutional care, but the **process of placing them into institutional care is also extremely difficult and takes a long time**. In order for a disabled migrant to be taken into institutional care, a guardian must first be assigned to him/her and guardianship procedures take up to 6 months. This is a very long and risky period for **adult mentally disabled individuals who use violence against their caregivers**. After the guardianship process, the determination of an institution with a suitable quota and placement in the institution does not happen immediately or at all, there have been cases where the process has been extended up to 1 year. During this process, the disabled individual continues to harm himself/herself, his/her environment, and his/her caregiver/family. This situation often causes negative reactions from the families’ social environment, including complaints and even physical violence.

## **6. Access to Security and Complaint Mechanisms**

**a. Individuals are reluctant to individually apply to complaint mechanisms for fear of being sent back/causing repatriation.**

As discussed under the heading *“Implementation of Administrative Detention and Repatriation Procedures”*, the failure to implement the repatriation/deportation process in a standard manner causes anxiety in well-intentioned individuals and complacency in ill-intentioned individuals. Individuals who are victims of violence or crime may hesitate to report to law enforcement due to the fear that, as migrants, they might be deported, or that the person they wish to file a complaint against could be deported as well. This fear prevents them from exercising their legal right and obligation to report the crime and initiate the legal process. Due to current policies, announced repatriation/deportation numbers, examples of both the

complainant and the complainant being deported, and warnings from police officers on this issue, individuals refrain from complaining and reporting.

Especially in cases of **domestic violence**, since repatriation/deportation is a major source of concern, individuals who are victims of violence continue to be subjected to violence for long periods of time, hesitating to report the process. Not reporting the crime/not filing a complaint also prevents any healing process from starting and, on the contrary, causes the perpetrators to act more boldly and the victims to be suppressed more, negatively affecting the well-being of the family and society. In this case, not only the person to be complained about (the perpetrator) but also the person making the complaint (the victim) is threatened with deportation. *For example; according to a Syrian woman with temporary protection status who is married to a Turkish citizen, she took shelter at the police station in the evening due to the violence she was subjected to by her husband and wanted to complain about her husband, however the officers at the police station stated that if she filed a complaint, deportation procedures would be initiated against her along with her complaint; despite the person's objections, her complaint was not received and it was repeated that she would be deported if her complaint was received. Instead of initiating the process of filing a complaint and placing the person in the Violence Prevention and Monitoring Center (ŞÖNİM), which is the person's right, the spouse and family of origin who were subjected to violence were invited to the police station and efforts were made to convince the person to return home. When the person was not convinced, the person was directed to a guesthouse of a civil society organization without any legal action such as a complaint, protection order, etc. being taken against the person.*

Not only in cases of domestic violence, but also in other disputes, obstacles and threats to complain cause disputes to grow and create an unsafe environment. *When two neighboring families applied to the police station to complain about an ongoing dispute between them, they were told that deportation procedures would be initiated if they complained, and they were unable to complain about each other for a long time. The tension between them grew day by day and continued without the supervision of any complaint and control mechanism. As a result, physical assault and injury occurred between the parties. After this incident, the complaints of the individuals were not received and the problem was solved by supporting the families to move to different regions with the efforts of civil initiatives that were aware of the incident.*

Not resorting to complaint mechanisms due to fear of deportation results in crimes not being brought to justice, legal mechanisms not being activated, justice not being provided through legal means and an unlawful environment being created. In social environments where legal law is not an option, individuals may produce their own illegal law mechanisms and prosecution tools, and this situation has the potential to be a triggering factor for social chaos.

**b. People do not prefer to apply to police stations individually because they think it will not be effective and they are concerned about confidentiality not being protected.**

Considering all the risks mentioned in the previous article, when individuals apply to police stations, they may encounter a deterrent attitude. Technical factors such as waiting for a long time to take the statement or the absence of an interpreter are cited as reasons for not taking the action, not recording the complaint submitted verbally, or directing/persuading the victim not to file a complaint, and such unwilling and inappropriate attitudes are displayed that may be deterrent for the victimized person. This situation carries many risks, such as the notification of events with a deadline extending beyond the expiration of the notification period, the disappearance of evidence related to the crime during the prolonged notification process, individuals abandoning their right to defend themselves and use complaint mechanisms, and the spread of the crime. In addition, since they encounter situations where interpreters who support the procedures of migrants share complaints and statements with members of the public, even with the relatives of the victim or directly with the person complained about, they hesitate to file a complaint thinking that confidentiality does not protect them. It is observed that a major factor in this situation is that the interpreters are people from the migrant community who reside in the region where the incident in question took place or where the parties to the complaint live.

Although individuals can normally apply to any police station as a result of any victimization, when an individual who has been subjected to any attack such as violence or sexual abuse applies to the nearest police station, **they are directed to apply to the police station in the province or district where they reside without receiving their complaint.** Sometimes, this guidance is provided even when individuals do not want to go to the area where they reside because they do not have life security, are attacked there, have the possibility of encountering the perpetrator, or cannot go for any reason. This situation is

the most important and dangerous example of deterrent attitudes. When women victims of violence apply to police stations to obtain a protection order/restraining order for the safety of themselves and their children, their applications are not accepted, but when accompanied by a lawyer, this application rarely yields results. Even the ŞÖNİM placements of victims of violence who request shelter are met with a deterrent attitude by police stations and rarely yield results.

Due to these attitudes and practices, especially in cases of domestic violence, women are hesitant to take official action because they do not have confidence and faith in protective procedures that can be taken, public institutions, and the police, despite all the information and guidance provided. So much so that when mothers and children are subjected to violence by their fathers and the mother refuses to file a complaint due to the deterrent reasons mentioned above, the child cannot be prevented from being subjected to violence despite the child's bond with the mother - the mother's failure to file a complaint is evaluated as neglect of the child - and the child is taken into institutional care, which leads to negative social consequences such as separation from both mother and father and disruption of family unity.

Another example of complicating the procedures carried out at police stations is the submission of **lost-stolen reports**. Individuals who lose their ID documents or have them stolen along with their other belongings must submit a lost-stolen report to the relevant authority in order to obtain a new ID document. While this report is a document that can be issued quickly and easily by police stations under normal circumstances, these applications by migrants are rejected at police stations, and the necessary document is not delivered to the individuals. Individuals are only directed to the prosecutor's office to obtain a report. Migrants are directed to prosecutor's offices for many procedures that can be carried out at police stations. Individuals are forced to apply to the prosecutor's office for procedures that they can carry out quickly through the police station in their neighborhood.

**c. Complaint and notification tools cannot be used in a coordinated and effective manner; fast and effective results cannot be obtained.**

There are **call lines belonging to different ministries** such as 112 Emergency Call Center, 183 Social Support Line, 170 Working Life Communication Center, 157 Foreigners Communication Center that can be used for complaints and notifications. However, when these lines are used, complaints and notifications are sometimes not directly recorded. When **information that cannot be obtained** regarding the subject of the complaint is asked - *for example, when a complaint is made to Alo 170 with the address of an institution that employs child labor, the tax number of the workplace or the Turkish identity number of the employer is requested* - the complaint is not recorded. Furthermore, there have been cases where **records are not kept for frequently encountered cases**. For example; when individuals who do not have an ID and cannot attend school because they are registered with a different ID and who are in the position of "children in need of protection" due to not being able to benefit from the right to education are notified to ALO 183, it is encountered that this is a general problem and that these cases should not be reported. However, if these cases are not recorded, their scale will not be recognized and an effective intervention will not be carried out regarding the children. Another issue is the lack of coordination between call lines. For example, in reports left to the 112 Emergency Call Center, directions such as "call 183 as well" are encountered, in these cases, **coordination between institutions is not established and the notification to the other line is left to the initiative of the person**. While the necessary research can be done by the relevant institutions and organizations after the information shared during the call is obtained and a path can be drawn regarding the situation, requesting information from the applicant and not recording it if it is not transferred can cause many events/situations to reach bad results without intervention.

When individuals or institutions use their right to petition to submit their complaints in writing, situations are encountered where these **petitions are not processed**. In particular, applications made to the Migration Directorate by petition are **not entered into any document registration system** and no tracking number is provided. The petition application can even be rejected by security before entering the institution. This situation prevents individuals from exercising their constitutional right to petition. In applications made to different institutions, **no information is provided upon the outcome of the application**. This causes complaint and feedback mechanisms to be disregarded.

**No response is received to the cover letters sent to institutions by civil society organizations to report and offer cooperation on individual incidents** or on issues that concern society in general and pose a risk. This situation has a deterrent effect on the notifications that civil society organizations that have established close relations with the society will make in order to maintain social order. For example; cover letters directed to the district national education directorate regarding the

school registration processes of children affected by earthquakes or schools where peer bullying is intense; cover letters sent to the district police department regarding substance addiction have remained unanswered and inconclusive. In cases involving more than one institution, a letter is sent to all institutions, however since each institution waits for the others to take action, the process progresses slowly. For example; when a cover letter is sent to both social services and the police department regarding a sexual abuse case, the institutions expect each other to take action, which causes delays in the process, and coordination to work together on this matter takes time.

## 7. Access to Registered Employment and Entrepreneurial Activities

### a. There are many deterrent factors against registered employment that lead workers and employers not to choose registered employment and push them towards unregistered employment.

In our country, migrants must have a work permit in order to be employed registeredly. A work permit is a document that can be obtained as a result of the **application of the employer**, not the worker. A work permit is granted for a **fee** that varies depending on the duration and requires the submission of many documents regarding the worker, employer and workplace. In this respect, it is a costly and burdensome process; therefore, for employers who must deal directly with the process, working with migrants -registered- becomes an undesirable situation. This causes people to tend to unregistered employment.

The different situation for Syrians is that they have migrated to our country in mass and unpredictably, and currently 3.5% of our country's population consists of Syrians. The majority of these people are individuals of working age. Although this means more workforce potential, these people are generally employed unregistered due to work permit processes. Despite there are many international projects in our country that encourage employers to employ registered workers, limited people have access to these projects. Unregistered employment is preferred more. While the increase in the potential workforce is a positive development, the costly and burdensome nature of work permit processes turns it into a negative trend by increasing informal employment.

From time to time, employers may **deduct the social security/insurance premiums paid to the Social Security Institution (SSK) from the employee's salary**. This leads employees to prefer to earn more income by working without insurance.

As detailed in Article 4 of this report titled "*Access of Migrants to Health Services*", **if individuals start working with a work permit, their and their families' temporary protection insurances are closed**. When work permits expire and temporary protection insurance is not reactivated, individuals and their families lose the right to access free healthcare services, which results in them not preferring to join registered employment processes. Because individuals usually work in temporary jobs that do not guarantee a future or continuity, and the likelihood of their work permits expiring is very high, people who do not want to lose the right to access free healthcare in the long term do not prefer registered employment.

Furthermore, the fact that individuals who are employed in a registered manner cannot benefit from the SUY provided by the district governorships for Syrians as a result of the support provided by the European Union causes people not to prefer registered employment.

### b. Licensing and restrictions on intercity travel constitute an obstacle to commercial activities.

The fact that there is no central regulation for the licensing of businesses opened by migrants and that local governments carry out licensing procedures only in line with their own standards within the scope of the Regulation on Business Opening and Operating Licenses negatively affects the business opening and operating activities of migrant entrepreneurs. From time to time, regardless of the party they belong to, some municipalities make the licensing process challenging by displaying arbitrary and discriminatory attitudes such as "*You cannot get a license in this region, go open your shop somewhere else*" towards migrants who want to open a registered and licensed business. Additionally, in some municipalities, individuals who operate licensed businesses are expected to **renew their licenses every year**, which is not the case for Turkish tradesmen. When applying for a license renewal, they may be faced with the attitude of **not renewing the license** without stating a reason. This situation shows that municipalities carry out licensing procedures within the framework of their own standards, not within

a certain standard. While entrepreneurial activities can strengthen both the entrepreneur's and our country's commercial activities, a deterrent attitude is being displayed.

As stated in the article titled *“Requirement for a road permit for intercity mobility and difficulties in obtaining a road permit make it challenging for individuals to engage in social and economic activities”* under the title *“Access to Legal Documents”*, the fact that migrants who do jobs that require intercity travel have to obtain a “road permit” for changing cities and that obtaining a road permit is becoming increasingly difficult restricts economic activities. Especially tradesmen and migrants who engage in commercial activities are unable to leave the city without obtaining a road permit when they need to go out of the city for reasons such as buying and selling goods, establishing collaborations, and producing business, thus their commercial activities are disrupted. Since it is not possible to travel without a road permit even between districts such as Sultanbeyli and Gebze, which are very close to each other in terms of location but belong to two different cities, individuals' activities are limited to certain geographical areas. This harms both individuals and our country's economy. Due to these restrictions on commercial activities, individuals sometimes prefer to move their businesses to different countries, and merchants who have moved their businesses to other Arab countries such as Egypt have been encountered.

**c. Migrant children are used intensively in the labor market and forms of child labor that amount to exploitation are emerging.**

As mentioned under the heading “Access to Migrants' Education”, our education system is not accessible to all migrant children, and for children who can access the education system, school dropout and absenteeism are frequently experienced due to the existence of many deterrent factors. Furthermore, due to the combination of economic problems, parental unconsciousness, uncertainty about the future arising from being “temporary” and the need to save the day, children start working at an early age. Although children and their families are informed about alternative methods such as Vocational Training Centers/Apprenticeship, they do not prefer these programs because the wages they receive within the scope of these programs are lower or employers do not pay the wages at all. The working age limit, which used to be 12 years old in the past, has now dropped to 7-8 years old. Employers find it profitable to employ child labor because children can be employed for low wages and are not in a position to defend their own rights, there is a high demand for child labor. In fact, children can find jobs faster than young adults. As specified in the law, it is an important phenomenon to support children in experiencing work life in environments and for durations suitable for their age and development, in exchange for a fair wage. However, the children in question are often subjected to exploitation, working in hazardous work environments such as textile factories with dangerous machinery, polluted air, long shifts with no adequate rest time.

As stated under the headings “Access to Social Services” and “Access to Feedback and Complaint Mechanisms”, child labor continues to increase because notifications and complaints about child labor are not processed effectively, and adequate social service interventions are not carried out. As a result, children are not only exploited economically and physically, but are also sometimes exposed to different psychosocial problems such as sexual abuse, drug addiction and delinquency due to the unsuitability of the environments in which they work.

The exploitation of children and their inability to access their rights leads to societal anger; not having access to necessary guidance and direction during their education years prevents them from making plans that could benefit both themselves and society; early physical deterioration increases the likelihood of becoming dependent on care in the future; being employed informally by employers negatively affects the country's economy. In this regard, child labor is a critically important issue for our country, as it could cause multidimensional problems in the long term.

## 8. Establishing Social Cohesion

- a. All the factors listed under the headings of access to legal documents, implementation of administrative detention and return procedures, access to education, access to healthcare services, access to social services, access to security and complaint mechanisms, access to registered employment and entrepreneurial activities constitute an obstacle to social cohesion.

The most important factor regarding migrants for our country is ensuring social cohesion and preventing social conflicts. In this context, it is important that **the rights and responsibilities of migrants are clear, their rights are accessible, sufficient information is provided about their responsibilities and standard processes are implemented in case of non-fulfillment of responsibilities.** It is not possible for individuals to adapt to a society where they cannot access their rights and are not treated fairly. Accessibility of rights is important both in terms of human rights and establishment of social cohesion. Although it is necessary to apply sanctions in case of non-fulfillment of responsibilities for social cohesion, applying them in a standard manner and within the framework of certain rules will ensure reliability and effectiveness.

- b. **The rhetoric/promises of political leaders, politicians and opinion leaders negatively affect social cohesion.**

Statements made to the public by political leaders, party leaders, members of parliament, mayors, and all politicians who address various segments of society and are recognized as leaders by certain groups often include **discriminatory and stigmatizing language towards migrants**, particularly during electoral processes or in the form of public calls or promises. The rhetoric of these influential actors, capable of affecting large masses, often contains discriminatory and stigmatizing language. **Despite sometimes being in violation of the law, their lack of accountability** for such rhetoric leads to the fostering of negative attitudes and behaviors towards migrants, including instances of violence. This situation holds significant implications for societal security. For example, discriminatory policy promises made by the Mayor of Bolu towards migrants, inflammatory statements by the leader of the Victory Party targeting the Arab race, and electoral campaigns in the 2023 Presidential elections centered around 'sending Syrians back' have resonated in society, manifesting in schools, hospitals, and on the streets, influencing interpersonal behavior. This rhetoric has, at times, contributed to destructive incidents, both materially and emotionally, such as the events in Kayseri on the night of June 30, 2024. For example, the Bolu Mayor's promises of discriminatory practices towards migrants, the Zafer Party Chairman's provocative statements towards the Arab race, the reflections of the election propaganda of the parties in the 2023 presidential elections about "sending back Syrians" resonate in the way the society treats each other in schools, hospitals and on the streets, and sometimes cause destructive events in both material and spiritual terms, such as the events that took place in Kayseri on the night of June 30, 2024.



*An election banner hung across from our community center, which is visited by dozens of migrants and Turkish citizens every day during the election period. ["We will send the refugees back" reads the election banner.]*

- c. The failure of **administrative actors or service providers of public institutions and organizations** to display a responsible attitude towards establishing social harmony is a major obstacle to the construction of social cohesion.

Syrian individuals are faced with negative attitudes, bad language and discrimination by both administrators, service personnel and other individuals receiving services in institutions, including public institutions such as hospitals, courthouses, schools etc. Although this attitude can be encountered everywhere, the process where it is most experienced and causes harm to society occurs in schools. **Peer bullying is an important and current social problem that is on the way to becoming chronic and requires urgent intervention in our country.**

Children are exposed to peer bullying in schools and this situation cannot be resolved despite all complaints. In this context, children do not want to continue school and dropped out. Furthermore, **bullying by teachers, administrators and parents** is also increasing day by day and is alienating children from education. Parents of children who are subjected to peer bullying usually meet with teachers or school administration, but these meetings are fruitless. Especially if there is no violence in the school, in cases of bullying that occur after school or in the school environment, the school administration withdraws from the incident by stating that it is not interested and has no authority, but unless intervention is made, the problem continues to grow and turns into a general social adaptation problem. This situation varies from verbal bullying such as **isolation and mocking to physical bullying such as pushing down the stairs and physical attacks** in groups. If this issue is not prevented during childhood, it signals significant problems for the future, potentially leading to a society with maladjusted individuals

Activities in areas such as ensuring social cohesion, enabling migrants to learn the functioning of Turkish society and acquire the skills necessary to live in Turkey, and strengthening the ability of Turkish and migrant individuals to live together remain limited to activities carried out in limited areas of influence through the efforts of **non-governmental organizations**. This situation does not seem sufficient for the mainstreaming of social cohesion. If state institutions are not the main actors of the process, activities carried out on social cohesion remain fruitless.

- d. **Hate speech and false information about migrants' rights spread through media outlets undermine social cohesion.**

In addition to the discourse of political actors, the way news is presented in media outlets, as well as the **discriminatory, migrant-targeted hate speech** shared by social media users particularly influencers and celebrities create a distorted environment within society. False information shared about migrants' rights or lives influences the public, leading to a damaged social cohesion. **When news about crimes committed by a migrant is presented/published, especially the mentioning of the race/origin of the individuals**, the dissemination of false information such as migrants entering universities without exams or receiving aid from the state, causes negative attitudes towards migrants among the public and encourages ill-intentioned people to harm migrants. The fact that individuals do not face any sanctions for **spreading false information or biased reporting** is one of the significant triggers of this process.

As a reflection of all this, from time to time, local people identify Syrian migrants by their Arabic speaking or clothing style and verbally disturb them, and this negatively affects all families, especially children. Although it has not been seen in Sultanbeyli yet, in various parts of our country - as after the Kayseri incident - these negative statements also turn into physical attacks that involve threats to life and property.

**The possibility that migrant individuals, especially children, who are marginalized, targeted and harmed, may respond to attacks for humanitarian reasons such as self-defense, revenge and grudge as a result of the pressures they are exposed to, is creating an environment for a great fracture and hostility within society; this situation is important for the peace and security of our country.**



- e. The lack of clear boundaries of the **citizenship** process and/or the inaccessibility of information on obtaining citizenship damages the social cohesion process.

There is not enough information about our country's citizenship policy. Information about who is/will be granted citizenship, according to which criteria, how long the citizenship granting process takes and what stages it consists of, the citizenship application mechanism, etc. is often spread incorrectly among the public. This situation causes **both citizens of the Republic of Turkey and migrants** to act with the wrong information they have acquired and to make wrong judgments, seriously affects social cohesion. Incorrect information such as migrants buying citizenship for money and those marrying Turks being granted citizenship directly negatively affects the climate of peace in our country.

As mentioned throughout the report, migrants in our country are mostly Syrians, individuals with “temporary” protection status. Although these individuals have come to our country temporarily, as indicated in their status, they have been living here for over 10 years and have children who were born and raised here. The fact that these individuals are still in a “temporary” position and cannot make plans for the future is reflected in their daily life experiences and life choices. For example, as stated in the topic of “child labor”, individuals direct their children to work rather than education, thinking that they are already temporary and that it will be enough to save the day, and this situation has been continuing for over 10 years. **It does not seem possible with the current information for individuals to make plans for the future by weighing options such as settling in a third country, obtaining citizenship or returning to their country.** As stated, this affects all families, especially children. Even migrant youth who are university students, fully adapted to our country, talented and socially responsible cannot be considered as our country's trained human resources because they cannot make clear plans regarding citizenship.

The evaluation process for those whose citizenship assessment process has been initiated consists of **uncertain and long stages**. *For example, a child who starts high school and begins the citizenship process may still be unaware of the status of their citizenship application by the time they reach their senior year. As a result, they are unable to predict whether they should take the YÖS or the YKS exam, and thus, they are forced to prepare for both exams, which cover completely different subjects, at the same time. This requires an immense amount of effort.* This situation is the simplest reflection of the process in daily life.

Furthermore, there are problematic areas regarding individuals who have been granted citizenship of the Republic of Turkey. Individuals who have been granted citizenship of the Republic of Turkey but whose knowledge of the **Turkish grammar** is not sufficient to communicate comfortably in daily life are encountered. It creates the belief that knowledge of the Turkish language is not sufficiently measured or evaluated as a criterion in citizenship processes. Another issue in this regard is -especially- young individuals who behave in a way that will endanger the peace and security of society after they have become citizens of the Republic of Turkey. In fact, from time to time, individuals who have subsequently **acquired citizenship of the Republic of Turkey and are no longer at risk of deportation are encountered in situations where they threaten their compatriots, neighbors, and colleagues who are under temporary protection status with “deportation,” extort money, and provide drugs.** This also creates the belief that it is important to distinguish individuals who will pose a social risk during the citizenship granting process and that inspections should continue after the citizenship granting process.

## CONCLUSION

With the social, political, technological and economic developments experienced in the world in recent years, the mobility of many abstract and concrete elements, including people, has increased worldwide. “Migration” - as one of these forms of mobility - maintains its existence as a multifaceted phenomenon that both our country and the world have been dealing with since the early periods of history. Migration has always been a determining factor in development, and with the increase in mobility opportunities, the influence of migration and migrants on the social order and welfare of the world and our country has also grown. This situation has highlighted the necessity of effectively managed migration policies. Therefore, “migration” is an important issue that requires all organs of society to assume responsibility and all actors to act in cooperation with state institutions.

While there are many actors in the field of migration, the main actor directly affected by the developments in this field is “migrants”. Therefore, the experiences of migrants are of great importance in terms of managing migration. In the context of Turkey and especially Istanbul, the areas identified in the field and that can be improved can be expressed under eight main headings: access to legal documents, implementation of administrative detention and return procedures, access to education, access to healthcare services, access to social services, access to security and complaint mechanisms, access to registered employment and entrepreneurial activities, and establishing social cohesion. These areas are intertwined and directly related to each other, where developments and changes in one will affect the other due to the nature of humans and society. For example; steps to be taken in the field of “access to legal documents” will also have many effects in the fields of “access to education”, “access to healthcare services”, “access to social services”, and “access to registered employment and entrepreneurial activities”. However, the most important point for our country is that changes and developments in any field will definitely find an echo in the field of “establishing social cohesion”.

The final and most important result of all the improvements to be made will be that they will serve to ensure that a climate of social cohesion prevails in our country and to ensure social peace and security. Establishing social cohesion is crucial for shaping the perception of “Turkey” in the world, especially in our neighboring countries. Failure to grant individuals their rights and not strengthening social cohesion can trigger the formation of ‘Turkey hatred’ in individuals and communities. This situation may lead to the cultivation of hostile feelings toward our country and/or the development of individuals who will serve the goals of those who harbor such feelings. In this respect, identifying areas open to development in the field and conveying them to the authorities is important in terms of preserving the environment of trust in our country, increasing the level of social welfare and making it sustainable.

Although this report presents all migrant groups together without any classification, “migrant children” has been addressed as an area that requires special attention and inclusion in the conclusion. Although we state that the most important actors of migration are “migrants”, migrant children are generally included in the entire process not as actors (active) but as victims (passive). They can only access even their basic rights such as registration, health, and education to the extent of their parents’ status, opportunities, options, and preferences. The child-centered and child-first perspective, which considers children as a value just because they are children - regardless of all their other characteristics - and which is also reflected in Article 2 of the Convention on the Rights of the Child, which is a deep-rooted and widespread understanding in the cultural heritage of the Republic of Turkey and to which we are a party, as “*no discrimination shall be made against children on the grounds of their race, color, sex, language, political or other opinions, national, ethnic and social origin, property, disability, birth or other status, regardless of their parents or legal guardians*”, requires that migrant children be addressed not on the basis of their being “migrants” but “children” in practices targeting migrant children. In this context, all areas mentioned throughout the report require additional regulations for children.

Just as “migration” is the result of global developments, “migration policies” also have the potential to produce global results. Therefore, observing the reflections of migration policies on the field is of critical importance, first for our country and then for the entire world. The eight main issues identified as a result of these observations and discussed throughout the report await meticulous consideration in order to contribute to the prosperity of today and the future, both nationally and globally.



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Turgut Reis Mah. Fatih Bulvarı No: 306  
Sultanbeyli Toplum Merkezi  
Sultanbeyli/İstanbul



0 216 784 51 05



[www.multeciler.org.tr](http://www.multeciler.org.tr)



[info@multeciler.org.tr](mailto:info@multeciler.org.tr)

