

Standardisation of the Referrals for Improved Refugee Protection in Turkey

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Introduction

Turkey currently hosts the largest refugee population in the world, approximately **5 million**¹, the majority of whom are Syrians displaced by the decade long conflict, estimated at almost **3,6 million**². More than half of them – around **60%** - are believed to be Syrian children, but the numbers remain unknown as not all of the children and their families manage to get registered. Ensuring refugees efficient, rapid and broad access to their rights (in line with international refugee law and protocols³) is vital for them and the hosting community. These rights expand over the rights a person under foreign status is granted and are to be interpreted as the same benefits as for the citizens of that country.⁴ Yet, in almost all countries where refugees seek asylum, they face significant challenges accessing these rights and obligations. Such difficulties might result from restricting provisions in legislation, administrative decisions, lack of information by refugees, and language barriers. Various structures within the national system play important roles in assisting those in need to overcome such obstacles which limits their access to legal rights and services. Relevant public institutions, international organisations and non-governmental organisations are the most significant actors within such structures.

In Turkey, the government undertook several changes in legislation such as The Law on Foreigners and International Protection⁵ to overcome or at least alleviate problems caused by the influx of refugees seeking a safe haven in the country. The new Turkish asylum system that became operational in 2013-2014 was faced with an unforeseen amount of refugee inflow right after its establishment. Although the Directorate General for Migration Management (DGMM) has succeeded to increase refugees' registration over the last period, some **21%** of non-Emergency Social Safety Net (ESSN) applicants are still unregistered and this constitutes an important barrier to receipt of ESSN assistance.⁶ There is an increasing number of households that do not apply for assistance because they think (or are told) that they will not qualify. International community members, such as the United Nations High Commissioner

Funded by the European Union through its Civil Protection and Humanitarian Aid Operations and supported by World Vision, Refugee Information and Support Point and Psychosocial Support as well as Information Centers are one of the first protection centers in country. Through these centers, we inform refugees on their rights and services while we also facilitate their access to the said services. Such Points support an increasing number of refugees by removing obstacles to access existing services such as lack of information, financial access problems, language barriers, and lack of awareness on the part of service providers. Meanwhile, we also provide protection activities such as providing information, legal and psychosocial support and referrals.

for Refugees (UNHCR) and other UN organisations, together with the European Union and its Member States have provided and continue to provide financial support to reduce the heavy social and economic costs Turkey is faced with. Setting up temporary protection centres in urban and rural areas was one evident and much needed action undertaken by the national authorities to support the increasing number of refugees in metropolitan areas who were struggling to find the care they needed. In order to provide them with the correct information and support, community centers were established and are run, to date, by the Turkish Red Crescent and international partners of other non-governmental organisations (NGO).

Refugees and asylum seekers' needs, however, are reflective of the dynamics of their situation both within the country of origin, while on the move or in the host country. A continuous scrutiny of the effectiveness of local migration and asylum procedures and systems is needed to reflect the changes of their legal and needs-based situation. Turkey must develop new methods and adapt to the current developments in order to better assist people on the move who arrive in the country. Information centres, where refugees and asylum seekers get access to specific legal and non-legal information, must also be backed by efficient and rapid referral mechanisms in coordination with the same partners, namely UNHCR and aid agencies. This will not only help local authorities to immediately support them, but will also expedite resettlement, access to basic services and general protection but this cannot be achieved if the referral system in place does not address the current legal and administrative challenges impeding refugees to access critical services based on needs, and not status.

Referral Mechanisms

As mandated by the UNHCR and as agreed by Migrants in Countries in Crisis (MICIC)⁷, stakeholders in Turkey must establish procedures to refer refugees, asylum seekers, and migrants to national and international protection mechanisms to meet their needs. Some stakeholders have different authorities and unique skills fit to address the diverse needs of migrants. For instance, child migrants and refugees benefit from the assistance of experienced child protection actors, including specific public institutions. Interventions targeting domestic workers or victims of human trafficking, on the other hand, can benefit from the expertise of advocates and other local authorities of specialty. In sum, effective and standardised referral mechanisms facilitate dialogue between stakeholders such as public sector, NGOs (also inter-NGOs), and international institutions while ensuring refugees that need protection can access services and aids effectively.

¹ <https://data2.unhcr.org/en/documents/download/74484>

² <https://data2.unhcr.org/en/situations/syria>

³ 1951 Convention Relating to the Status of Refugees

⁴ Ibid 3

⁵ Turkey: New Law on Foreigners and International Protection | Global Legal Monitor (loc.gov)

⁶ CVME5_03072020.pdf (reliefweb.int)

⁷ initiative co-chaired by the U.S. and the Philippines that aims to improve protection of refugees in countries they live, work, study, transit or travel in

Challenges and Needs

1. COVID-19 pandemic hit hard on refugees, migrants and asylum seekers' access to services and well-being

Stress factors doubled since the pandemic broke out: During the last conference organised by IGAM and IBC (November 2020), local and international NGOs have reported migrants and refugees facing increased difficulties in accessing their rights as levels of discrimination at community level had aggravated due to socio-economic stress factors imposed by the global health crisis. Coupled with the forced returns of Syrian refugees in Greece, who reportedly want to come back to Turkey⁸, those living in country with hopes to be resettled to Europe or other countries, have now lost faith; stress levels have also doubled leading them to experience suicidal thoughts. Meanwhile, referral systems were significantly slowed down in processing requests due to the containment measures taken by the government.

Loss of livelihoods and employment: As many of those on the move, refugees in Turkey are heavily dependent on daily wages⁹; due to restrictive movement measures taken to contain the virus, they have lost their jobs essential for their survival, and the survival of their families. Those without work permits, were the first to be dismissed. They were also not included in the national plans to assist Turkish nationals and citizens with cash and in-kind aid that supports them to cope with the secondary effects of the pandemic. As the government was overstretched to respond to the medical needs for each and every one, preventive medical equipment and items also became hardly accessible to refugees and migrants, such as masks and sanitary items. For the **46%** of the refugees The Research Center on Asylum and Migration (İltica ve Göç Araştırmaları Merkezi (IGAM)) assisted, who were amongst the cohort of the most vulnerable people inside Turkey who lost their jobs, this meant they had fallen into deeper vulnerabilities than ever before without the certainty of being able to secure even food for them and their families. According to Turkish Red Crescent, **69%** of the refugee households reported loss of employment due to COVID-19. This added to the estimation that the global health crisis is to double the unemployment rates inside the country.¹⁰

Limited access to services: Refugees had difficulties in accessing not just basic needs but also health and education sectors. Hospitals were busy due to the COVID-19 pandemic, which caused difficulties in accessing other health services for those with pre-existing medical conditions. Services such as psychosocial support and physiotherapy were also put on hold due to the pandemic. However, the fact that refugees had to stay at usually small houses below standards as large families caused damages for their mental well-being and health conditions. For example, problems with accessing health services increased especially due to language barriers because NGOs could not accompany refugees in hospitals to support with translation. Children were also significantly affected either as those who were counting on school meals for a reliable source of daily nutrition, now do not have access anymore as their families barely cope with making ends meet; or as they no longer can attend schools.

Remote modality: Another challenge that meant less access for these vulnerable groups on the move that IGAM and International Blue Crescent Relief and Development Foundation (IBC) work with, is related to refugees' lack of computer skills and technical equipment to access online service platforms. For instance, only one smartphone was available for a whole refugee family while both children and other household members needed to get access either to remote educational classes or to hub services and online information.

2. Delayed referral procedures for refugees impeding their safety and protection

Provision of public sector services slowed down: COVID-19 has meant for all local actors, including INGOs, UN agencies and national authorities, to adapt their working modality to online and remote assistance. As aid agencies experienced with flexible modalities and off-site service provision, humanitarian agencies managed to rapidly respond to this need. Yet, not the same can be said for other local actors who needed to set up new systems for the current situation. This meant that refugees, asylum seekers and migrants could no longer access these public services that would enable them to better cope with the pandemic and its secondary effects. For example, only newborns were able to get registration within the District Directorates of Migration Management. The growing number of positive cases of staff working in these public institutions have also further limited the ability of local authorities to support those in need. Referrals, thus, came to a standstill.

Hindered communication channels between local actors: Online work modalities, including for referring refugees to the needed services and service providers, were set up to continue operating yet not all actors had access to online communication tools used such as Zoom. This has negatively affected the communication between actors on the ground, including channels of communication with local authorities. As the information flow decreased and limited contact of NGOs and public teams with the field caused a major obstacle in accessing refugees in need. With changing office hours of institutions, existing need for translation support increased as well. This also included NGOs that support with referrals not being able to assist emergency cases due to limited budgets; or simply not being able to identify sensitive cases due to this disconnect created between the needs on the ground and the national/district-level presence of staff and aid workers. Families and children at risk, or other people in need could also not contact NGOs or similarly NGOs could not reach them.

⁸ Syrian refugees regret going to Greece | Human Rights News | Al Jazeera

⁹ Lockdowns pile job losses and hunger onto Syrian refugees' plight | Reuters

¹⁰ COVID-19 crisis threatens to double Turkey's unemployed - Al-Monitor: the Pulse of the Middle East (al-monitor.com)

Recommendations

International actors should:

- Invest in creating safe spaces for refugees to increase information sharing, raising awareness of services available to them and how to access them. Platforms must be established where refugees can communicate their complaints before public institutions and local governments.
- Invest in the duty of care of aid workers and NGO staff who work directly with refugees. Support for them is also essential, including psychosocial support. Lack of sufficient support to employees was one of the most significant challenges. As lessons learned, it is important to prioritise the well-being of NGO employees that directly support the field in order to have a more effective referral.
- Plan for providing capacity building to aid workers to ensure strong, efficient and rapid preparedness when crisis hit. Such trainings might help planned referrals progress more soundly.

UNHCR should:

- Continue coordination on simplified referral procedures and forms via the Protection Working Group and Livelihoods Working Group to ensure a close monitoring and follow up of referred cases by the public institutions.
- Support NGOs and local authorities to develop a joint service mapping / network, where they can establish strong communication and information sharing for a more effective referral system and facilitating progress. At this point procedures and communication must be further standardised and uniformed.
- Work with relevant actors to ensure referrals are made in coordination with all relevant actors. Referral procedures of some refugees can have negative results due to lack of coordination. For this reason, sharing internal decisions by public institutions with NGOs would result in better quality referral support. Establishment of a system to access current information would be a major step in making correct referrals.

National authorities in Turkey should:

- Ensure all relevant refugee actors, including local and international aid agencies, are involved in the referral mechanism set up by the public institutions in country. Strengthening collaboration with aid agencies is vital to ensure everyone is safe from harm and provided the care they need in a rapid and efficient way.
- Work together with all relevant aid agencies and refugee actors to improve the current referral mechanism. This will guarantee that feedbacks to referral requests is provided and the quality of services is improved.
- Setting up regular coordination meetings with all relevant refugee INGOs in key metropolitan areas with high numbers of refugees and asylum seekers. Including the voices and opinions of those affected and community members is also essential to deliver the much-needed support to them.
- Provide feedback mechanisms for refugees to be able to report any incidents that affect their rights and the quality of services received.
- Organise regular meetings to share best practices and lessons learnt on providing effective referrals at district level and across regions. For instance, the project run by an NGO in Urfa, where an effective referral mechanism is established with cooperation of İş-Kur, AFAD, chambers of trade, municipality, and other NGOs and public institutions that provide services in the field.
- Enable online referrals according to teleworking conditions to support counselees with urgent needs or for supporting highly sensitive cases.
- World with INGOs and other local civil society actors to introduce public institutions to online coordination for ease in communication on referrals and other similar processes. While this is currently being implemented in some regions and cities, it would be useful to generalise positive practices and involve public institutions in coordination at national level.

About

International Blue Crescent Relief and Development Foundation (IBC)

International Blue Crescent Relief and Development Foundation (IBC) Refugee Information and Psychosocial Support Centres are operating in İstanbul (Esenyurt and Sancaktepe) under the project of 'Providing Information and Protection Assistance to Vulnerable Refugees in Turkey and Enhancing Community-based Protection,' funded by European Union through its Civil Protection and Humanitarian Aid.

The Research Center on Asylum and Migration (İltica ve Göç Araştırmaları Merkezi (IGAM))

The Research Center on Asylum and Migration (İltica ve Göç Araştırmaları Merkezi (IGAM)) is a young, dynamic non-governmental organisation founded in 2013 in Ankara. IGAM provides information and protection support to refugees by ensuring full access to their rights under Law on Foreigners and International Protection. IGAM operates in Keçiören district of Ankara under the project titled 'Providing Information and Protection Assistance to Vulnerable Refugees in Turkey and Enhancing Community-based Protection,' which is funded by the European Union through its Civil Protection and Humanitarian Aid in partnership with World Vision International.

World Vision Syria Response (WVSR)

World Vision is a humanitarian and development organisation dedicated to working with children, families and their communities worldwide to reach their full potential by tackling the causes of poverty and injustice. We serve all people, regardless of religion, race, ethnicity, or gender.

The World Vision Syria Response, based out of Amman, covers programmes in Syria, Jordan and Turkey. We also have national offices in Lebanon and Iraq, responding to both domestic development/humanitarian needs and the Syrian refugee crisis. Since 2013, the Syria Response has been at the leading edge of World Vision's work in fragile contexts, delivering innovative and evidence-based programming across three diverse countries.

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