

**Below you can find our responses to the allegations submitted to the Ministry of Interior by Human Rights Watch on 15.03.2018.**

Turkey has followed an open door policy towards Syrians who fled their homes after the conflict in Syria and sought asylum in Turkey.

The process began with the entry into Turkey of 252 Syrians from Cilvegözü Border Gate (Reyhanlı) on 29.04.2011 and this number reached to 14.237 in 2012; 224.655 in 2013; 1.519.286 in 2014; 2.503.549 in 2015; 2.834.441 in 2016 and 3.426.786 in 2017. The number of Syrians under temporary protection as of 15.03.2018 is 3.554.496.

As a result of its open door policy, Turkey accepted all the Syrians crossing its borders in a mass influx in 2014 and sought asylum, did not send any Syrians back in line with non-refoulement principle and met all the basic needs of them. Within this scope, Temporary Protection Regulation was issued with the dual purpose of ensuring that Syrians in Turkey have access to the rights and services and regulating the legal status of them. By this Regulation Syrians have access to health services, in particular, to labour market, social assistance and services as well as interpretation and similar services and conclude subscription agreements for other services including electronic communication services by virtue of their foreigner identification numbers.

In addition to the abovementioned services, education service has been provided to 612.603 school-age Syrian children in Temporary Protection Centres, state schools, temporary education centres and open schools as from 18.03.2018.

Up until now 1.188.606 Syrians have been provided with health services and 302.470 Syrian babies were born. Besides this, under the “Directive on Principles of Healthcare Services Provided for Foreigners Under Temporary Protection” issued by the Ministry of Health in 2015, Syrians who are in need of emergency health services by the time they arrive at our borders or those who have not registered to provincial directorate yet are also enabled to benefit from emergency health services

Child’s high benefit is taken into consideration during the procedures related to children. Health services, psycho-social support, rehabilitation and all other assistance and support to be provided to unaccompanied children, in particular, and to those with special needs are prioritized and provided free of charge within the capacity.

For those who are assessed to possibly be victims of human trafficking, necessary measures shall be taken immediately in line with the relevant legislation.

Thanks to the Regulation on “Work Permits of Foreigners under Temporary Protection” issued by the Ministry of Labour and Social Security in 2016, Syrians are able to access to labour market legally and obtain work permit.

The Verification Project aiming at verifying and updating the data of Syrians coming to Turkey and taken under temporary protection in 2017; identifying the persons with special needs and those who have vulnerabilities; gathering the data such as vocational skills and educational

background was launched in 2017. Within this scope, the data of 2.003.349 Syrians have been updated by verification centres and provincial directorate of migration managements.

Moreover, protection desks are established in verification centres. The Syrians who arrive at the verification centre and are determined to have special needs are referred to protection desks and detailed interviews are carried out on their vulnerabilities. After the interviews those persons are referred to the relevant public institutions in reference to their special needs. (Ministry of Family and Social Policies, the Red Crescent, Foundation of Social Help and Solidarity, Directorate General of Security etc.). Within this framework **105.560** persons with special needs have been identified as of the beginning of March 2018 and **217.648** persons have been referred to relevant institutions and necessary support has been given.

Daesh, PKK/KCK/YPG/YPG has gained strength due to conflicts and instabilities in Syria in 2011. Besides this, these terrorist militants had come towards Turkish borders and been in a struggle for crossing Europe through Turkey. Therefore, Turkey has become open to threats and terrorist attacks of Daesh's and other terrorist organizations' like PKK/KCK/PYD/YPG. Between 2014 and 2017, Daesh has organized 17 terrorist attacks in Turkey; as a result of terrorist attacks in Istanbul, Ankara, Gaziantep, Adana, Mersin, Kilis, Diyarbakır, Niğde and Suruc, 307 Turkish citizens lost their lives and 1.338 Turkish citizens were injured. Again between 2016 and 2017, as a result of PKK/KCK/PYD/YPG's terrorist attacks 283 Turkish citizens have lost their lives and 2.364 Turkish citizens were injured. Because of these, Turkey has had to limit the adopted open door policy, and started to accept only Syrians in need from the determined border gates.

Besides all, attacks of terrorist organizations' like Daesh and PKK/KCK/PYD/YPG, mostly aiming social areas, are also increased in Turkey's border cities. Upon being a target for Daesh and PKK/KCK/PYD/YPG terrorist organizations, Turkey has had to increase security measures in order to protect its national security and borders.

In this regard, since the possibility of terrorist organizations' members crossing the border poses risks both to Turkey and European countries, and source countries, security measures especially along the borders are adopted and measures against such risks are increased. At this stage, law enforcement units maintaining the border security warn against coming close to the border in order to prevent terrorist elements and continue maintaining the security. While maintaining the security of borders against terrorist organizations, Turkey continues to accepting Syrians in need coming to the borders, never opens fire on or uses violence against them.

As of today, Syrians coming through the highway may enter into Turkey from Hatay and Kilis border gates. In 2017, the total number of registered Syrians were 510.448; 58.082 in Hatay, 43.435 in Gaziantep, 11.030 in Kilis and 56.479 in Sanliurfa. This total number was 1.066.508 in 2015 and 730.661 in 2016.

Within 2018, totally 91.866 people were taken under temporary protection, particularly in Hatay (9.072), Gaziantep (11.843), Kilis (2.852) and Sanliurfa (11.759). As it is seen from the numbers, allegations suggesting that Syrians are not registered are not true.

Non-refoulement principle has been regulated with the Law No. 6458 on Foreigners and International Protection. According to this principle “no one within the scope of this Law shall be returned to a place where he or she may be subjected to torture, inhuman or degrading punishment or treatment or, where his/her life or freedom would be threatened on account of his/her race, religion, nationality, membership of a particular social group or political opinion.” (Article 4, LFIP) As it can be seen from this Article, Syrians under temporary protection are not returned to their countries.

Meanwhile Syrians are accepted and taken under protection in Turkey and Syrians who have entered into Turkey somehow and demand protection are not definitely sent back and the reception and registration procedures are carried out.

Voluntary return procedures for Syrians are implemented in all provinces in the same way as it is ensured by the legislation and none of the Syrians are forced to go back to their country. Therefore, these allegations are not true.

Voluntary return procedures for Syrians under temporary protection are only implemented on condition that they want to return to their country. The person who wants to go back to his/her country fills and signs the “Voluntary Return Request Form” prepared in Turkish and Arabic. This form is also signed by the staff of governorate, translator and UNHCR representative. If there isn’t any UNHCR representative Red Crescent officials sign the form and if none of those representatives are able to be found, a representative from a Civil Society Organization deemed appropriate by the Governorate and officials from the Human rights and Equality Unit of Governorate sign the form and the voluntary return procedures are completed.

Refugees/conditional refugees or applicants are not taken into custody or arrested unless they commit a crime in Turkey. However, they are placed under administrative detention pursuant to the Article 68 of Law No. 6458 under exceptional circumstances for a period of time specified in the Law. On the other hand, non-refoulement principle is strictly implemented.

In this regard, there are no reservations concerning the registration of Syrians who will cross the border and seek asylum in Turkey. Moreover, biometric registration of Syrians is carried out by the provincial units of DGMM since 01.11.2017.

In conclusion, Syrians coming to Turkey are under no circumstances forced to go back to their own country; their registration is continuing and these foreigners can benefit from many rights and services in Turkey. Such reports and evaluations on this issue overshadow the steps and aids for Syrians and undermine Turkey’s devotion and efforts.