



Turkey's Directorate of Migration Management Responses to Human Rights Watch Questions

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1. Why has Turkey suspended registration of newly-arriving Syrians (entering Turkey since late 2017) in Adana, Gaziantep, Hatay, Kilis, Mardin, Mersin, Osmaniye and Sanliurfa provinces?

Answer: Registration of Syrians present in our country is continuing in 81 provinces. In fact, between 1 November 2017 and 20 June 2018, making of 216.859 Syrians around Turkey in total; 13.309 in Adana, 25.736 in Gaziantep, 23.063 in Hatay, 6.972 in Kilis, 2.980 in Mardin, 11.056 in Mersin, 4.314 in Osmaniye, 28.629 in Sanliurfa were registered in the scope of temporary protection. Considering the number of Syrians registered in above-mentioned cities, it is clear that registration process for Syrians in these cities are continuing.

2. Will registration for Syrians resume in those provinces, and if so, when?

Answer: As mentioned in Question 1, registration of Syrians in aforesaid cities are continuing. Continuing to take Syrians accepted to our country under temporary protection, Syrians who managed to enter our country in any way and claimed protection are by no means being sent back; their registration and identification procedures are being done. Within this framework, there is no drawback at the point of registering Syrians who will pass the border and seek asylum in our country. Furthermore, in cases when registration cannot be made due to technical reasons, persons are referred/directed to other cities where registration can be made by giving them information and advice that they need to register in another city. In addition to that, throughout their itinerary during controls by law enforcement officers, persons are repeatedly advised to register in the province that they want to go.

3. If there is no plan to resume registration in all or some of those provinces, will Turkey refer Syrians arriving in those provinces to other provinces for registration?

Answer: As mentioned in first two questions, registration process is continuing in 81 provinces.

4. How many undocumented Syrians in Hatay province has Turkey apprehended, and deported from the province since 1 November 2017 on the grounds that they had not registered for temporary protection permits?

Answer: In recent years, Turkey has been a target of numerous attacks by terrorist organizations such as ISIL, PKK/KCK/PYD/YPG which target civilians and public areas; these attacks were mostly directed at our borderline cities. Some of these attacks were done by terrorists who entered our country through Syria. For this reason, Turkey had to increase security measures to protect national security and borders against terror organizations such as ISIL and PKK/KCK/PYD/YPG. Despite that, Turkey, keeps on accepting Syrians who are in need, emergency patients, wounded and coming for family reunification at its border gates. Besides, as the possibility of terrorists' passing from borders does not only threaten our country but also European and funding countries, security measures are taken especially at border line and increased against such risks. At this stage, law enforcement authorities responsible for border security make necessary warnings for not getting close to borders with the objective of preventing terror elements and keep on providing security. In the scope of these warnings, necessary warnings were made from all base stations in border provinces via SMS to users in that region. Turkey keeps on accepting Syrians in need who came to its borders while it provides border security against terror organizations. Syrians who come with road transport can enter our country from Gaziantep, Hatay and Kilis border gates. As it can be seen from the numbers we shared above, claims which assert that Syrians are not accepted in the country and not registered are not reflecting the reality.

As it is widely known, non-refoulement principle is regulated in the scope of the Law No. 6458 on Foreigners and International Protection. According to it, "no one within the scope of this 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) As clearly regulated according to aforementioned article, Syrians within the scope of temporary protection in our country are not being returned. However, when Syrians within the scope of temporary protection in our country want to repatriate, voluntary repatriation procedures are put in place for them. Person who want to repatriate fill in and sign the form "Voluntary Repatriation Request Form" available in Turkish and Arabic. Filled form is signed also by the Governor's Office personnel, translator and UNHCR representative. At the absence of UNHCR representative, it is signed by Turkish Red Crescent officer, at the absence of both both of these it is signed by Civil Society Organization Representative chosen by the Governor's Office; and upon the Governor's Human Rights and Equality Department officers' signature on the aforementioned document, the voluntary repatriation procedure is completed.

Hence, there is no drawback at the point of registering Syrians who cross the border and take refuge in our country and biometric registration procedures of Syrians are carried out by provincial units of the General Directorate of Migration Management since 1 November 2017. As a conclusion, Syrians who are coming to our country are under no circumstances returned by force, their registration procedures are continued and they benefit from many rights and benefits in our country.

5. How many unregistered Syrians have approached authorities in the newly- established center in Antakya saying they would like to return to Syria, and what procedures do you follow to ensure their decision is not due to fear of arrest and deportation or denial of access to healthcare, education or other urgently needed help such as housing support?

Answer: In accordance with the non-refoulment principle, Syrians in our country are under no condition being deported. Moreover, our country is encouraging Syrians to register to benefit from rights and services they need. Without discrimination, registered Syrians can benefit from rights and services regulated in the Temporary Protection Regulation. According to the regulation, foreigners under temporary protection have access to basic services such as health and education free of charge in the provinces they reside. In addition, regarding with the sheltering matter, among 3.576.337 Syrians present in our country now, 215.848 of them are accommodated in 20 Temporary Accommodation Centers (TAC) built in 10 provinces. Upon demands of Syrians who want to stay at Temporary Accommodation Center and availability of accommodation centers, these persons are provided with their stay at TAC. As mentioned above, foreigners who request voluntary repatriation are provided necessary service within their consent. Especially after Fırat Shield and Afrin operations realized by our country, 182.140 Syrians voluntarily repatriated as of 25 June 2018 to terrorist organizations-freed areas. Apart from that, any foreigner was neither instructed/suggested nor forced to return to their countries.

6. Why have you excluded UNHCR from monitoring the voluntary nature of returns arranged from the new registration center in Antakya?

Answer: Voluntary repatriation procedure in the province of Hatay is conducted together with, at the presence and accompany of UNHCR personnel at the Province Management Office. Therefore, voluntary repatriation procedure is not processed by anywhere but the Hatay Provincial Directorate of Migration Management.

7. Why are agencies working with refugees in southern Turkey not allowed to proactively and freely identify unregistered Syrians to help them register and access services?

Answer: Our country has started a project in January 2017 with an aim to update registrations of Syrians present in our country. This project is funded by many donors including ECHO and UNHCR is the implementing partner. Objectives of this project are to confirm data of Syrians present in our country and, in the light of these data, to determine needs of these people and provide them with better services. Furthermore, data update and registering Syrians who have not been yet registered are encouraged; benefits of register update and registering are explained in different ways.

In this scope, UNHCR is organizing information meetings in cities where registration procedures will be initiated to explain Syrians content of this project in detail and benefits of registering. When needs be, these meetings are repeated. In this framework, our Directorate General attributes a great importance to registration process of Syrians and it is encouraging unregistered Syrians to register themselves. In 2018, 168.874 Syrians are registered in our country. In addition, our General Directorate is working on close collaboration with international organizations who have expertise in migration field such as UNHCR and IOM while conducting joint projects with them in every sphere of migration. On their demand, we are coming together with both national and international NGOs who are working related to Syrians, these NGOs' opinions about Syrians are being heard and their recommendations are evaluated.

Therefore, there is no occasion where legally operating national and international organizations' activities are not being allowed.

Lastly, worrying developments regarding migrants in Europe and the USA are being followed also by our country. Nevertheless, while no criticisms or evaluations are posed against aforementioned developments by several INGOs operating in the field, unfair criticisms are posed against Turkey's migration politics is leaving all the effort and commitment given until this day under shadow and it does not make any constructive contribution to Turkey who has been fighting in this field almost on its own.