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Report of the fact-finding mission to Turkey by Ambassador Drahoslav Štefánek, Special Representative of the Secretary General on Migration and Refugees 15-26 March 2021

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LIST OF ACRONYMS

AFAD	Disaster and Emergency Management Authority
ASAM	Association for Solidarity with Asylum Seekers and Migrants (SGGD in Turkish)
ATD	Alternatives to immigration detention
CEB	Council of Europe Development Bank
CPT	European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
CRC	Committee on the Rights of the Child
DGMM	Director General for Migration Management
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
ECSR	European Committee of Social Rights (under the European Social Charter)
EU	European Union
GRETA	Group of Experts on Action against Trafficking in Human Beings
IOM	International Organisation for Migration
LFIP	Law 6458 on Foreigners and International Protection published on 11 April 2013
LGBTI+	Lesbian, gay, bisexual, transgender and intersex and others
NGO	Non-governmental organisation
PDMM	Provincial Directorate for Migration Management
RC	Removal Centre
SRSG	Special Representative of the Secretary General on Migration and Refugees
TPR	Temporary Protection Regulation
UN	United Nations
UNHCR	United Nations Higher Commission for Refugees
UNICEF	United Nations Children's Fund
WHO	World Health Organisation

I. BACKGROUND

CONTEXT OF THE MISSION

1. Taking into account that Turkey hosts the largest number of refugees in the world, and replying to the invitation from the Turkish authorities, I conducted a fact-finding mission aimed at assessing the situation concerning the human rights of migrants and refugees[1] in Turkey in the light of the report by my predecessor, Ambassador Tomáš Boček in 2016.[2]

2. After being postponed several times due to the pandemic, the mission took place from 15 to 26 March 2021. I carried it out together with my adviser, Ms Anne Kayser, and my communications officer, Ms Paivi Suhonen.

3. The mission was conducted in accordance with my mandate as Special Representative of the Secretary General on Migration and Refugees (SRSG), which includes, among others *"… seek, collect and analyse information, including through fact-finding missions, on the human rights situation of refugees and migrants and report to the Secretary General, notably on the basis of the European Convention on Human Rights and other Council of Europe instruments, as well as on basis of the guidance on the 'Protection of migrants and asylum seekers: main legal obligations under the Council of Europe Conventions'".*

4. The visit was also the occasion for me to launch the Turkish version of the Handbook on promoting child-friendly procedures in the area of migration, produced by my office, which contributes to the implementation of the objectives defined in the Action Plan on Protecting Refugee and Migrant Children in Europe (2017-2019).

MEETINGS AND SITES VISITED

5. During the mission, I met the Director General for Migration Management (DGMM), Dr Savaş Ünlü, and I had exchanges in Ankara with the Deputy Ministers of Foreign Affairs, Faruk Kaymakcı and Yavuz Selim Kıran, as well as with officials from the Ministries of Family, Labour and Social Services, and of Education, in addition to the Disaster and Emergency Management Authority (AFAD). In Izmir, Çanakkale, Gaziantep, Edirne and Istanbul, I had constructive exchanges with local authorities (governors, mayors and municipality unions), civil society organisations and international organisations, notably with the International Organisation for Migration (IOM), the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF) and UN Women.

6. I visited immigration removal centres in Ankara (Akyurt district), Izmir (Harmandali), Çanakkale, Edirne and in Tuzla (Province of Istanbul) and a police holding facility located in the Pendik district of Istanbul Province. I also visited migrant community centres run by the Turkish Red Crescent in Altındağ (Ankara) and in Gaziantep, by the Association for Solidarity with Asylum seekers and Migrants (ASAM) in Istanbul and by the Mülteciler Association in the Sultanbeyli district of Istanbul; a migrant health centre in Ankara and a refugee health training centre in Izmir co-managed by the Ministry of Health, the World Health Organisation (WHO) and ASAM; a child and family centre (Al-Farah centre) managed by ASAM and UNICEF in Izmir; a women and girls' safe-space and women's empowerment and solidarity centre (SADA centre) managed by UN Women and ASAM and a women's shelter run by Mülteciler Dernegi in the Sultanbeyli district of Istanbul. The full programme is appended to this report.

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[1]. For the purpose of this report, the term "migrants" is used to refer to all foreign nationals who intentionally left their country and are now on Turkish soil, with or without the legal right to remain. They deserve full respect for their human rights. The term "refugees" refers to persons who are forcibly displaced because of a well-founded fear of persecution and are entitled to legal protection and special rights under the 1951 UN Refugee Convention, or have been granted conditional refugee status, subsidiary protection or temporary protection under Turkish legislation. Since extending legal protection to asylum seekers until their claims for refugee status have been assessed is encouraged, the term refugee also refers to asylum seekers throughout this report.

[2]. Report of the fact-finding mission to Turkey by Ambassador Tomáš Boček, Special Representative of the Secretary General on migration and refugees, 30 May – 4 June 2016, SG/Inf(2016)29, 10 August 2016.

7. The visit took place following an invitation from the Director of the DGMM, whom I wish to thank for his team's continuous support and co-operation throughout the mission. The liaison officer appointed by the DGMM ensured timely and efficient organisation of the meetings. I wish to express my acknowledgment to all the Turkish authorities, at national and local level, for their support throughout the mission. I appreciate having been able to meet and visit most of the persons and places I expressed interest in, despite the difficult health situation. Children's shelters and institutions, unfortunately, could not be visited due to the Covid restrictions.

8. I also wish to thank IOM and ASAM for their very valuable logistical support and assistance during my mission.

OUTLINE OF THE REPORT

9. The report is drafted on the basis of information gathered as part of the mission, as well as through relevant CoE monitoring bodies' reports[3] and through consultation of other online documentary sources (both governmental and non-governmental). It aims to provide a picture of the situation of migrants, refugees and asylum seekers in Turkey at the time of the visit, while taking into account the impact of the public health crisis on migrants and refugees, and with a special focus on the treatment of vulnerable persons in the context of migration.

10. The report also aims to assess the progress since my predecessor's visit and report in 2016. Starting out from his main conclusions and recommendations and based on findings from the mission, the report also aims to identify remaining shortcomings and possible avenues for CoE assistance and advice to help Turkey fulfil its obligations under the European Convention on Human Rights and other standards of our Organisation in the field of migration.

11. The report is structured around the aspects which have the most impact on respect for the human rights of migrants and refuges in Turkey: access to asylum; treatment of vulnerable categories; reception; detention; long-term prospects and, lastly, border issues.

II. ACCESS TO ASYLUM PROCEDURES

FIGURES AND AVAILABILITY OF DATA

12. Turkey remains the country most impacted by the sudden movement of people caused by the conflict in Syria. For over 10 years, it has made commendable efforts in accepting close to 4 million refugees, mostly Syrian. It has had to put in place a system to receive and protect the refugees as well as introduce a social system to be able to meet their basic needs and to try and build social cohesion. Unfortunately, in 2021, Turkey is still facing migratory pressure due to its geographical position.

13. According to official statistics on the DGMM website, the number of protection status holders has increased from 3.1 million to 4.1 million since the SRSG's 2016 mission to Turkey. UNHCR fact-sheets[4] state that over 3.6 million are Syrians under temporary protection (2.8 million in 2016), while around 320 000 are international protection status holders from Afghanistan, Iran and Iraq under international protection (291 000 in 2016). Official statistics only indicate the number of international protection applicants, mainly from Afghanistan (72%), Iraq (19%) and Iran (4%), which reached a peak in 2018 (114 537) while falling to 31 334 in 2020.

[3]. The report does not affect cases pending before the ECtHR or CMDH supervision of their execution.
[4]. Figures available on UNHCR-Turkey's website.

14. The detailed statistics available on the DGMM website and the transparency of information-sharing during my visit are to be welcomed. Nevertheless, as already stated in the 2016 report, there is still a lack of accessible and comprehensive official data on cases of international protection status granted per year and by province, on the number of cases rejected, the grounds given for rejection and the breakdown per nationality, including "other nationalities". This shortcoming is an obstacle to assessing the effectiveness of the system. It is again recommended that more transparency be ensured concerning applicants for and beneficiaries of temporary and international protection.

LEGISLATIVE FRAMEWORK

15. Turkey's first asylum law, the Law on Foreigners and International Protection (LFIP), was adopted in April 2013.[5] It established the current migration management structure led by the DGMM, which is in charge of policymaking and procedures for foreigners in Turkey. Its implementing structures, the Provincial Directorates of Migration Management (PDMM) are present in the 81 provinces and receive the applications for international protection from foreigners upon their entry into the country. Applicants may be granted refugee status, conditional refugee status or subsidiary protection.[6] The LFIP was supplemented by the Temporary Protection Regulation (TPR)[7] in October 2014, applicable to Syrians and stateless Palestinians originating from Syria, who are granted temporary protection.

16. The relevant legislation was detailed in the SRSG's 2016 report on Turkey (pages 5 to 7). As noted in that report, the legislation establishes the structure of the Turkish asylum system in accordance with international and European standards and respecting the European Court of Human Right's (ECtHR) case-law.

17. The geographical limitation to the 1951 Refugee Convention only allows European citizens originating from Council of Europe member states[8] to apply for refugee status under the Convention. I reiterate the recommendation in the 2016 report that this limitation be lifted, as it is inconsistent with Turkey's efforts to build an effective national asylum system compliant with international standards. Indeed, Turkey's successive legislative and institutional reforms clearly establish its obligations towards all persons in need of international protection as binding domestic law. The limitation on the Geneva Convention increases the range of approaches and results in certain refugees being denied the full range of safeguards enshrined in the Geneva Convention, including long-term integration.

18. This multilayer and complex structure results in a divergence of approaches to, and rights for, the different categories of foreigners seeking protection (namely refugees, conditional refugees, subsidiary protection beneficiaries and holders of temporary protection, quite apart from humanitarian and other statuses). Although such differences may be legally justified, I observed confusion, lack of understanding and distress among the population of foreigners concerned, as was already hinted at in the 2016 report, especially since the different regimes give rise to different obligations and rights, namely concerning access to social services and long-term prospects (see chapters IV on reception and VI on long-term prospects).

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5. Law 6458 on Foreigners and International Protection (YUKK) was approved by the President on 10 April 2013 and published in Official Gazette No. 28615 dated 11 April 2013. The original 2013 version (without subsequent amendments) can be found online and in English on the DGMM's website. Main legislative acts relevant to international protection and temporary protection can be found on the AIDA/ECRE website.

6. According to Articles 61, 62 and 63 LFIP. In this report, "internal protection" is used exclusively to refer to these three protection statuses.

7. The legal basis of the TPR is Article 91 LFIP. Therefore, technically as a piece of secondary legislation, the provisions and implementation of the TPR must be compliant and consistent with the general framework laid down by the LFIP.

8. Along with Monaco, Turkey is the only European country with such a restriction to the Geneva Convention. The other countries are Congo and Madagascar. See UNHCR webpage.

19. Since 2016, the very high standards provided for in terms of procedural safeguards for asylum seekers have been complemented, although sometimes lowered, by subsequent legislative changes. The Regulation on the Implementation of the Law on Foreigners and International Protection (RFIP)[9] was adopted in March 2016 to provide implementing guidelines. Further measures include the law published in 2018,[10] which puts an end to the suspensive effect of appeals against removal decisions for foreigners suspected of terrorist links. In line with the Court's case-law[11] that inability to access a remedy with suspensive effect is a breach of Article 13 ECHR and following a pilot judgment by the Turkish Constitutional Court,[12] a new law adopted in 2019[13] reintroduced a judicial remedy with suspensive effect against deportation decisions, among several other improvements (to be detailed in the respective sections).[14]

REGISTRATION

20. Since September 2018, the PDMMs in all 81 provinces have been the sole entities in charge of registration, completely replacing UNHCR and its partner, ASAM, although both UNHCR and ASAM still offer legal counselling to applicants.

21. The registration procedure as prescribed by law is in line with international standards. According to the RFIP, applications must be recorded within the shortest time and the applicants should be notified as soon as possible of a date for their registration interviews. The authorities told us that notification of registration interviews was usually completed within a week. However, we were informed of longer and variable timeframes in practice, depending on the province. During the Covid-19 lockdown, most public services, including registration authorities, were closed. Only urgent cases were processed, and registration was exceptionally allowed for asylum seekers facing emergencies such as pregnancy or severe illness, to make sure that they received medical assistance. According to Article 70 LFIP, printed copies of the registration interviews must be handed to the applicants, although, in practice, the applicants must ask for them, and this was reported to happen only rarely.

22. At the time of registration, all applicants must receive an International Protection Applicant Identification Card of indefinite validity.[15] In practice, upon registration, temporary protection applicants do receive documents with an identification number (YKN), then an identification card after the security assessment a month later. The YKN number is required to access any services (such as healthcare and education). Concerning international protection applicants, the procedure is not that clear: those who cannot register due to the quotas established by the system of "satellite cities" do not receive anything.

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[9]. The unofficial translation of the Regulation on the Implementation of the Law on Foreigners and International Protection is available on UNHCR's website.
[10]. Law No. 7070 published on 1 February 2018 giving permanent status to measures enacted in Decree No. 676 adopted in the context of the State of Emergency.
[11]. On the fundamental nature of the automatic suspensive effect: *Jabari v. Turkey*, Application No. 40035/98, Judgment of 11 July 2000, §50; *Abdolkhani and Karimnia v. Turkey*, Application No. 30471/08, Judgment of 22 September 2009, §108 (among others).
[12]. Turkish Constitutional Court, 12 June 2018, Interlocutory ruling in the application of Y.T.
[13]. Law No. 7196 adopted on 5 December 2019. No online English translation of the 2019 amending law exists. Its main provisions are explained on the ECRE website.
[14]. See Chapter III, section on decision and appeal.
[15]. See Article 69 and new Article 76 LFIP, amended positively by the 2019 law to abolish the burdensome obligation for renewal every six months, and to end the denial of the card to applicants subject to inadmissibility decisions and under accelerated procedures, thereby addressing an important protection gap.

23. In practice, each province caters for a fixed number of applicants through the system of "satellite cities". The system is not enforced by law, the only provision made being an obligation on governorates to register applications, and following registration, the possibility for the authorities to assign applicants to a specific province.[16] There is no official list of open and closed cities for registration of Syrians or non-Syrians, as it seems to change according to capacity and an opaque system of quotas. A "closed" city may decide to register applications in certain urgent cases only. An "open" city can tell applicants to come back in six months or declare itself closed to certain categories of applicants. The lack of clarity already underlined in the 2016 report remains and should be addressed.

24. I observed that all major cities were closed for registration of young Afghan men, leaving them unregistered, with no documents certifying their intention to apply for asylum, and thus unable to access protection or basic services and subject to removal. The very low numbers of applicants for international protection confirm this protection gap. At the time of my visit, deportation seemed to be the only possible outcome for young Afghan males, especially following the Izmir Court ruling in 2020 declaring Afghanistan a safe country and not suspending a deportation decision.[17]

DECISION AND APPEAL

25. Concerns about the quality of the decisions regarding refugee status determination, their reasoned notification and their timely issuance were raised by legal counsellors and NGOs whom I met. Further training to develop the specific technical and psychological competencies to adequately carry out interviews on the grounds for asylum applications should be organised. HELP/UNHCR online courses on Asylum and Human Rights, exploring European standards on asylum and refugee protection, as well as specific self-learning courses such as the one on Asylum and the ECHR developed for the DGMM and adapted to the Turkish context, and the one on Child-friendly justice should be further promoted. In addition, interviewers of asylum applicants working for the DGMM are recruited upon the basis of their linguistic abilities, whereas additional professional competencies could be required. The fact that interpreters in courts do not need to have language diplomas is also a concern.

26. Decisions must be issued within six months of registration. This deadline is not binding but, in the event of delays, the applicants are supposed to be notified. The backlog observed in the 2016 report had been considerably reduced in recent months, bringing the average waiting period for decisions on asylum applications down to two and a half months at the time of my visit, according to explanations received. Nevertheless, the pandemic halted all registration procedures for newcomers; therefore, an increased backlog was to be expected upon the reopening of state offices. As there are no public statistics on pending applications, it is difficult to assess how large the backlog is, although recorded applications were very low for 2020.

27. In the event of negative decisions under the ordinary procedure, administrative appeals may be filed within 10 days of written notification of the decisions. The 2019 legislative amendments, while reintroducing a judicial remedy with automatic suspensive effect against deportation decisions, shortened the time-limit for judicial appeals from 15 to seven days. Legal practitioners I met throughout my visit to Turkey underlined that it is not realistic for most immigration detainees to identify and access lawyers and then file effective judicial appeals in such a short time. I commend bar associations such as those in Ankara, Istanbul, Izmir and Van which have set up refugee rights units, prioritise deportation cases and assign lawyers within an hour (although it would normally take a week) to meet the excessively short time-limit.

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16. Article 69(1) LFIP states that "applications shall be registered by the governorates" (PDMM), while Article 71(1) provides that "administrative obligations may be imposed upon the applicants such as to reside in the designated reception and accommodation centres, a specific location or a province as well as to report to authorities in the form and intervals as requested", which is the step after registration.
17. Izmir First Administrative Court, docket number: 2020/231, date of judgment: 16 October 2020. This might change in the light of the latest developments in Afghanistan.

Both Turkey's Constitution and international obligations require the country to balance the risk of public threats with respect for due process and the rights of individuals. This includes respect for Article 13 of the ECHR providing for an appeal mechanism to be effective in practice as well as in law.[18] The Court has also established that an unreasonably short time-limit to submit claims, and/or to appeal against subsequent removal decisions can render a remedy practically ineffective, contrary to the requirements of Article 13 taken together with Article 3 of the Convention.[19] Consideration should be given to extending the seven-day time-limit so as to increase the effectiveness of the appeal remedy for foreign nationals in deportation proceedings.

ACCESS TO INFORMATION AND TO EFFECTIVE LEGAL ASSISTANCE

28. Access to information is provided for by law,[20] although the complexity of the registration system and the diversity of the protection statuses, adding to the language difficulties and socio-economic and cultural barriers, may blur access to accurate and effective information.

29. Applicants are free to seek legal assistance from NGOs and other legal representatives who can accompany them during their interviews. However, the state has no obligation to provide legal assistance to the applicants, who are often unaware of the services available to them. The state-funded legal aid scheme established under Article 81 LFIP provides for legal assistance in judicial appeals in the international protection procedure to support persons who do not have the financial means to pay lawyers. The legal aid scheme is implemented by all the bar associations in the various provinces and has great potential. The biggest impediment to the proper implementation of the scheme is the scarcity of funding available to the bar associations from the state,[21] as it is not designed to work for large numbers. There is also a lack of a clear and automatic procedure for accessing legal aid. While bar associations in Izmir, Istanbul and Ankara provide legal aid to foreigners, others (such as Van, Kayseri, Muğla, Antalya, Aydın) give priority to Turkish citizens.

30. A commendable joint project by the Union of Turkish Bar Associations and UNHCR set up refugee legal clinics, the first of which opened in Şanlıurfa in 2018, with others in Gaziantep, Hatay and Kilis. They offer legal, psychosocial, and basic-needs support to migrants and provide assistance to lawyers in legal proceedings concerning migration issues. Several major NGOs also provide legal counselling and assistance to refugees and asylum seekers, including through lawyers, members of bar associations. These initiatives to enhance refugees' access to legal aid are crucial contributions which are effective only when complementing a properly functioning state system. Clear regulations on access to legal aid and additional resources would be needed to build a state-funded legal aid system that effectively enabled bar associations to provide legal assistance to asylum seekers.

[18]. See *Abdolkhani and Karimnia v. Turkey*, Application No. 30471/08, Judgment of 22 September 2009, and *M. and Others v. Bulgaria*, Application No. 41416/08, ECtHR Judgment of 26 July 2011.
[19]. See, for example, *I.M. v. France*, Application No. 9152/09, ECtHR Judgment of 2 February 2012.
[20]. Article 70 LFIP provides that applicants must receive information regarding the relevant procedures, their rights and obligations, as well as interpretation.
[21]. A 2018 EU-funded project of €5 million under the Facility for Refugees in Turkey aimed at UNHCR and the Union of Turkish Bar Associations for the provision of free legal aid to asylum seekers and refugees in 18 provinces is the main source of funding of legal aid for bar associations.

III. VULNERABLE PERSONS

VULNERABILITY ASSESSMENT

31. Although corresponding provision is made by law,[22] the registration system does not appear to contain any safeguards to ensure that vulnerable groups are identified and dealt with on a priority basis, as already pointed out by the 2016 report. Rights organisations and legal counsellors confirmed that screening and formal identification of asylum applicants as "persons with special needs" by the DGMM appears random and inconsistent. The specific needs of the applicants are not fully taken into consideration, including in "satellite city" assignment. During my visit to the Gaziantep PDMM, officials informed me that 13 246 special needs cases[23] had been identified upon registration in the context of an EU/UNHCR programme aiming to assess special needs and vulnerabilities. They also informed me that systematic vulnerability assessments were carried out upon arrival in removal centres, through a 13-question form. In the event of one answer out of 13 being positive, the persons were, in principle, referred to psychologists or doctors for more detailed assessments.

32. Despite there being a legal basis and case-by-case implementation, a clear, systematic and functional vulnerability screening mechanism identifying foreigners' special needs at the earliest stage is still lacking. There is a need for technical guidance on vulnerability identification, risk assessment and case prioritisation based on referral mechanisms identified by health and local authorities, international organisations, NGOs and bar associations. The activities set out in the Council of Europe Action Plan on Protecting Vulnerable Persons in the context of Migration and Asylum in Europe (2021-2025), namely the planned practical guidance for identification, referral and addressing vulnerabilities in asylum and migration procedures, can support Turkey's efforts in this context effectively.

CHILDREN

33. Article 66 LFIP provides that, from the moment an unaccompanied child is identified as an international protection applicant, the principle of the best interests of the child must be observed and the relevant provisions of Turkey's Child Protection Law[24] must be implemented. No specific law on unaccompanied migrant children is enforced and the concerns underlined in the SRSG's 2016 report remain valid, despite some efforts to address the issue. Although no figures are published on the DGMM's website, the number of recorded unaccompanied minors in Turkey is, as underlined in 2016, still surprisingly low (around 600 children[25]). It mainly comprises Afghan, Pakistani and Iraqi nationals. The actual number is probably much higher, as many of them are under the responsibility of a wide range of relatives, hiding with the aim of continuing their journeys, unregistered (including many young Afghans) or trafficked.

[22]. Articles 3 and 67 in LFIP provide that people with special needs, such as women in advanced stages of pregnancy, persons with acute health needs or unaccompanied children, shall be "given priority with respect to all rights and proceedings."
[23]. According to the figures given to me, up to the date of my visit, 666 persons had been identified with treatment problems, 2 712 children had been identified as at risk and 9 532 as being in need of special protection.
[24]. Law No 4395 on Child Protection.
[25]. According to our discussions with UNICEF Turkey.

34. The issue of unaccompanied or separated migrant children going missing in Turkey has been assessed by the Committee of the Parties to the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Committee)[26] and the Group of Experts on Action against Trafficking in Human Beings (GRETA).[27] This issue could be addressed through the timely appointment of guardians, the provision of adapted accommodation and a protective environment for all children, ensuring the implementation of a child rights-based approach. The HELP Online course on Refugee and Migrant Children, which is part of the activities implementing the CoE Action Plan on Protecting Refugee and Migrant Children in Europe (2017-2019), is of relevance to improve legal professionals' knowledge and skills regarding the existing standards in the field of protecting refugee and migrant children and applying them in their daily work. The HELP course on Combating Trafficking in Human Beings (and protecting its victims), available in Turkish as a self-learning course, should also be further used and promoted.

AGE ASSESSMENT

35. The 2019 amendments to the LFIP introduced the possibility of "age assessments" that can be commissioned in cases where the administrative authorities suspect a discrepancy between the physical appearance of the individuals concerned and their declared age. In practice, as already noted in the 2016 report, it still appears that the psycho-social aspects are left out of the procedure. With regard to the procedure in the event of doubts, the DGMM seems to systematically refer the persons to hospitals for bone tests, which usually confirm adulthood. Although the accuracy of such tests can vary between two years older or younger, the authorities tend to interpret the assessments in the upper range. Applicants may, in principle, be accompanied by a social worker throughout the procedure, as well as a lawyer upon request, but apparently this is seldom the case in practice. The age assessment decisions can, in theory, be appealed against but most of the time, the persons concerned do not have the decisions in writing to be able to challenge them.

36. Inspiration can be drawn from the Council of Europe's work on the issue,[28] including the handbook on "promoting child-friendly approaches in the area of migration" published by the Office of the SRSG on Migration and Refugees. It compiles relevant international and European standards, highlighting the need to conduct age assessment "in a scientific, safe, fair and child- and gender-sensitive manner with due respect for human dignity". The handbook also recommends that age-assessment methods "adopt a multidisciplinary approach based not only on physical factors, but also on a consideration of psychological, developmental, environmental, and sociocultural factors".

RECEPTION AND GUARDIANSHIP OF UNACCOMPANIED CHILDREN

37. I find it very positive that the 2019 amending law removes the reference in Article 59 LFIP to unaccompanied minors from the categories of foreign nationals who may be detained in removal centres. The 2019 amendments also remove all reference to "Reception and Accommodation Centres" as potential places of accommodation for unaccompanied children. When identified, they must be placed in child-appropriate accommodation under the authority of the Ministry of Family, Labour and Social Services. Very few child-appropriate shelters exist and, as they are not exclusively for foreign children, they mainly accommodate Turkish citizens. Unfortunately, I could not visit such child accommodation because of the pandemic

[26]. Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Turkey – adopted on 10 July 2019. It states that further measures should be taken to prevent trafficking among migrant and refugee children (unaccompanied and separated children, as well as those accompanied by families).
[27]. Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Turkey – adopted on 10 July 2019. It states that further measures should be taken to prevent trafficking among migrant and refugee children (unaccompanied and separated children, as well as those accompanied by families).
[28]. See *Age assessment for children in migration, a human rights-based approach: guide for policymakers*, CoE, December 2019; *Report on consultations with unaccompanied children on the topic of age assessment*: CoE, May 2019. Further guidance on this issue would be contained in the "draft recommendation on age assessment on Human Rights Principles and Guidelines on age assessment for children in the context of migration", which is currently being finalized in view of its adoption by the Committee of Ministers in 2022.

38. Safe reception facilities and age-appropriate placements are essential for unaccompanied children's well-being and safety, including to prevent sexual violence and exploitation, as also underlined by the Lanzarote Committee.[29] This includes specialised foster parenting and other alternatives to residential care for unaccompanied children, the availability of which I observed was rather limited. In this context, when choosing the most appropriate type of accommodation and care for unaccompanied children in migration, the relevant standards advise prioritising: (1) family reunification, (2) foster care, supervised independent accommodation for older children or other forms of non-institutional care, (3) institutional placement in small-scale units.[30]

39. According to the Turkish Civil Code, all children placed under state care must be assigned a guardian.[31] No specific provisions exist for unaccompanied children, and the procedure in practice is reported to be very challenging. Only once the child has been assigned to a child shelter can the guardianship procedure be launched, and it needs to be followed by a dedicated social worker or a lawyer. The Ankara Bar Association explained that it appoints lawyers to proceed with the applications when dealing with cases of unaccompanied children. During my exchanges with UNHCR and UNICEF, regret was expressed that the absence of automaticity and the burdensome procedure hindered the effectiveness of the process. As a result, guardians are seldom appointed for unaccompanied migrant children.

40. In this context, I would underline the Council of Europe's 2019 recommendation on guardianship,[32] which highlights nine guiding principles intended to support states in providing for "Effective guardianship for unaccompanied and separated children in the context of migration". Among these guiding principles, states should have in place an effective guardianship system considering the specific needs and circumstances of unaccompanied children, and a guardian should be appointed without undue delay.

EDUCATION

41. According to official numbers, over 1 700 000 of the Syrian refugees in Turkey are children, accounting for almost half of the total Syrian population in Turkey (3 678 000). A lot has been done by the government to provide support and accommodate their basic needs, especially in the field of education, although children continue to pay the heaviest price for the Syrian crisis. Whereas registration numbers were formerly a condition for applicants to enrol in school, this requirement has been lifted and children are being accepted as guest students until they receive their ID numbers. This is a positive development, although, in practice, unregistered children or those registered in another satellite city usually do not attend school.

42. As a response to the influx of Syrians, up to 432 temporary education centres – private schools run by Syrian charities, teaching the Syrian curriculum in Arabic to provide education – had been set up from 2014 onwards to provide education to the huge number of children fleeing the Syrian war. As recommended in the SRSG's 2016 report, such centres were gradually phased out, with the last one closing in 2020, to ensure unity in education and social cohesion. Commendable efforts have since been made to integrate 1 240 000 Syrian children of school age (5-18 years old) in the Turkish education system. The Ministry of National Education informed us that 800 000 Syrian children (and 50 000 other foreign students) were, at the time of our visit, enrolled in public schools or education centres: 80% at primary level, 78% in secondary school and 40% at high school level. Officially, around 426 000 children, especially in the 15-18 age group, are out of school.

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[29]. *Special Report on Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse* adopted by the Lanzarote Committee on 3 March 2017.
[30]. See Council of Europe Rec(2005)5 on residential institution requirements.
[31]. Law No 4721 on the Civil Code.
[32]. Recommendation CM/Rec(2019)11 of the Committee of Ministers to member states on effective guardianship for unaccompanied and separated children in the context of migration, adopted by the Committee of Ministers on 11 December 2019.

43. During the pandemic, this number increased due to the long lockdown of schools (over a year), despite the fact that the Education Information Network (EBA) was established by the Ministry of Education as an online social education platform broadcast through three TV channels and the distribution of 600 000 tablets nationwide. These welcome measures nevertheless seem to have had a limited impact on migrant children.[33] The language barrier, a common practical obstacle to school attendance, is a further difficulty in terms of following online classes. In normal times, the PIKTES programme[34] promotes the integration of Syrian children into the Turkish education system through adaptation classes and intensive Turkish language training in 26 provinces with high Syrian populations. Free Turkish language courses are also provided in 995 Public Education Centres (PEC) throughout Turkey, and support and catch-up courses are offered in schools. Many NGO-run community centres also provide for educational and language support. However, everything was suspended during the pandemic lockdown.

44. Economic and financial factors and education-related costs are other reasons for school dropout. Although public schools are free, auxiliary costs such as notebooks, stationery and school uniforms are a financial burden on parents. Child labour is high in Turkey,[35] and is especially common among foreign adolescents, including those as young as around 10 years old. It increased with the pandemic, as households resorted to it as a negative coping mechanism and an easy solution during school closures. This shows the need for a strong and effective inspection mechanism regarding illicit work. The Conditional Cash Transfer for Education (CCTE) programme, managed by the Turkish Red Crescent and financed through EU funds, is a welcome tool providing financial support to families on condition that their children attend school. Feedback from refugees and NGOs nevertheless shows that the limited cash assistance received does not make up for a child worker's income.

45. Refugee girls face more barriers to attending school than boys. The cultural distribution of roles assigns them to household chores, purportedly to protect them from perceived outside dangers, with school being considered as less important for girls. It is advisable that these complex issues be thoroughly examined. Additional concerns, also raised by UNICEF, relate to households with (illegal) multiple wives and "unofficial" children who are accordingly unregistered and do not attend school. The lack of education for seasonal agricultural workers' children, who move according to the season and mainly remain unregistered, should also be addressed.

VIOLENCE AGAINST CHILDREN

46. Distancing measures and school closures enacted to tackle the pandemic are feared to have increased children's vulnerability to sexual abuse and gender-based violence. A mechanism or protocol should identify when and where sexual exploitation or sexual abuse against children affected by the refugee crisis occurred, and awareness-raising activities should further address prevention of and protection against sexual exploitation and sexual abuse, targeting all groups of children affected by the refugee crisis, as also recommended by the Council of Europe's Lanzarote Committee in its Special Report on "Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse".[36]

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[33]. According to a survey from the Turkish Red Crescent, *Situation Analysis Study for Access of Children under International and Temporary Protection to Distance Learning during COVID-19*, May 2020, 34% of children under temporary and international protection questioned do not follow EBA classes.

[34]. PIKTES (Promoting Integration of Syrian Kids into the Turkish Education System) is an education project implemented by the Ministry of National Education. See the dedicated website.

[35]. The Turkish Statistical Institute found that, in 2019, 720 000 Turkish children were engaged in economic activities.

[36]. Lanzarote Committee, *Special report: Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse*, 3 March 2017. The report also underlines the need for further information to determine if children living in refugee camps receive information and advice concerning prevention of and protection against sexual exploitation and sexual abuse.

WOMEN AND GIRLS

EMPOWERMENT AND SOCIAL COHESION

47. Migrant and refugee women and girls may be regarded as persons with special needs according to the legislation.[37] They face challenges both as migrants and as women. As highlighted by Syrian refugee women, on top of learning the language, understanding and abiding by new laws and rules and adapting to Turkish culture, they struggle to find their place in society despite empowerment and capacity-building activities, while their communities and husbands prevent them from working. Some of them also underlined that they faced discrimination and violence. All expressed concern about a lack of future prospects and the instability of their situation in Turkey because of the temporary nature of the protection they are granted.

48. Several centres address refugee (mainly Syrian) women's specific needs, including the SADA Women's Empowerment and Solidarity Centre (co-managed by ASAM and UN Women) that I visited. Municipalities such as Sultanbeyli also provide welcome support in terms of empowering women refugees, providing psychological and legal support (namely in cases of sexual violence) and informing them about Turkish laws and culture. The specific situation of girls in the context of migration and their need for empowerment also deserves an appropriate response. Strong support from and ownership by the authorities would guarantee the sustainability of such commendable initiatives.

VIOLENCE AGAINST WOMEN

49. Although the LFIP does not recognise violence against women as a form of persecution under the 1951 Refugee Convention, victims of such violence may be considered as persons having a well-founded fear of being persecuted because they belong to "a particular social group".[38] The law officially gives abused women, including registered refugees, the right to protection in shelters and police escorts, while imposing restraining orders on perpetrators. Turkey has a total of 144 shelters (for all women in need, not only refugee women) spread across 79 municipalities with an overall capacity of 3 454 places. According to law No. 5393 requiring every municipality in Turkey with a population of over 100 000 to establish a shelter, 201 shelters should exist. During my visit, an increase in the number of such centres appeared necessary to cater for existing needs (around 8 000 places), especially in regions such as Gaziantep, Adana and Şanlıurfa. In urgent cases, women who are not accommodated in women's shelters may also stay at mercy houses run by municipalities on a temporary basis. I visited a shelter run by the Sultanbeyli Municipality where 14 refugee women and 10 children, who are victims of domestic violence and abuse, can be accommodated for up to a couple of months. While I commend such non-governmental initiatives, their development and sustainability should be formally supported by the government. International resources should be mobilised to this end.

50. During our exchanges, regret was expressed about the fact that domestic and gender-based violence and child protection cases are mostly handled by local police forces, without the involvement of experts (social workers, psychologists, etc.), which rules out vulnerability and risk assessment.

[37]. Article 3 LFIP and Article 3 TPR provide that "unaccompanied minors, persons with disability, elderly, pregnant women, single parents with accompanying children, victims of torture, sexual assault or other forms of psychological, physical or sexual violence" are to be categorised as "persons with special needs".
[38]. Article 3 of the LFIP, "persons with special needs".

EARLY MARRIAGES

51. Early marriages and young pregnancies are supposedly common among the refugee population. There are no official numbers since such informal religious unions are difficult to track. UNICEF reported during our discussions that almost 50% of Syrian girls between 20 and 24 years old had been married before 18, and 9% before 15 years old. Although the number of married girls aged 16-17 had decreased consistently since 2017, early marriage increased during the pandemic as an economical solution for families. Education and empowerment of girls is paramount to protect them from abuses, including early marriages.

52. I was concerned of accounts of child brides being sent from Syria to marry cousins or older men in Turkey, often becoming second or third wife. They are thus remaining unregistered and do not have access to any healthcare, education, or other basic service. The SADA women centre in Gaziantep informed us about receiving five new complaints daily about child marriage Awareness raising among the Syrian population carried out by community centres is a step in the right direction and should be supported by increased state action. The legislation against child marriage should be reinforced and implemented, and tolerance should be reduced.

53. Early pregnancies are also very common among refugee women. A significant number of NGOs and civil society organisations offers workshops and courses to inform refugee women on early pregnancy, child marriage, sexual harassment, reproductive rights, and contraception.

LGBTI+ REFUGEES

54. Persons belonging to lesbian, gay, bisexual, transgender and intersex populations are not defined by the TPR as a category of “persons with special needs”. The lack of a gender-sensitive registration procedure under TPR has an impact on their ability to disclose their sexual orientation or gender identity or being registered as persons with special needs. Larger and more tolerant cities for LGBTI+ are closed for registration thus they either must stay in smaller and conservative cities or remain unregistered.

55. Syrians LGBTI+ refugees generally perceive Turkish host communities as more tolerant than their communities although they still reported to feel unsafe and discriminated against. I heard direct accounts of intolerance affecting access of LGBTI+ refugees to accommodation, employment, and health. A thorough report[39] published by the KAOS GL association also found that LGBTI+ refugees have been exposed to mistreatment and discrimination because of their sexual orientation in health facilities, access to housing and social security programmes, during their contacts with the DGMM. It is reported that there is no efficient protection tool in the law against such discrimination.

[39]. Kaos GL, *Human rights of LGBTI+ people in Turkey: 2019 report*. See also the annual review of the human rights situation of LGBTI people in Turkey in 2020.

IV. RECEPTION OF REFUGEES AND ASYLUM-SEEKERS

WELFARE SUPPORT

56. In support to the government's efforts, a large network of municipal associations, civil society organisations and international players are working relentlessly and in close co-operation to provide welfare support to urban migrants and refugees and build social cohesion. I wish to commend the efforts to improve social cohesion and harmonisation, addressing both the migrant and the host community, through education, vocational training, language courses, livelihood and empowerment activities. Despite all these efforts, while the Covid-19 pandemic seriously affected all levels of society, migrants and refugees were hardest hit.

INTERNATIONAL ORGANISATIONS

57. The UN family is very present and active in Turkey. Among others, it runs the Regional Refugee and Resilience Plan (3RP) under the leadership of the United Nations High Commissioner for Refugees (UNHCR) and United Nations Development Programme (UNDP), in co-operation with the governments of the host countries of Syrian refugees in the region.

58. Since March 2016, the European Union has run the Facility for Refugees in Turkey (FRiT),[40] a mechanism to co-ordinate resource mobilisation. The main beneficiaries have been major international humanitarian organisations, UN agencies and hybrid organisations in close co-operation with local Turkish partners. By 31 December 2020, the Commission had contracted the full operational budget of the facility (€6 billion) and disbursed nearly €4.1 billion. In addition, €585 million was allocated in 2020 to support humanitarian action in Turkey outside the facility, including €100 million to continue assistance in the areas of protection, health and education, and €485 million under an Amending Budget to continue the Emergency Social Safety Net (ESSN) and the Conditional Cash Transfer for Education (CCTE).

59. The impact of the EU funds is tangible and covers most of the welfare support in Turkey. Many essential and well-functioning community centres stressed their dependence on the EU funding and were concerned by the fact that it might be suspended. On 25 March 2021, the European Council agreed that the European Union's assistance for the refugees and host communities be continued, and the President of the European Commission, Ursula von der Leyen, announced at the European Council of 24-25 June 2021 that the EU budget would provide €3 billion over 2021-2023.

[40]. See the webpage on the EU Facility for Refugees in Turkey (FRiT) on the European Commission's website, in particular the monitoring reports and the Strategic Mid-Term Evaluation of the Facility for Refugees in Turkey (2016-2019/20).

THE ROLE OF MAYORS AND LOCAL STAKEHOLDERS

60. I commend the dedication of the mayors I met, cities being major players in the welfare support to refugees. I wish to underline the successful examples of Gaziantep and Kilis, on the Syrian border, the area most impacted by the large influx of persons arriving in the region with little or no means. The Gaziantep model is based on co-education (doubling the capacity of classes from 30 to 60 children and building 6 000 classrooms to include migrant children), co-living (quick building of new housing, addressing water shortages, including refugees in all activities in society) and co-working (sudden need to open up employment). In Kilis, where half of the population is Syrian, hosting this new population was challenging for the municipality: water, roads, cleaning, schools and hospitals all had to be adapted to a sudden doubling of the population. Despite difficulties, the sense of hospitality remains strong. The Izmir metropolitan municipality, despite being accustomed to receiving migrants with great generosity, is facing additional challenges regarding access to housing after the October 2020 earthquake. This has added to the economic distress caused by the pandemic and to the increased polarisation throughout the country. The municipality focuses on co-operation with NGOs and bar associations and aims to improve policies for living together, enhancing both access to rights and cultural interaction.

COMMUNITY CENTRES

61. Several municipalities have established community centres for registered refugees and asylum seekers in co-operation with bar associations and civil society organisations. A good practice was observed in the Sultanbeyli municipality, in Istanbul. Through an association, Mülteciler Dernegi, it manages a health centre, psychosocial support, education training for children, legal aid and a women's guest house for victims of violence, which is open to all migrants, although it is mostly Syrians under temporary protection who benefit from the services. I also visited the Kecioran municipality in Ankara, which has developed strong co-operation with IOM and implements support projects for migrants, financed with EU funds.

62. ASAM, a leading non-governmental organisation concerned with refugees and asylum seekers, remains one of UNHCR's main implementing partners in Turkey after having overseen the registration and reception of migrants with UNHCR before the establishment of the DGMM. It offers a wide range of services to (mainly) Syrian refugees in the Ankara, Izmir, Gaziantep and Istanbul centres that I visited. Apart from providing legal advice, social counselling and healthcare services, they have partnerships with UNICEF, UN Women and WHO to run child and family centres, women's empowerment centres and health centres.

63. The Turkish Red Crescent (Türk Kizilay) runs 16 community centres throughout the country, enhancing livelihoods (through employment counselling, entrepreneurship, graduating programmes) and improving social cohesion. With EU funding support of up to 95%, it also implements the Emergency Social Safety Net (ESSN) programme, the only formal cash-based assistance programme. Through this "Kizilay card", financial assistance is given to around 250 000 persons (vulnerable families and severely disabled persons), amounting to TRL 155 (approximately €16) per person per month. This aims to cover essential needs such as rent, transport, bills, food and medicine. 73% of recipients are international and temporary protection beneficiaries.

64. I appreciate the increasing and officially recognised co-operation between NGOs and local/central administrations, as it is of vital importance in the refugee response.[41] A concrete policy or strategy that defined and encouraged arrangements for co-operation and participation of NGOs with state bodies would be helpful to improve joint operations and harmonisation. This is in line with the recommendation issued by the CoE's Congress of Local and Regional authorities[42] calling on states to "clarify the responsibility areas and the distribution of competences between the national, regional and local levels aiming for complementarity between these levels when developing policies and to develop a common strategy and a mechanism for distributing migrants between the local and regional authorities of their countries, either on a voluntary basis or according to objective criteria to be determined".

ACCOMMODATION

65. Over 98% of asylum seekers and refugees in Turkey live in urban and peri-urban areas, and fewer than 2% in Temporary Accommodation Centres (55 972 persons[43]). The LFIP provides for the establishment of "Reception and Accommodation Centres" in various parts of Turkey. At present, there seems to be only one facility used as a "Reception and Accommodation Centre" for non-Syrian asylum seekers in Yozgat Province of eastern Turkey, which has a modest accommodation capacity of 100.[44] The legal provision is mainly materialised for Syrian refugees under temporary protection through the establishment of "Temporary Accommodation Centres" (TACs), large-scale camps set up across the provinces in south east Turkey. To date, only seven camps, far from full capacity, are officially recognised and funded by the Turkish government.[45] The government encourages Syrians residing in the camps to relocate to urban areas, with the aim of emptying and gradually closing TACs. This policy has impacted the repurposing as removal centres of six planned new reception and accommodation centres,[46] 80%-funded by the EU (supposed to increase capacity by 2 250 beds).

THE ELBEYLI ACCOMMODATION CENTRE

66. During my mission, I visited the Elbeyli Temporary Accommodation Centre in the province of Kilis, on the Syrian border. The prefabricated container camp opened in 2013 with a maximum capacity of 25 000 residents and is currently accommodating 8 500 Syrians. The camp was designed for temporary stays. Nevertheless, most of the residents seem settled, including, for instance, a Syrian woman I met, who had been living in the camp for eight years and was not willing to move out, unlike her grown-up children, who had married and integrated in Turkey.

67. The infrastructure in the Elbeyli centre was good, giving the impression of a clean and well-organised village. Each family has a container with two rooms, a kitchen and a bathroom. There is a supermarket, a mosque, schools (3 700 children from kindergarten to high school are taught the Turkish curricula in Turkish by 600 Turkish teachers and 100 Syrian teachers), a health centre (with Turkish and Syrian nurses), vocational training and activities for 300 persons (hairdressing, sewing, carpet making, etc.). Residents receive housing, electricity, water and TRL 120 per month per person.[47] They are free to leave from 5 am to 10 pm, and many of them work in the fields on farms outside the camp. Special permits may be requested for overnight leave. People who leave for more than 15 days are expelled from the camp. I was told that someone needing accommodation could, exceptionally, be given access to the camp but, in principle, it is not open to newcomers.

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41. See the 11th National Development Plan (2019-2023), the Harmonisation Strategy of the DGMM (2018-2023) and the 2020 Annual Presidential Programme.
42. Congress, Report "From reception to integration: the role of local and regional authorities facing migration", 28 March 2017.
43. According to the Government's website (goc.gov.tr) at the time this report was drafted.
44. I did not visit this facility during my mission.
45. Islahiye 2 and Düziçi camps, which were visited and criticised by the SRSG in 2016, are now closed. Sariçam is still open and currently houses 19 263 persons, while it only held 10 300 Syrians on 1 June 2016. The infrastructure was assessed to be good.
46. Harmandalı (Izmir), Pehlivanköy (Kirklareli) are among these six construction projects, which were initially designed as "Reception and Accommodation Centres" for asylum seekers.
47. This allowance is funded by DG ECHO.

HEALTHCARE

68. International protection applicants and status holders receive free healthcare coverage under Turkey's General Health Insurance scheme (GSS) if they do not have the financial means to afford coverage, in accordance with Article 89 LFIP. However, an amendment introduced by the 2019 legislation limits free health coverage to one year from the date of registration. As they can only apply for work permits after six months, this leaves them limited time to find jobs and be insured by their employers. Persons with special needs approved by the Directorate General can retain free health coverage if they provide medical reports issued by state hospitals. It appeared from my exchanges that this hinders de-*facto* access to healthcare for many international protection applicants, mostly LGBTI+ persons, HIV positive patients or with chronic illnesses who couldn't submit the required certificate to receive an insurance without having an insurance paying for it.

69. Registered temporary protection beneficiaries are also covered by the GSS according to article 27 TPR, although no longer free of charge since the 2019 amending legislation. They are also only entitled to access hospitals in the provinces where they are registered. In practice, the language barrier hinders effective access to healthcare services, as hospitals only give appointments by phone in Turkish. I welcome the fact that applicants for and beneficiaries of temporary protection have basic access to healthcare facilities and information through the 187 migrant health centres and refugee health training centres co-managed by Ministry of Health, WHO and NGOs, with EU funding. I much appreciated the substantial support given to Syrian migrants in the two centres I visited in Ankara and Izmir. I met a Syrian doctor who was a former refugee and Syrian-speaking nurses and I was shown the ongoing vaccination scheme for the Syrian population, including doses of Sinovac Covid-19 vaccines. Such centres could be beneficial for all asylum seekers although access is, unfortunately, limited to Syrian asylum seekers or refugees who can provide identification numbers.

70. Turkish legislation guarantees access to minimum healthcare for all residents, including the undocumented in emergencies (excluding maternity care, which is a concern, as already underlined in the 2016 report). In practice, non-Syrian migrants whose international protection applications are often prevented or delayed, or for whom no documents or certificates are issued, cannot effectively access healthcare.[48] In addition, asylum seekers whose applications are rejected at first instance have their healthcare coverage withdrawn without waiting for the final decisions upon appeal, which hinders access to health services, including medicines, during the appeal phase.

71. The Council of Europe Development Bank (CEB) is currently supporting a project for refugee healthcare infrastructure, with EU funding of €90 million.[49] To help ease the pressure on public infrastructure caused by the dramatic increase in demand for healthcare, the EU, in co-operation with Turkey and the CEB, has also mobilised €50 million from the EU Facility for Refugees in Turkey (FRiT) to fund a new hospital in Kilis. The European Commission has entrusted the CEB with the implementation of the hospital project and construction began in earnest in 2019, with provisional works acceptance expected in early 2022.[50]

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[48]. A Turkish newspaper reported the case of an Afghan asylum seeker who died in Izmir, after being refused treatment by a hospital for lack of documentation. See Sendika.org**,** '*Kimliği olmadığı için tedavi edilmeyen Afgan mülteci hayatını kaybetti*'.

[49]. This is in the context of the Programme "Strengthening Healthcare Infrastructure for All" (SHIFA), which will entail the construction and renovation of up to 117 migrant health centres, the renovation of up to 110 physiotherapy and rehabilitation units in public hospitals and the purchase of medical equipment and supplies. See also EU delegation webpage.

[50]. See News item.

ACCESS TO THE LABOUR MARKET

72. The situation described in the 2016 report remains unchanged as regards the possibility for valid document holders to apply for a work permit in the province where they are registered: international protection applicants and conditional refugees[51] may apply for a work permit six months after lodging their international protection application. Temporary protection beneficiaries[52] may apply for a work permit six months after the granting of temporary protection status. In practice, it currently takes the authorities one to two months to process work permit applications.[53] Refugees (meaning European beneficiaries with Geneva Convention status) and subsidiary protection holders enjoy preferential treatment as they may work upon being granted the status without applying for a work permit. Seasonal workers may work after submitting a request to the relevant provincial governorate.

73. Restrictions on access to the labour market may be introduced for a given period according to sectoral and economic conditions. In addition, specific occupations and duties are restricted to Turkish citizens pursuant to the laws regulating the occupations concerned,[54] such as dentistry and nursing, pharmacist, veterinarian, managing director in a private hospital, lawyer and notary public, private security officer, cabotage activities, customs brokerage and tourist guide. As observed by the European Committee of Social Rights (ECSR),[55] this restriction discriminates against migrant workers in terms of access to employment in occupations not related to public security.

74. While it remains unclear how work permits are requested or granted, the ECSR also asks the Turkish authorities to clarify how discrimination against migrants and refugees in employment is addressed since reports[56] continue to point to significant barriers to refugees' access to the formal labour market, which prevent them from becoming independent and attaining an adequate standard of living. Informal employment practices are still widespread[57] and lead to abuses by employers, such as underpayment, overtime work and no registration for social security.[58] Migrants are also the first to be affected by the economic crisis arising after the pandemic as employment opportunities were impacted.

75. It is important to note the low participation of Syrian women in the labour force in Turkey. An indicative study shows that, in 2019, while 74% of Syrian men worked, only 16% of women did so. Household responsibilities, including childcare, lack of education or language skills usually prevent them from having a paid job.[59] During my mission, I also heard complaints from Syrian teachers contracted by UNICEF to teach in Turkish schools who said they were underpaid and lacked job security as they would soon no longer be able to teach because their diplomas were not recognised. The Council of Europe standards on the Recognition of Qualifications concerning Higher Education[60] could be a helpful tool to improve refugees' access to formal employment, more specifically the European Qualifications Passport for Refugees providing an assessment of higher education qualifications based on available documentation and a structured interview.

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[51]. According to Article 89(4)(a) LFIP and the Regulation on Work Permits of Applicants for International Protection and Persons Granted International Protection adopted on 26 April 2016.
[52]. According to Article 29 TPR and the Regulation on Work Permits for Foreigners under Temporary Protection, adopted on 15 January 2016 regulating the procedures for granting work permits to persons under temporary protection.
[53]. Refugees International, *I am only looking for my rights*: Legal employment still inaccessible for refugees in Turkey, December 2017, confirmed as still being the case in April 2021.
[54]. Article 6 of International Workforce Law No 6735 and special laws specify occupations and duties reserved for Turkish citizens and prohibited for foreigners. See for example exemple turkishlaborlaw.com.
[55]. The European Committee of Social Rights (ECSR) reiterated in its 2020 Conclusions its previous finding of non-conformity with Article 19§4 of the Charter and discrimination on grounds of nationality, contrary to the European Social Charter.
[56]. ILO report "Syrian Refugees in the Turkish Labour Market".
[57]. See ILO Infographic on the labour market situation of Syrian workers in Turkey: statistics from 2017 show that 97% of Syrian workers work informally.
[58]. Report released in 2020 by the Leather, Textiles, and Footwear Workers Association
[59]. OXFAM report published in 2019 quoted by a press article.
[60]. Convention on the Recognition of Qualifications concerning Higher Education in the European Region, adopted in Lisbon on 11 May 1997.

IMPACT OF THE PANDEMIC

76. At the time of my visit, Turkey had recorded 227 019 confirmed cases of Covid-19 with 5 630 fatalities.[61] Since the outbreak, the Turkish government has taken steps to reduce the spread of the disease, including the shutdown of most public services, border closures, flight bans, school closures, restricted freedom of movement, closures of non-essential shops and weekend curfews. As most public services were suspended, the authorities processed only urgent cases and limited registration to persons with special needs.

77. Reports from the IOM field offices indicate that migrant populations in Turkey have been disproportionately hit by the pandemic and that, by May 2020, they were in urgent need of cash support, psychological counselling, basic health and hygiene services and supplies as well as educational support for children.[62] According to my contacts and observations, while making a living is a challenge for Turkey's refugee communities even in normal times, the Covid-19 pandemic shifted the focus of priorities. Access to basic needs, including food and hygiene products, became paramount, with social cohesion suddenly considered less urgent. Lack of access to information about Covid-19 and language barriers compounded the difficulties.

78. Applicants, refugees, and migrants (including undocumented migrants) were given access to Covid-19 treatment and testing although they were not included in the central system for accessing protective equipment and tests. UNHCR, ASAM and others provided support to overcome language barriers and help with additional expenses, while at the same time underlining the lack of information and awareness-raising activities regarding Covid-19.

79. Covid-19 vaccines were administered to refugees and migrants according to the general eligibility policy established by the government (phase one targeted health professionals and individuals aged 65 or above, including refugees). At the time of my visit, migrant health centres were also administering the Sinovac vaccine.[63] In addition to increasing the availability of services, efforts should be directed towards increasing the willingness to access services within the community.[64]

80. During the pandemic, international and civil society organisations played a pivotal role in the response to the Covid-19 crisis. For example, UNHCR worked with the DGMM to improve registration and international protection status determination procedures and provided support and legal assistance remotely.[65] Non-governmental associations similarly organised themselves to provide remote support and assistance to migrants and refugees despite the successive lockdowns.

[61]. See updated figures on World Health Organisation's website.
[62]. IOM, Press Release, 06/05/2020.
[63]. A survey from the Turkish Red Crescent nevertheless suggests that vaccine uptake among refugees aged 65 and above has been low even though they had no difficulty in accessing vaccination services.
[64]. See the Guidelines of the Committee of Ministers of the Council of Europe on upholding equality and protecting against discrimination and hate during the Covid-19 pandemic and similar crises in the future prepared by the Committee on Anti-Discrimination, Diversity, and Inclusion (CDADI).
[65]. See UNHCR Turkey Operational Update.

V. DETENTION

LEGALITY OF DETENTION AND SAFEGUARDS

GROUNDS OF DETENTION

81. As already described in the 2016 report, the administrative detention of foreigners may be ordered for the purpose of removal (Article 57 LFIP) or, exceptionally, in specific cases[66] while processing an application (Article 68). The 2019 law extends removal possibilities to those *attempting* to breach the terms and conditions for legal entry into or exit from Turkey, although no clear legal definition is provided. This provision gives the administrative authorities a wide margin of discretion to decide whether a foreign national has "attempted" to violate Turkey's rules governing legal entry or exit.

82. In general, rights organisations and bar associations point to a lack of transparency regarding the grounds for holding migrants and the excessively wide margin of discretion accorded the authorities when invoking a ground to detain. In addition, as in the case of the 2016 report, the persons I interviewed were usually not aware of the reasons for their detention. Reasons for detention in a language that the foreign national understands are given through a pre-printed form where the applicable ground for detention is ticked, but with no further explanation, which could lead to a lack of clarity and understanding on the part of the person being detained. Under Article 5 § 2 ECHR, the Court's case-law establishes that any person who has been arrested must be told, in simple, non-technical language that he can understand, the essential legal and factual grounds for his deprivation of liberty, so as to be able to apply to a court to challenge its lawfulness in accordance with Article 5 § 4.[67] Additional measures to ensure full compliance with this standard are required.

ACCESS TO THE ASYLUM PROCEDURE

83. In practice, very few asylum applications are submitted in RCs, which raises the question of whether it is possible to effectively apply for protection from detention. Although the ECHR does not contain an explicit right to asylum, the Court has found violations of Article 13 taken in conjunction with Article 3 when a person present on the territory was unable to lodge an asylum application.[68] When enquiring about the possibility of registering or accessing the asylum procedure, I was told by the authorities that detainees do not fit the typical profile of an International Protection applicant. The reported challenges in terms of accessing information and legal assistance in detention may also explain the limited number of applications submitted in detention.

ACCESS TO INFORMATION

84. Although the authorities explained that, upon arrival at every RC, foreign nationals receive information on their rights, it seemed to me that there was a substantial need for better information about rights and procedures, including the possibility of accessing the asylum procedure.[69] Newly displayed posters providing information about rights in many different languages or giving bar association contact numbers did not seem to be effective. In some cases, outdated flyers and brochures, including on legal assistance, appeared to go unread. I was informed of a downloadable EU/UNHCR information project aimed at improving asylum applicants' access to information about their rights, including a video to be played on a loop in the waiting area.

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[66] Art 68 LFIP refers to the following cases: abscond or disappear, who violate rules for entry and exit into and from Turkey, who use fraudulent or unfounded documents, who fail to leave Turkey within the allowed period without an acceptable excuse, who constitute a threat to public order and security or public health.

[67] *Khlaifia and Others v. Italy [GC],* § 115, Application No. 16483/12), 15 December 2016.

[68] A.E.A. v. Greece, application 39034/12, 15 April 2018.

[69] 19th General Report on CPT Activities, (CPT/Inf (2009) 27), para 84 provides that it is essential that newly arrived irregular migrants immediately be given information on the above rights in a language they understand.

ACCESS TO LEGAL ASSISTANCE

85. Previously mentioned gaps concerning access to legal assistance[70] are magnified in detention. It appears that the difficulties experienced by detained migrants in accessing a lawyer, and which were mentioned in the SRSG's 2016 report, have not gone away. When calling the bar association phone number displayed on the posters,[71] detained migrants explained that nobody would answer, or if someone did answer, they did not do so in a language that made communication possible. When detained persons had lawyers, limited, or supervised access to phones made it difficult to contact them. Access to clients was also reportedly challenging for appointed lawyers, who explained they can only enter the centre with a formal appointment and proof that they are the designated lawyer.[72] Visits are denied if the client's name is misspelled despite translation problems from Arabic to Turkish. I was also told that foreigners may be transferred to other centres, especially in the Istanbul area, without information about their whereabouts being shared with the lawyer or families. The lawyers must proactively search for their client at each removal centre. I also heard complaints from a lawyer who was informed that clients were not in the removal centre when the individuals concerned were in quarantine.

86. When asked, the authorities said they were doing their best to facilitate contacts and meetings in private interview rooms between legal representatives and their clients. During the pandemic, meetings could take place by phone and via video calls. The authorities explained that the restrictions are intended to protect migrants since lawyers might seek to enter RCs without appointments in search of new business. Such limitations nevertheless interfere with the right to effective legal representation, which is one of the basic rights that migrants deprived of liberty should enjoy from the outset according to CoE standards.[73] Every effort should be made to improve access to effective legal assistance within the removal centres.

CONTACTS WITH THE OUTSIDE WORLD

87. In general, it seemed to me that the restrictions on access to phones are problematic and prevent contact with the outside world (friends, relatives, associations), as well as hindering access to legal aid. Payphone booths with free cards in corridors or courtyards can, in principle, be used from three times a week to once a day for around 10 minutes.[74] Although mobile phones are usually taken away for security reasons, I did observe an example of good practice in Canakkale RC where personal mobile phones can be given back upon request for a couple of hours. During my visit, I insisted on the need to relax the rules about foreign nationals using their own devices to contact families and lawyers, thus reducing the level of stress and facilitating their return.[75]

88. Access to RCs by international partners such as UNHCR or IOM, as well as by NGOs is very limited although it can be authorised, on request and on specific grounds. As a result, UNHCR told us that they only visit the RCs about twice a year, which is regrettable given the important role they play in improving material conditions through close partnership and support to the Turkish authorities. Concerning contacts with family members, while the authorities told me they can visit anytime during working hours, NGOs stated that families can normally only visit one specific day per week. If confirmed, that is a regrettable restriction.

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70. See Chapter III. paragraph on "access to information and to effective legal assistance", namely concerning the reduction in the time allowed to challenge a removal order from 15 to seven days resulting in an excessively short time frame.
71. This was notably the case of a detained migrant unsuccessfully trying to call the Canakkale Bar Association.
72. In Harmandalı RC such a power of attorney is not requested.
73. CPT, Factsheet on immigration detention, CPT/Inf(2017)3, March 2017.
74 Although I did not visit them, I heard accounts of Gaziantep and Van removal centres being more restrictive. For example, the Gaziantep removal centre only allows 5-minute calls twice a week.
75. The 19th General Report on the CPT's activities stresses, in paragraph 82, that "notifying a relative or third party of one's choice about the detention measure is greatly facilitated if irregular migrants are allowed to keep their mobile phones during deprivation of liberty or at least to have access to them."

MATERIAL CONDITIONS IN REMOVAL CENTRES

GENERAL ASSESSMENT OF MATERIAL CONDITIONS

89. I welcome the fact that many of the removal centres assessed as having sub-standard material conditions in the 2016 SRSG report have been closed. The Osmaniye Düziçi removal centre, which had raised concerns when visited in 2016, was closed shortly before my visit. I commend the Turkish authorities on the continuous improvements made, with technical assistance from UNHCR and IOM, as well as EU financial support,[76] to material conditions in removal centres, including the refurbishment and maintenance of eleven centres and the construction of fourteen new removal centres, initially intended as reception facilities.

90. As of March 2021, there were 28 active RCs in Turkey with a total detention capacity of 16 108 places.[77] I was informed that, because of the pandemic, occupancy rates in the removal centres stood at 50%. Seemingly there was a major problem with overcrowding before the pandemic, mainly during the summer 2019.[78] According to lawyers, different RCs may accommodate different categories of foreign nationals (Syrians apprehended while attempting to cross the border with Greece were usually brought to an RC near the Syrian border).

91. I visited five removal centres, in Ankara (Akyurt district), Izmir (Harmandali), Çanakkale, Edirne and in Tuzla (Province of Istanbul)**,** most of them with very good material conditions. I welcome the access I was given to a wide range of places and the explanations provided by the officials in charge.

REMOVAL CENTRES VISITED

92. The newly built, large-scale RC in the AKYURT district of Ankara is located up a hill about an hour away from Ankara city centre and opened in 2019. It can accommodate up to 800 persons in four blocks and 18 sections in one big, well-maintained building. At the time of my visit, it housed only 339 people, including 16 women, three of whom were pregnant, and several children kept with their mothers in the women's area.

93. I noted with regret that there were several young children detained with their mothers, with no specific activities for them since they were too young for formal education, and no tangible prospect of removal. In this context, I wish to reiterate CoE standards to the effect that immigration detention of children is to be avoided as far as possible and should only be a measure of last resort, used for the shortest time possible and restricted to serious cases.[79] The ECtHR[80] has found that the presence in a detention centre of a child accompanying its parents will comply with Article 5§1 (f) only where the national authorities can establish that such a measure of last resort was taken after verification that no other measure involving a lesser restriction of their freedom could be implemented. It underlines the need for a measure of confinement of migrant children to be proportionate to the aim pursued by the authorities, namely the enforcement of a removal decision. It adds that the protection of the child's best interests involves both keeping the family together, as far as possible, and considering alternatives so that the detention of minors is only a measure of last resort. While every effort should therefore be made to avoid resorting to the deprivation of liberty of a child migrant, dedicated family rooms could be envisaged in all RCs to keep at least the family together.

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[76]. On 31 May 2021, new EU-funded projects were launched with the DGMM, UNHCR and IOM to help manage ever increasing irregular migration flows and improve conditions in removal centres.
[77]. List of all 28 active Removal Centres on the DGMM's website CENTRES (goc.gov.tr).
[78]. Harmandalı reportedly held over 1 500 people who had to sleep on the floor or in big halls during the summer 2019, even though it was only designed to accommodate 750 people.
[79]. See CPT standards on immigration detention – factsheet March 2017; Guidelines of the Committee of Ministers of the Council of Europe on Child-Friendly Justice, 17 November 2010; Council of Europe Strategy for the Rights of the Child 2016-2021, March 2016, para. 32; Commissioner for Human Rights thematic work on children's rights (persistently advocating for a comprehensive ban on child immigration detention).
[80]. *G.B. and others v. Turkey,* Application No. 4633/15, 17 January 2020, § 151: *Popov v. France,* applications nos. 39472/07 and 39474/07, § 914, 19 January 2012; R.M. and Others v. France, no. 33201/11, 12 July 2016). See also the factsheet on the Court's case-law on accompanied migrant minors in detention.

94. Harmandali RC in Izmir has been operational since May 2016 and can accommodate up to 750 people in 126 rooms (40 rooms for single male adults in block A, 40 rooms for women and 45 rooms for families in block B). It was hosting 318 persons (less than half the capacity) during my visit. Because of its location, deportees sent back from Greece are often brought first to Harmandalı, causing the centre to become overcrowded at certain times of the year. It was home to 1 500 people, twice its capacity, in the summer 2019. The centre is currently being refurbished after a foreign national started a fire in a room that spread to the whole corridor.

95. My attention was drawn by rights associations and the Izmir Bar Association to a lack of legal advice and repeated denial of access to lawyers[81] while officials said there had been 1 500 lawyers' visits during the whole of 2020. There were also reports of access to asylum applications being hindered and of individuals being unable to exercise the right to petition. Difficulties in accessing health services and sanitary products and widespread infectious skin diseases (scabies) were likewise mentioned.

96. Due to the pandemic, a quarantine room (that I did not see for public health reasons) was also set up, as in all removal centres, for newcomers to be kept in for ten days[82] before being transferred to a unit with other detained foreign nationals. I was informed that newcomers would, on some occasions, be held in the quarantine room with persons who were about to end their quarantine which undermined the effect of the preventive sanitary measure. In addition, persons in quarantine were usually prevented from contacting relatives or lawyers, which in practice could hinder the process of obtaining asylum since there was no extension of the relevant procedural timeframes. The individuals in question are held without any access to fresh air throughout the quarantine period, which is contrary to CPT standards.[83]

97. Access to outdoor facilities was restricted during the pandemic. In theory, every RC seems to have a similar rule of allowing access to the outside yard three times a day (after meals) for about an hour. In practice, in Harmandalı it was reported to be only once a day for an hour, which is not enough according to CPT standards.[84]

98. After my visit, I was informed by the Izmir Bar Association about possible physical ill-treatment and discrimination that allegedly occurred on 10 April, involving four Syrians and a Palestinian. A further similar complaint was subsequently filed with the bar association. Reportedly, an investigation was ordered by the prosecutor, and medical reports were obtained to document the physical condition of the complainants. It is worth noting here that the ECtHR has ruled that neither LFIP nor its implementing regulations designated any specific remedies for complaints concerning conditions of detention at foreigners' removal centres in particular in order to put an end to the kind of treatment prohibited by Article 3 rapidly, over and above providing a purely compensatory remedy.[85]

99. Çanakkale removal centre in Ayvacik district (on the Aegean coast) opened in March 2017 and can accommodate up to 400 people (300 men and 100 women), in rooms with capacity for 10 to 20 persons (with five square metres per person). There were 172 people in the facility at the time of my visit. Families were not kept together, women and children being on one floor and men on another floor although they could meet every evening in family rooms. I was told families are usually quickly transferred to another centre.

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81. In May 2019, eight members of the Izmir Bar Association who tried to access the Harmandalı centre to offer free legal advice to the detainees were allegedly illegally detained with their translators for over two hours.
82. A rights organisation referred to a person being held for 55 days in quarantine in Harmandalı.
83. CPT standards on immigration detention recommend in principle unlimited access to outdoor exercise and considerably more than one hour a day. See factsheet March 2017.
84 Ibidem.
85 *G.B. and Others v. Turkey,* Application No. 4633/15, 17 January 2020, §§ 128, 129 and 137: The execution of this judgement is supervised by the Committee of Ministers - Human Rights.

100. Edirne RC (at the Greek land border) has a total capacity of 500 places, divided into three blocks. It held 180 people at the time of my visit, with one wing being used for quarantine. There are 35 rooms for men and 10 for women and children. The rooms are 50m², host 10-12 people and are equipped with toilets and washbasins. Material conditions appeared to be particularly good, especially in the woman's area where occupational courses for women were taking place and there was a small but well-arranged outdoor area.

101. Tuzla removal centre is a temporary structure set up to replace the Kumkapi removal centre damaged by a fire in 2018. Tuzla is one of the three centres in the Istanbul Province which together have a capacity of 1 200 places. I was informed of a new removal centre to be opened in 2022 next to the new Istanbul airport and which will replace all three centres. Tuzla centre can accommodate up to 900 people in two wings made up of containers. The facility is in a poor state of repair overall and offers a prison-like environment, with high walls and barbed wire. 400 foreigners were being held there at the time of my visit. It employs 138 officers, including 58 security staff.

OTHER PLACES OF DETENTION

TRANSIT ZONES

102. The 2019 amendments also formally introduced into Article 7 LFIP the concept of "inadmissible passengers" and stipulate they should be held in designated areas (transit zones). The ongoing practice of de-facto administrative detention in transit zones now has a formal legal basis, as required by Article 5 ECHR. Concerns have nevertheless been raised regarding the lack of sufficient procedural safeguards and protection from arbitrariness, as the amendment merely introduces the term "inadmissible passenger" into the list of persons who are not to be allowed entry to Turkey. It does not give details as to the duration of detention or require the detention decision to be communicated in writing and in a language the individual concerned can understand. Nor does it provide any guarantees for access to an effective legal remedy and to legal representatives.

103. Gaps in these areas were observed in practice when I visited the new Istanbul airport transit zone. Although newly built and providing adequate material conditions, it is designed only for very short stays,[86] as there are neither windows nor access to fresh air. According to the authorities, the construction of a new removal centre with adequate material conditions and within the airport area was delayed due to the pandemic. I observed that this holding facility was used for extended stays: two migrants I met had spent a week in this facility, had not been informed in a language they could understand (namely French and Russian) about the reason for their detention and did not have effective access to a lawyer. Safeguards provided for by law should be better implemented.

POLICE HOLDING FACILITIES

104. Foreign nationals may be held in a law enforcement establishment for up to 96 hours, as under Article 57 LFIP, officials have 48 hours within which to issue a removal decision and 48 hours to organise the transfer to a removal centre.[87] The authorities underlined that the law does provide for the obligation to bring the foreign national before a judge within 48 hours but does not stipulate a maximum length of stay in holding facilities. In practice, foreigners are held in transitory establishments of this type until their files are completed (on average six to seven days).

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[86]. 7th General Report on the CPT's activities, para. 27 provides that immigration detainees should spend the absolute minimum time in these establishments (i.e., less than 24 hours).

[87]. According to Article 57 LFIP, foreigners apprehended within the scope of Article 54 shall immediately be reported to the governorate for a decision to be made concerning their status. With respect to cases where a removal decision is considered necessary, such a decision shall be issued by the governorate. The duration of assessment and decision-making shall not exceed forty-eight hours. If a decision on administrative detention is adopted, the foreigner shall be taken to a removal centre within forty-eight hours of the decision by the [same] law enforcement unit that apprehended them.

105. My delegation visited the Pendik holding facility where the material conditions were found to be substandard. The facility has a capacity of 250 and 115 were being housed at the time of my visit. It nevertheless appeared crowded, as four to five persons were held in 15m² rooms, sleeping on mattresses spread over the entire floor, with no sheets. No sanitary measures were in place despite Covid (no quarantine for newcomers, no wearing of masks). Mobile phones were confiscated upon arrival and those being held were given no opportunity to contact relatives or lawyers. There appears to be no access to fresh air.

106. I had the opportunity to speak with foreigners held in this facility who were all very critical of the conditions in which they had been detained in the Pendik facility. Lawyers I met also mentioned cases of immigration detainees being held for prolonged periods in police custody in other law enforcement establishments. Although the Pendik police station is not designed as a detention facility, in practice it is used as one, with foreigners being detained for more than the legally permissible period of 96 hours. The substandard conditions mean it is not suitable for short-term stays, still less extended stays of 15 days.

ALTERNATIVES TO IMMIGRATION DETENTION

107. One of the most commendable changes ushered in by the 2019 legislation is the formal introduction of seven non-detention measures88 that may be implemented by administrative authorities on a discretionary basis as alternatives to immigration detention (ATD), when detention is not deemed necessary to ensure compliance and co-operation by the foreign national concerned. This provision provides a much-needed legal basis for authorising and encouraging administrative authorities to use non-detention measures. It also enforces procedural rules and safeguards that must be observed in the implementation of these ATDs.

108. More than a year after its adoption, however, there is still a lack of implementation and guidance, as there are no clear criteria that would allow the competent authorities to apply the ATD on an individual basis. ATDs have reportedly only been applied since March-April 2021, ostensibly due to Covid-19 and only two measures – the obligation to reside at an address and reporting duties - are currently being implemented. No official could explain the process for deciding to apply a non-detention measure although it seemed that some women with children kept in detention could be deemed to qualify for such a measure. In this context, one of the goals of the EU/CoE project “Strengthening the human rights protection of migrants and victims of human trafficking” is to better address alternatives to immigration detention of migrants. Research into legislative realities in model countries is currently being carried out at the request of the DGMM. Several types of support materials are already available.[89] A HELP/UNHCR online course on Alternatives to immigration detention was launched in June 2020 and could be formally implemented to effectively train relevant officials. The online course addresses both the legal and practical aspects of alternatives to immigration detention in the context of migration. It is aimed at legal professionals as well as public authorities, university students and civil society organisations.

[88]. The non-detention measures listed are: obligation to reside at an address approved by the provincial authorities; regular reporting duties; family-based return; return counselling; participation in public-interest services on a voluntary basis; surety; electronic monitoring.
[89]. The support materials consist of a handbook " Alternatives to immigration detention: Fostering effective results", a Guide "Legal and practical aspects of effective alternatives to detention in the context of migration", a practical guide "Monitoring places where children are deprived of liberty" and the practical guide for Parliamentarians on “Visiting places where children are deprived of their liberty as a result of immigration procedures”.

VI. LONG-TERM PROSPECTS AND DURABLE SOLUTIONS

109. Durable solutions shall be found for all refugees. UNHCR lists local integration, resettlement, and voluntary repatriation as being three possible long-term solutions.

SOCIAL INCLUSION IN TURKEY

110. Ten years after the surge triggered by the war in Syria, Turkey's humanitarian response to the emergency situation has evolved. Comprehensive laws now give Syrians a clear status and rights, and measures are being taken to deal with the longer- than-expected presence of Syrians in Turkey. Syrian refugees have settled, 550 000 Syrian babies have been born while in exile and two million children have grown up with no ties to their country of origin.

111. Many commendable efforts have been made by the government to "facilitate mutual harmonisation of society and foreigners".[90] The adoption of a Harmonisation Strategy and Action Plan (2018-2023) is a positive development that has the broad support of international partners, including the EU and the UN. The latter are shifting their support from humanitarian assistance towards inclusion, self-reliance, and social cohesion to support the long-term prospects of Syrian migrants in Turkey.

112. Additional measures that are needed to reduce the dependency of the refugee community on aid include improved access to employment, language skills and capacity building. The European Commission against Racism and Intolerance (ECRI)[91] and the Intercultural Cities Programme (ICC)[92] have developed relevant expertise that can be usefully brought to bear. The absence of long-term prospects for Syrian migrants in Turkey also remains a major source of concern for the community. The temporary status granted to Syrian refugees remains very insecure and short-term as it is expressly stated that time spent in Turkey under temporary protection does not count towards meeting the residence requirements for a long-term residence permit or for the acquisition of Turkish citizenship. The 2016 SRSG report referred to an announcement that the Turkish authorities would start work on facilitating the acquisition of Turkish citizenship by Syrians. No such measures appear to have been taken.

RESETTLEMENT AND SOLIDARITY

113. All my counterparts, both governmental and non-governmental, emphasised the feeling of the Turkish population to be left alone to deal with the Syrian crisis and stated that the burden should be shared among the international community. The EU and the UN are expected to play an active role in finding a global political solution beyond simply providing funds, and to extensively engage in effective burden sharing through resettlement and support Turkey's efforts to help Syrians return to their country.

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[90]. The DGMM, which has been tasked with this job, underlines that "harmonisation as stipulated by law and in the terms of reference of our Directorate General is neither assimilation nor integration. It is rather a voluntary harmonisation resulting from mutual understanding of each other between the migrants and society".

[91]. See for example the work under ECRI General Policy Recommendation No. 10 on combating racism and racial discrimination in and through education.

[92]. See the ICC activities carried out in the context of migration and refugees.

114. Although resettlement is ongoing, it concerns only around 0.5% of the total population of Syrian refugees in Turkey.93 Resettlement operations worldwide were suspended temporarily between April and June 2020 due to the Covid-19 health crisis. Implementation of the resettlement scheme under the EU-Turkey statement did nevertheless pave the way for the resettlement of 2 422 people in 2020 (around half of them after the resumption of operations, i.e. between July and December). Between April 2016 and February 2021, 28 621 Syrian refugees were resettled from Turkey to the EU.[94] By 30 April 2021,[95] 1 530 refugees had departed for resettlement to seven countries, 78% of them Syrians. The main destination countries for resettlement, apart from the EU+ countries (including Norway and Switzerland), are Canada, the USA and Australia.

VOLUNTARY RETURNS

115. The 2019 legislation provides for material and financial support for foreigners who wish to return voluntarily and authorises the DGMM to co-operate with international organisations to carry out returns.[96]

116. According to those whom I spoke to, most Syrians would like to return to their original place of residence in Syria once the situation has stabilised, and there has been a change of regime.[97] None of the Syrian refugees I met during my mission could see themselves returning to Syria under the current conditions. Returns have nevertheless increased since mid-October 2020, and the Turkish Interior Minister announced that 414 000 Syrians had returned voluntarily to Syria. UNHCR recorded 16 805 voluntary returns from Turkey to Syria in 2020 and 5 124 voluntary refugee returns during the first three months of 2021.[98]

117. Allegations of manipulations of voluntary returns,[99] including during my visit, include reports of Syrians under temporary protection being misled, pressured, or bullied into signing a voluntary return request. Similar unvoluntary returns have been reported among Afghans.[100] When asked about the allegations, the authorities denied them, claiming that UNHCR has been involved in the voluntary return operations.

118. Forced returns to a country where a person's life is in danger are in violation of Articles 2 and 3 of the Convention. A recent EASO country of origin information report about returnees to Syria[101] confirms that conditions are not safe for a Syrian refugee to return under the current regime. Syrian authorities continue to arrest, detain, interrogate, torture, and pursue returnees through terrorism courts upon return. In such conditions, only voluntary returns, whereby the full and informed consent of the person concerned is sought, are to take place. UNHCR also stated that any return of refugees to Syria must be voluntary, dignified and at a time when it is safe to return.[102] The ECtHR found that the absence of a genuinely free choice rendered invalid the supposed waiver of the applicant's rights under Article 2 and 3, and the removal thus had to be considered as a forced return engaging the responsibility of the respondent State.[103]

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93. According to 2018 figures published by UNHCR, while at least 10% of the Syrians in Turkey (over 350 000 individuals) are in need of resettlement, resettlement needs for other nationalities are estimated to be at least at 25 000 individuals.
94. The EU announced it might reach the 30 000 benchmark of resettlement around mid-July 2021.
95. UNHCR Turkey operational update, April 2021.
96. New Article 60A LFIP.
97. See also TDA, Syrian Refugees in Turkey, Perceptions on Return to Syria, April 2020.
98. UNHCR, Situation Syria Regional Refugee Response, Voluntary Syrian Refugee Returns, 31 March 2021.
99. Amnesty International, Turkey: Syrians illegally deported into war ahead of anticipated 'safe zone', October 2019 and Deportation Monitoring Aegean, "Surrendered to Harmandalı Removal Prison – How EU policies lead to expulsion and maltreatment of migrants deported to Turkey", June 2019.
100. Amnesty International, "Turkey: Thousands of Afghans swept up in ruthless deportation drive", April 2018.
99. EASO, Syria – Situation of returnees from abroad, June 2021. This confirms the 2019 ECtHR judgement O.D. v. Bulgaria (Application No. 34016/18) where the Court found that in view of the overall situation in Syria and the individual risk faced by the applicant it could not be established that he could safely return to Syria.
102. UNHCR, Hundreds of thousands in harm's way in northern Syria, October 2019.
103. ECtHR judgment, N.A. v. Finland. (§§ 58-60).

VII. BORDER ISSUES

BORDER PROTECTION

SOUTHERN BORDER WITH SYRIA

119. The 911 km long Turkish-Syrian border is partly secured by a concrete wall. 765 km in length and still under construction, the wall was built in an attempt to increase border security, combat smuggling and reduce illegal border crossings due to the Syrian civil war. Only one border crossing is formally open from Turkey into northwest Syria for humanitarian aid. The renewal of the UN Security Council resolution authorising cross-border humanitarian aid through this crossing is subject to a decision by the Security Council.

120. Turkey has vowed to maintain an "open door" policy for those fleeing the fighting, although it closed border crossings from time-to-time following clashes near the frontier. Authorities indicated that checkpoints at the border are open for commercial exchanges and crossings by family members. Asylum seekers can submit their applications at a Gaziantep PDMM office located at the border, although in practice the satellite city of Gaziantep is not accepting further applications. It is unclear therefore how applications submitted at the border are treated.

121. Refugees, smugglers, and rebel fighters have been able to cross the border undetected in many remote areas, bypassing the main gates and leaving Turkey with a major security challenge. Over the course of 2019, smuggling from Syria to Turkey sky-rocketed as the escalation of conflicts in Idlib province helped turn it into a highly lucrative business.[104]

EASTERN BORDER WITH IRAN

122. Although I did not visit the remote region of Van on the Iranian border, I had informative contacts with scholars and associations who shared their findings.[105] Most of the irregular migrants from Afghanistan, Pakistan, Iraq, Palestine (half a million per year before the pandemic) enter Turkey through its eastern borders. Socio-economic difficulties in the region have fuelled an increase in the smuggling of goods and migrants across the Iran-Turkey border, carried on in dangerous conditions (high mountainous terrains, extreme weather, military zones and operations) and amid a culture of impunity.[106]

123. The construction of a wall, a barbed-wire fence as well as the deployment of high-tech surveillance systems along this border is ongoing with financial support from the EU.[107] This should not hinder access to protection procedures for those seeking asylum. Adequate training to border guards should be provided so as to ensure full compliance with the principle of non-refoulement.

EASTERN-MEDITERRANEAN BORDER

124. The migrants attempting to cross the border to the EU do so predominantly via the Eastern Mediterranean route, or the Northern Balkan route. Despite continuing smuggling activities, a decrease has been observed because of Covid, and because Turkey's coastguard has been doing its job according to FRONTEX.[108]

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[104]. The New Humanitarian, "Smugglers report booming market as people try to escape Syria to Turkey", 25 June 2019.
[105]. See Karolína Augustová, Impacts of EU-Turkey Cooperation on Migration Along the Iran-Turkey Border, May 2021.
[106]. Van Bar Association migration and asylum commission "Investigation report on the massacre of migrants/asylum seekers in Lake Van on 27.06.2020", 5 August 2020.
[107]. Funded using the EU's instrument for pre-accession assistance (IPA) for Turkey, IPA I and IPA II (2014–2020).
[108]. See IOM figures cited by Infomigrants and FRONTEX internal report mentioned by Politico Brussels Playbook, June 2021.

125. The Turkish coastguard commands in Dikili and Kuccukuyu that I met thoroughly explained the process whereby migrants usually leave at night, in small rubber boats which can only be identified if less than three miles away. Despite limited means and their physical incapacity to stop departures occurring simultaneously from different locations, the coastguard claims that 50% of crossings to Lesbos island have been intercepted.[109] The commander said that during the three first months of 2021, 960 migrants had been apprehended by the Turkish coastguard while 481 were reported by the Hellenic coastguard as having reached Greece. In 2021, those rescued have been mainly Afghans, Congolese, Somalians, Syrians and Central Africans. Smugglers are allegedly specifically targeting Somalians.

NORTHERN LAND BORDER WITH GREECE

126. So far in 2021, the second-biggest route for migrants into the EU after the Central Mediterranean has once again been the Western Balkans, with an 85% increase compared with the same period last year (about 13 300). One of the entry points is the 180 km land border between Greece and Turkey, part of which is formed by the Evros-Meriç river, with other parts being separated by a 12.5 km border fence built in 2012 which is supposedly going to be extended.

127. The March 2016 EU-Turkey statement was an attempt to close down the Western Balkan route, establishing a mechanism according to which for every Syrian returned from Greece to Turkey, one Syrian would be resettled from Turkey to an EU member state. The EU Facility for Refugees in Turkey was approved by the EU to contribute to Turkey's costs in hosting 3.6 million Syrians. After President Recep Tayyip Erdoğan's declaration on 28 February 2020 that Turkish forces would no longer prevent people from trying to enter Greece, thousands of migrants started to converge on the Turkish side of the north-west land border with Greece in the region of Edirne.[110] A huge makeshift camp with over 20 000 persons sleeping rough and living in dire conditions suddenly sprung up at the Pazarkule crossing on the Greek-Turkish border.[111] During the night of 26 March 2020, Turkish forces started dismantling the makeshift camps, bussing people thousands of kilometres south to quarantine camps[112] while Covid-19 infections escalated. Turkish border guards have since recovered control of the border.[113] During my visit to the Pazarkule border-crossing, I observed an empty checkpoint that was completely shut and bore no signs of the events that had occurred the previous year.

128. Crossing attempts are still numerous. Young males aged between 20 and 35, mainly from Afghanistan and Pakistan (although the number of Syrians is increasing) sail in small boats across the Evros-Meriç river, swim, or walk to reach the Greek side. Smugglers are mostly local people, hit by the economic crisis and who know the land. They increasingly have the same nationality as the migrants. Makeshift camps operate along the river, supported by organisations such as IOM and ASAM. Although they can access inland territory under the jurisdiction of the governorate, humanitarian and monitoring agencies cannot intervene in the increasingly militarised zones bordering the river without permission, which is difficult to obtain. This has been highlighted as a constant struggle for IOM.

[109]. See website of the Turkish coastguard at Irregular Migration Statistics (sg.gov.tr).
[110]. According to UNHCR Refugee Brief of 2 March 20201 and 2 March, 1 200 persons arrived on the Greek islands.
[111]. Istanbul Bar Association Human Rights Centre "Report on Visit to Pazarkule Checkpoint", 4-5 March 2020.
[112]. The Guardian, "There is no future': the refugees who became pawns in Erdoğan's game", May 2020.
[113]. The fifth annual report on the Facility for Refugees in Turkey confirmed that, "despite a short period of time in February/March 2020 during which Turkey actively encouraged migrants to move towards the Greek land border, the Statement continued to deliver concrete results in 2020 in reducing irregular and dangerous crossings and in saving lives in the Aegean Sea".

129. While attempting to cross, many migrants become stranded on the small islets that appear and disappear in the middle of the river and belong neither to Greece nor to Turkey. Rescue operations allegedly cannot reach these small islands as it would create political tensions. Rights organisations mentioned that border guards are not proactive into preventing crossings or dismantling trafficking networks. To help migrants find their way and prevent tragic incidents along the river, in February 2021 Turkey's migration authorities erected 157 notices in six different languages with the phone number of an emergency hotline and directions to the nearest settlement. This measure had started to produce results as the number had been called around eight times by the time of my visit according to the Governor.

PUSHBACKS INTO TURKEY

130. Pushbacks are measures by which persons are forced back over a border without consideration of their individual circumstances and prevented from applying for protection. Pushbacks are in violation of protection against refoulement provided by the 1951 Refugee Convention and the European Convention on Human Rights[114] and are contrary to the prohibition of collective expulsions of aliens stipulated in Article 4 of Protocol No. 4 to the European Convention on Human Rights.

131. Growing evidence of violent pushbacks of migrants at borders of Council of Europe member states has been documented and observed as an ongoing practice.[115] For nearly a decade now, allegations of pushbacks occurring at the border between Greece and Turkey have been growing. This question is noted in reports[116] and letters[117] of Council of Europe bodies as well as NGO reports and news agencies' investigation reports.[118] Cases are pending before the European Court of Human Rights, where respect for the principle of non-refoulement will be thoroughly assessed.[119]

132. The purpose of my visit was not to assess the situation from the Greek side, which I did not visit. Instances of violent pushbacks at the land border between Greece and Turkey were extensively detailed in the CPT report on its visit to Greece in March 2020, from §53 onwards. The Turkish authorities, UNHCR, NGOs and individual interviews carried out during my mission pointed out that further such pushbacks had been occurring ever since the Pazarkule events in March 2020.

133. Likewise, pushbacks at the Greek-Turkish maritime border were reported to us by the authorities, international partners, NGOs and individuals encountered, echoing the description provided in the CPT report on Greece. According to these sources, pushbacks generally involve blocking dinghies from landing on Greek soil, either by preventing them from docking until they run out of fuel or disabling the engine. The dinghy is then pushed back into Turkish territorial water by means of waves and wind, or towed. The second type of pushback allegedly occurs when people have managed to land on Greek soil. According to these sources, they are detained, threatened, physically brutalised and their belongings taken. They are then placed in a life raft with no means of propulsion, towed into the middle of the Aegean Sea and left to drift towards Turkish waters. Furthermore, allegedly pushbacks sometimes result in standoffs between the Greek and Turkish coastguards, both of which will stand by, refusing to aid dinghies in distress and carrying out unsafe manoeuvres around them. The few testimonies I gathered did nevertheless refer to swift and humane support from the Turkish authorities.

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[114]. *Refoulement* occurs when a person is sent back to a place where he or she might face persecution in the sense of the 1951 UN Refugee Convention. The Court has, through its case law on Article 3 ECHR, extended the principle of *non-refoulement* to all persons who may be exposed to a real risk of torture, inhuman or degrading treatment or punishment should they be returned to a particular country.
[115]. PACE Report "Pushback policies and practice in Council of Europe member States", 21 January 2019.
[116]. CPT report on its visit to Greece in March 2020, published 19 November 2020.
[117]. CoE Commissioner for Human Rights, Letter to the Greek authorities.
[118]. Amnesty International Report, "Greece: Violence, Lies and Pushbacks", June 2021; ECRE News, 31 January 2020, Human Rights Watch News, 16 July 2020, numerous articles from the Guardian, Der Spiegel, NY times and Bellingcat.
[119]. *L.A. and Others v. Greece*, Application No. 12237/20 lodged on 5 March 2020; *A.A. against Greece*, Application No. 12736/20 lodged on 7 March 2020.

VIII. RECOMMENDATIONS

134. The SRSG acknowledges the significant challenges which the Turkish authorities are facing in dealing with large numbers of refugees, asylum seekers and irregular migrants entering the country, including due to its geographical position.

135. Since the 2016 visit by the SRSG for Migration and Refugees to Turkey, many positive steps have been taken to improve access to protection and to basic needs, especially healthcare and education for Syrian migrants under temporary protection. Some of the challenges and shortcomings identified in 2016 nevertheless remain valid in 2021 and should be addressed. One of the new shortcomings observed concerns hindered access to the asylum procedure among young male Afghans.

136. The Council of Europe offers ongoing support to the competent authorities in developing and implementing a national framework on migration and asylum, in compliance with relevant international human rights standards, including the specific measures recommended in this SRSG report.

The Council of Europe should encourage and support the Turkish authorities to:

1) Increase transparency as regards data concerning international protection beneficiaries and applicants.

2) Lift the geographical limitation to the 1951 Refugee Convention, reduce discrepancies in terms of access to the asylum procedure, and in terms of the benefits and long-term prospects resulting from the different statuses, and address the hindrance to access to the asylum procedure among some categories of foreign nationals, including through clarification of the quotas established by the system of satellite cities.

3) Further promote and implement the CoE HELP online course on Asylum and Human Rights in order to help address the quality of decisions regarding refugee status determination and competence of staff.

4) Improve the effectiveness of the appeals remedy for foreign nationals in deportation proceedings in order to secure a substantive, rigorous and independent examination of claims as called for in the ECHR and its case-law, by considering extending the seven-day time-limit for filing an appeal against deportation decisions.

5) Enact and implement a clear, foreseeable, and functional vulnerability screening mechanism, effectively identifying the foreigner's special needs at the earliest stage and addressing vulnerabilities throughout the asylum and migration procedures. Activities included in the current Council of Europe Action Plan on protecting vulnerable persons in the context of migration and asylum in Europe (2021-2025) can effectively support Turkey's efforts in this context.

6) Introduce a clear regulation on access to legal aid and call for the mobilisation of resources to build a state-funded legal aid scheme that would be available to bar associations so that effective legal assistance can be provided to international and temporary protection applicants.

7) Better address the issue of unaccompanied and separated migrant children by increasing the availability of safe reception facilities for unaccompanied and separated minors, adopting measures to frame the age-assessment procedure in line with international standards; and ensuring that unaccompanied and separated children are effectively provided with guardianship in line with the Recommendation CM/Rec(2019)11 on effective guardianship for unaccompanied and separated children in the context of migration. The HELP online course on Refugee and Migrant Children should be further promoted and implemented.

8) Consider reviewing the recent one-year limitation for international protection holders to qualify for free social security and maintain healthcare coverage pending the final outcome of the asylum determination process. Further mobilisation of resources, of the kind already being done by the CEB in co-operation with Turkey's Ministry of Health and the EU, should support effective access to basic healthcare for all residents, including international protection applicants who are prevented from filing an application.

9) Lift restrictions on specific occupations reserved for Turkish nationals in line with ECSR recommendations and improve refugees' access to formal employment including through full use of the potential offered by the European Qualifications Passport for Refugees introduced by the Council of Europe to provide an assessment of higher education qualifications based on available documentation and a structured interview.

10) Pursue ongoing efforts to improve access to the asylum procedure, to information and to effective legal assistance within removal centres, and to improve access to removal centres by international partners such as UNHCR and IOM, as well as NGOs.

11) Swiftly enact secondary legislation to further define and frame the effective implementation of alternatives to immigration detention, with the support of the ongoing EU/CoE project "Strengthening the human rights protection of migrants and victims of human trafficking" and the CoE's HELP online course on Alternatives to immigration detention.

12) Provide adequate training to law enforcement agencies guarding borders so as to ensure full compliance with the principle of non-refoulement, on the Syrian and Iranian borders and ensure that full access to protection procedures and assessment of individual needs is guaranteed.

IX. APPENDIX: PROGRAMME OF THE VISIT

Tuesday 16 March

9:30 – 10:15 **Ministry of Foreign Affairs -** Bakan Yardımcısı/Deputy Minister Büyükelçi (Ambassador) Faruk Kaymakcı (in charge of European affairs)

11:00 – 11:40 **Ministry of Education –** Director General for Lifelong Learning Yusuf Büyük + Director General for EU and Foreign Affairs Burcu Eyisoy Dalkiran

12:00 – 14:00 **Directorate General for Migration Management** - business lunch with DG Dr Savaş Ünlü

14:15 - 15:00 **Ministry of Family, Labour and Social Services** – International Director General V. Ali Aybey

15:30 – 16:15 **Ministry of Foreign Affairs in charge of Migration affairs -** Deputy Minister Mr Yavuz Selim Kıran

17:00 - 18:00 **Removal centre –** Ankara, Akyurt District

18:30 – 20:00 **IOM** Chief of Mission Mr Lado Gvilava and Programme co-ordinator Mr Tommaso de Cataldo
UNHCR Chief of Mission in Turkey Mr Philippe Leclerc

Wednesday 17 March: Ankara

9:00 – 10:00 **CoE delegation in Ankara –** Head of Delegation Mr Christian Urse and programme officers

10:15 – 11:15 **Ministry of Interior Disaster and Emergency Authority –** AFAD Disaster and Emergency Authority Vice-President Ismail Palakoğlu

11:30–12:20 Mayor of **Keçiören Turgut Altınok**
Cemal Baş, member of Kecioren municipality and of the Turkish National Committee of the CoE Congress of Local and Regional Authorities, Kayha Özüm, Secretary General of the Union of Municipalities of Turkey

12:35 – 13:15 **Turkish Red Crescent Society** - Community centre, Bayram Selvi, Acting Director, Head of Migration Operations Department; Bülent Öztürk, Kizilaykart Cash-Based Assistance, Programmes Deputy Co-ordinator

13:30 – 14:30 **Migrant health centre** – managed by the Ministry of Health and World Health Organisation

14:45 – 15:30 **European Union Delegation** in Ankara – Eleftheria Pertzinidou, Deputy Head of Delegation and Marcin Grabiec, Head of Migration Unit, Nazli Yildirim Schierkolk, Programme Manager

15:30 – 17:15 **Association for Solidarity with Asylum Seekers and Migrants (SGDD-ASAM)** - Ibrahim Vurgun Kavlak, General Co-ordinator, Aysegul Yalcin Eris, Deputy General Co-ordinator, Ali Peymanfar, Protection Unit Co-ordinator,

Ankara Bar Association - Atilla Bulut, co-Head of Ankara Bar Association Refugee Rights Centre, Sinan Yolalan, lawyer and child protection specialist for ASAM

Refugee Support Centre Association (MUDEM – RSC) - Safa Karataş, General Co-ordinator, Tolga Karakaya, Project Co-ordinator

Thursday 18 March: Izmir

9:15 – 9:45 **IOM Izmir field office,** Pinar Genc Akcakaya

10:00 -11:00 **ASAM - Aegean Regional Coordinator,** Esra Şimşir, Aegean Regional Co-ordinator and Elif Atasal, Assistant
UNHCR Izmir Field Unit, Eylül Başak Tuncel, Protection Associate
Bodrum Sea Rescue Association, Ayberk Olcay, General Co-ordinator, and Kurtuluş Sakız
Izmir Bar Association, Şenol Karaaslan, lawyer / head of the Legal Aid Service
Izmir Metropolitan Municipality, Anıl Kaçar, head of the Social Projects Department and Yelda Şimşir, manager of the Urban Justice and Equality Branch

11:00 – 12:00 **Al Farah Child and Family Centre** (managed by ASAM and UNICEF) - Dilara Çakır, Al Farah Child and Family Support, Centre Manager

12:00 – 13:00 **Refugee Health Training Centre project** (managed by ASAM and WHO) - Izmir Karabağlar, Refugee Health Training Centre Manager, Fatma Asıbostan

13:15 – 14:45 **Harmandali Removal Centre**

15:30 – 16:00 **Mayor of Izmir,** Mr Tunç Soyer, Mayor of the metropolitan municipality of Izmir and member of the CoE Congress

16:30 – 17:00 **Governor of Izmir,** Mr Yavuz Selim KÖŞGER,

18:00 – 19:00 **Mülteci-Der,** Association for solidarity with refugees protecting and defending refugee and migrant rights, Piril Ercoban, General Co-ordinator

Friday 19 March: Izmir- Dikili - Canakkale

10:30 – 11:30 **Dikili Coastguard Station Command- İzmir**
Approach to the Greek sea-border on a coastguard boat

15:00 – 15:30 **Küçükkuyu Coastguard Station Command- Çanakkale**

16:00 – 17:00 **Çanakkale Removal Centre**

Monday 22 March: Gaziantep and Kilis

08:45 – 09:15 **UNHCR head of sub-office Gaziantep**

09:00 – 09:30 **Governor of Gaziantep,** Mr Davut GÜL

09:45 – 10:15 **Mayor of Gaziantep**, Fatma Şahin and Gaziantep metropolitan municipality, Önder YALÇIN, head of the Migration Department, Ahmet Ertürk, head of the Foreign Affairs Department

10:30 – 11:30 **Gaziantep office of the Provincial Department for Migration Management**

14:00 – 15:00 **Governor of Kilis,** Recep SOYTÜRK, and **Mayor of Kilis,** Servet RAMAZAN

15:00 – 16:30 **Elbeyli temporary shelter** - with **UNHCR** Veton Orana and Fuat Ozdorogru

18:00 - 19:00 **UNICEF** Chief of Gaziantep Field Office, Mr Filippo Mazzarelli

Tuesday 23 March: Gaziantep – Istanbul

9:00 - 9:30 **IOM Gaziantep field office** Rex Arnold Alamban, Head of Sub-Office, Torsten Haschenz, Senior Program Co-ordinator, Eleonora Servino, Project Co-ordinator and Modher Alhamadani, Senior Program Co-ordinator, Humanitarian Needs Assessment Program Syria.

09:30 – 11:30 **ASAM multiservice centre and SADA Women Empowerment and Solidarity Centre** (managed by ASAM and UN Women) – Ela Yiğit, Sada Women Empowerment and Solidarity Centre Manager, Fatih Resul Kılınç, Programme Analyst at UN Women
ASAM Southeast Region Coordination, Hasan Can Pala Southeast Region Coordinator, and Ebru Pelit, Coordinator Assistant
Discussion with the **Women's Committee** established by Syrian refugee women
UNHCR, Veton Orana, Head of UNHCR South-East sub-office

11:45 – 14:00 **Turkish Red Crescent Society -** call centre of the Red Crescent Card Cash-Based Support.
Mobile Child Team of the Turkish Red Crescent Children's Programmes Coordinator

17:45 - 19:00 **Transit zone and detention premises in the new Istanbul airport**

Wednesday 24 March: Istanbul - Edirne / Greek Border

11:00 – 11:30 **Governor of Edirne,** Ekrem Kanalp

11:45 – 14:15 **Edirne PDMM and Removal Centre** "Edirne Geri Gönderme Merkezi"

15:00 – 16:00 **Pazarkule/Kipi border crossing** between Greece and Turkey

18:00 - 19:00 **IOM Edirne local office**

Thursday 25: Istanbul

11:30 – 12:30 **Tuzla Removal centre**

13:00 – 14:00 **Pendik District Security Directorate, Foreigners Branch, provincial police holding facilities**

16:30 – 18:00 **Tuzla removal centre**

14:30 – 15:00 **Mayor of Sultanbeyli,** Hüseyin Keskin

15:00 – 17:00 **Mülteciler Dernegi – NGO working with the Sultanbeyli Municipality**
Visit **to a community centre and a women's shelter** receiving migrant women victims of domestic and gender-based violence

18:30 – 19h30 **Refugee Rights Turkey,** Oktay Durkan; **Danish Refugee Council,** Shahzad Jamil

Friday 26 March: Travel from İstanbul to Strasbourg Airport

09:00 – 10:00 **UNHCR –** Can Vodina, protection officer

10:30 – 12:00 **ASAM Istanbul Dolapdere Integrated Field Office,** Seda Dolaner, Centre Manager, Adel Kuzbari, Protection Officer,

Marmara Region Coordination, Gizem Demirci Al Kadah, co-ordinator, Ayşe Gökçek, assistant,
Marmara Region LGBTI+ Protection Team Ayşe Uzun, lawyer, Melike Çetindemir, field officer
Istanbul Bar Association Yasemen Öztürkcan, lawyer, co-head of Istanbul Bar Association Human Rights Centre, Esin Bozovalı, lawyer, member of the Istanbul Bar Association Human Rights Centre

12:00 – 13:00 **IOM** Chief of Turkey mission Lado Gvilava, head of resettlement and movement operations/head of office, Istanbul, Phil Eanes, Emergency Coordinator David Savard.