

# MÜLTECİ HAKLARI KOORDİNASYONU

## REFUGEE RIGHTS COORDINATION

Rights of Refugees and Migrants in Türkiye



Human Rights Agenda  
ASSOCIATION



İnsan Hakları Gönülleri  
DERNEĞİ



The Recommendations Regarding/Emcompassing Refugees & Migrants to Türkiye Cycle 3 (2017-2021)			
Mexico	45.301 (legal assistance & interpretation at borders)	Moldova	45.198 (Trafficking)
Albania	45.300 (returns in line with international law)	Bahrain	45.197 (Trafficking)
Qatar,	45.299 (continuation of hosting)	Iraq	45.196 (Trafficking)
Azerbaijan	45.298 (continuation of human rights based approach)	Bahamas	45.195 (Trafficking)
Libya	45.297 (Continuation to draw attention of international community)	Sri Lanka	45.194 (Trafficking)
Sudan	45.296 (Continue the provision of humanitarian aid, education and health services)	Lebanon	45.193 (Trafficking)
Afghanistan	45.295 (Ensure that all asylum seekers and migrants enjoy their basic human rights) 45.293 (Ensure that all migrant workers have access to medical care)	India	45.192 (Trafficking)
Venezuela	45.294 (Continue to call international attention)	Hungary	45.191 (Trafficking)
Philippines	45.292 (review and assess its immigration laws and policies)	Cuba	45.190 (Trafficking)
Yemen	45.291 (Continue efforts to formulate the National Migration Action Plan with the participation of all stakeholders)	Indonesia	45.189 (Trafficking)
Bahrain	45.256 (child labour)	Nigeria	45.188 (Trafficking)
Costa-Rica	45.228 (gender based violence)	Togo	45.187 (Trafficking)
Algeria	45.212 (access to education)	France	45.40 (hate speech)
Pakistan	45.136 (access to justice)	Ivory Coast	45.12 (reduction of statelessness)

# Main Issues

- Türkiye has been a primary destination for refugees and irregular migrants, accommodating nearly 3 million registered refugees and asylum seekers, along with a significant number of undocumented, irregular foreigners.
  - While the country's law largely aligns with international standards and substantial efforts have been made in the field, there are notable deficiencies and arbitrary practices within the asylum and migration field.
- 1) Access to Asylum Registration and Refugee Protection
  - 2) Detention, Deportation, Non-refoulement and Access to Justice
  - 3) Lack of Monitoring Mechanism and Transparency

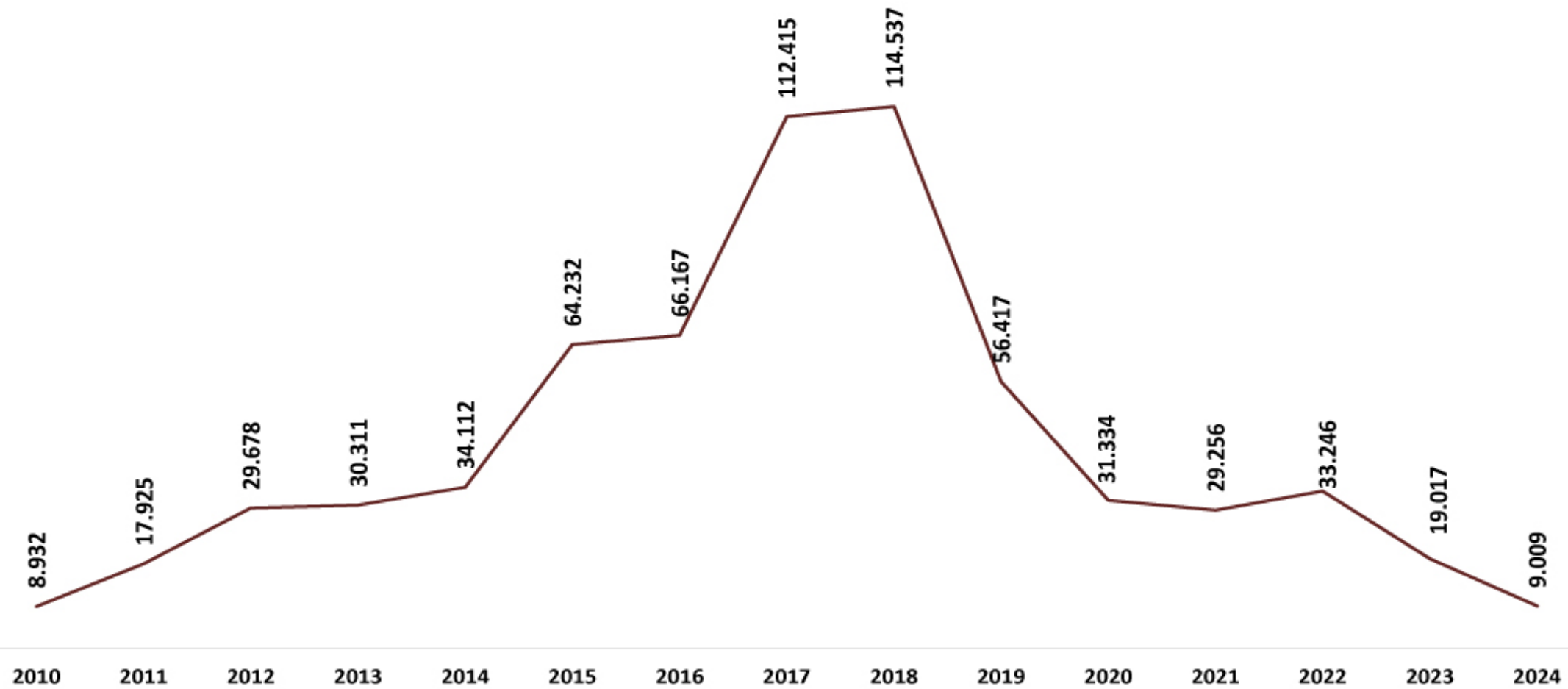
## 1. Access to Asylum Procedure

Despite legal safeguards, various obstacles such as ambiguous and arbitrary regulations, inconsistent implementation, and arbitrary barriers at provincial levels, removal centers, and borders impede the registration of asylum claims, fair asylum process, and protection against refoulement.

By itself, the numbers are an important indication of challenges in asylum registration.

Since 2022, no new applications for temporary protection have been registered. International protection applications have dropped by 92% since the UNHCR withdrawal from the registration and RSD procedures in 2018.

# INTERNATIONAL PROTECTIONS APPLICATIONS BY YEARS



## De facto policy of leaving foreigners “unregistered, undocumented”

Many individuals are being left unregistered and undocumented, despite their need for protection.

Those who managed to register their asylum claims are easily reclassified as irregular migrants

- If they are deemed threats to public security, public order, or public health,
- If they do not comply with procedural regulations such as unauthorized travel within the country,
- If they violate misdemeanor laws, or
- If they are involved in a criminal proceeding, even as victims or witnesses,

This re-classification subjects them to detention and deportation procedures, depriving them of basic protection.

## Refugee Status Determination (RSD) & Legal Reviews

- Arbitrary RSD procedures ignoring individual protection needs and country of origin information;
- Negative RSD results with no individual justifications;
- Inadequate vulnerability assessments;
- Ineffective legal reviews regarding asylum rejections.

## 2. Detention, Deportation & Non-refoulement & Access to Justice

### Detention

- Immigration detention used as the primary method, rather than exploring alternatives to detention;
- Detention with no administrative or legal decision;
- Poor detention conditions and allegations of ill-treatment in removal centers.



# Deportation & Access to Justice

- The deadline to appeal deportation order is only 7 days deadline which seriously obstructs access to justice
- Coerced “voluntary” returns;
- Deportations before the appeal deadline expires
- Deportations while court cases are still ongoing
- Deportations without notifying lawyers and families
- Deportations without conducting a non-refoulement assessment
- Deportations without allowing asylum applications
- Legal reviews fail to provide independent & substantive assessments that go beyond initial administrative decisions.

# Protection Against Refoulement

Measures to control irregular migration fail to consider the asylum needs of individuals.

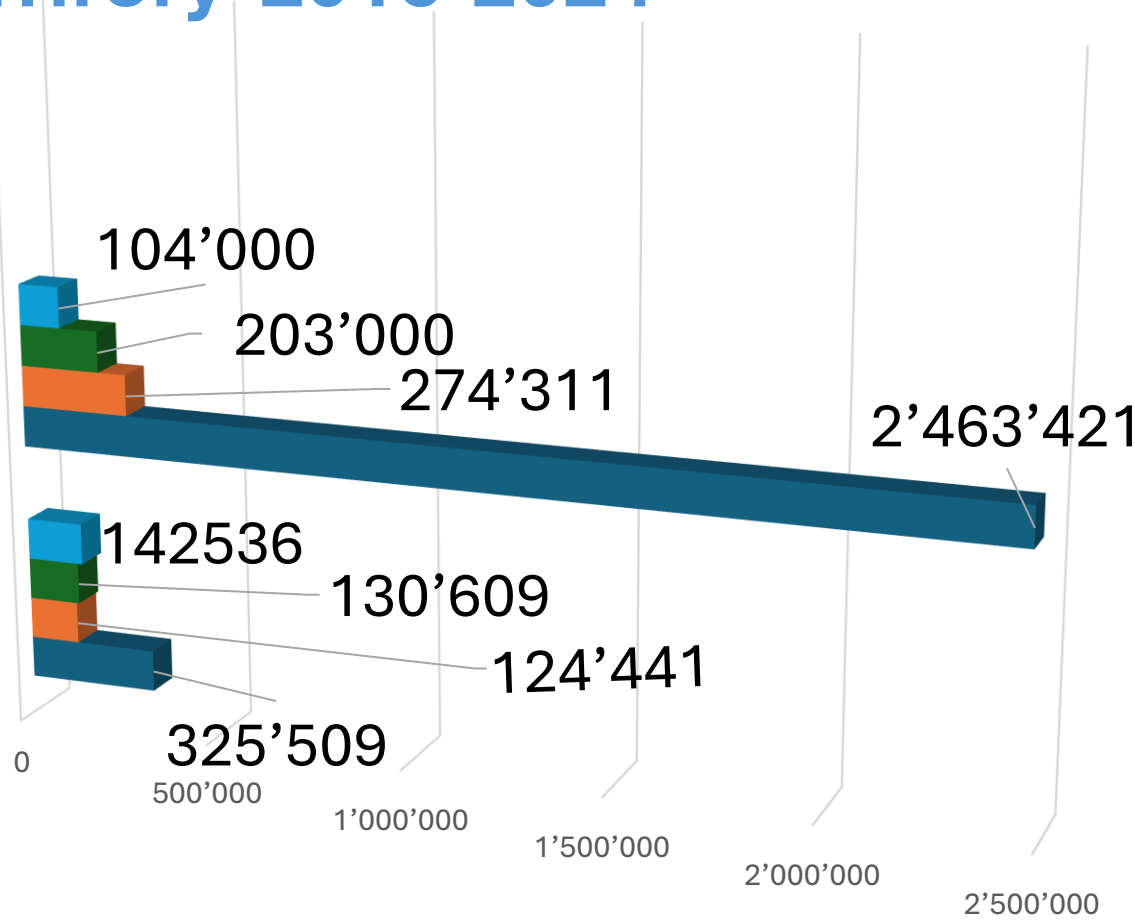
The Minister of Interior announced that between 2016 and 2024, nearly 4 million foreigners were either deported or prevented entry to the territory.

There is no information if individual non-refoulement assessments were conducted for them.

# Number of Deportations & Preventions Entry to the Territory 2016-2024

**PREVENTION OF ENTRY TO THE TERRITORY  
TOTAL 3.044.732**

**DEPORTATIONS TOTAL 723.095**



■ 2024   
 ■ 2023   
 ■ 2022   
 ■ 2016-21

### 3. Lack of Impartial Monitoring and Transparency

There is no independent and impartial mechanism to assess the enforcement of legal safeguards

Disaggregated data on vital aspects of international protection is unavailable

- undermines transparency & accountability,
- complicates efforts to monitor compliance,
- undermines advocacy efforts,
- hinders effective interventions aimed at ensuring adherence to international protection commitments.

# Main Recommendations

1. Ensure registration of each asylum claim and secure fair, effective and timely refugee status determination process for those seeking asylum
2. Ensure the individual conduct of the non-refoulement principle and finalise the ratification of Protocol 4 of the European Human Rights Convention
3. Extend lawsuit filing deadline for deportation orders, ensuring consistent documentation and notifications during the procedure
4. Incorporate an independent and impartial monitoring mechanism including right-based NGOs and UNHCR into the Law of Foreigners and International Protection
5. Ensure the collection and publication of comprehensive disaggregated data regarding the asylum and migration including acceptance and rejection rates, detention, deportation, vulnerable individuals, trafficking, access to justice.

**MÜLTECİ  
HAKLARI  
KOORDİNASYONU**

THANK YOU FOR LISTENING!  
Pırl Erçoban  
Refugee Rights Coordination

# TO CONCLUDE

- Regarding protection, there are systemic and practical barriers that prevent refugees and migrants from accessing education, healthcare, social services and the labor market.
- Furthermore, discrimination, hate speech, and hate crimes against refugees remain rampant, with perpetrators often enjoying impunity.
- **RECOMMENDATION FOR RECOMMENDING STATES**
- Ensure that your recommendations encompass refugees, asylum seekers, and migrants in relation to, but not limited to, the following areas:
  - ✓ Rights of children including access to education, early marriages, child labour
  - ✓ Combatting gender-based violation and gender equality
  - ✓ Access to education including higher education
  - ✓ Access to healthcare
  - ✓ Access to social services
  - ✓ Access to labour market
  - ✓ Access to Justice
  - ✓ Combatting discrimination, hate speech and hate crimes