

1. Good afternoon distinguished audience,

I am Pırl Erçoban representing the Refugee Rights Coordination that consists of 7 national NGOs from Türkiye.

2. Recommendations from the previous cycle

3.

Türkiye has been, for nearly 15 years, a primary destination for refugees and irregular migrants. Along with a significant number of undocumented, irregular foreigners, Turkey accommodates 2.8 million Syrian refugees under temporary protection and nearly 200 thousand from the other countries under international protection.

While the country's law largely aligns with international standards and substantial efforts have been made in the field, there are notable challenges and widespread arbitrary practices. In this presentation, I will address the challenges in 3 areas namely:

- 1) Access to asylum registration & RSD process
- 2) Detention, deportation, refoulement and access to justice
- 3) Transparency, Accountability and Independent Monitoring in the field.

4.

Despite legal safeguards, inconsistent and arbitrary implementation at provincial levels, in removal centers, and at borders; measures to "control" irregular migration, and so-called "confidential" regulations seriously impede access to 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.

5. CHART OF APPLICATIONS TO INTERNATIONAL PROTECTION BY YEAR

6.

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, order, or 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 criminal proceedings, even as victims or witnesses,

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

7.

The refugee status determination (RSD) process is another area of serious concern. Arbitrary implementation often disregards individual protection needs and country of origin information.

Negative RSD results lack individual justification, and there are inadequate vulnerability assessments.

Legal reviews of asylum rejections are often superficial.

8.

Deficiencies in Detention, Deportation Practices, and Protection Against Refoulement

In Türkiye, immigration detention is used as the first, rather than the last resort.

Foreigners may well be detained without any administrative or legal order.

Detention conditions are often poor and there are allegations of ill-treatment at removal centers which often go unattended.

9.

The seven-day deadline to appeal deportation orders severely restricts access to justice.

Deportations are often conducted

- before appeal deadlines expire,
- while legal cases are still ongoing,
- without notifying lawyers and families
- and without allowing access to asylum registration.

Legal reviews fail to provide independent and substantive assessments that go beyond initial administrative decisions.

10.

Allegations of forced “voluntary” returns are widespread.

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.

11.

You can see from the chart the numbers regarding deportations and prevention of entry to the territory.

12.

Lack of Oversight and Transparency

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

Comprehensive and disaggregated data on critical aspects such as acceptance and rejection rates, detention, deportations, vulnerabilities, access to justice are not available. This data gap not only undermines transparency and accountability but also prevents effective monitoring, weakens advocacy, and obstructs interventions to ensure compliance with international obligations.

13.

Recommendations

We urge the following actions:

1. Ensure the registration of all asylum claims and guarantee a fair, effective, and timely RSD 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 the appeal deadline for deportation orders to allow sufficient time for access to justice.
4. Incorporate an independent and impartial monitoring mechanism into the Law on Foreigners and International Protection, with participation from the right-based NGOs and the UNHCR
5. Collect and publish comprehensive disaggregated data on asylum and migration, including rejection rates, deportations, vulnerabilities, and trafficking and access to justice

14.

Thanks!

15.

For the Conclusion (1 minute)

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, but not limited to, the following areas:

- ✓ Rights of children including access to education, early marriages, child labour
- ✓ Combatting gender-based violation
- ✓ Access to higher education
- ✓ Access to healthcare
- ✓ Access to social services
- ✓ Access to labour market
- ✓ Access to Justice
- ✓ Combatting discrimination, hate speech and hate crimes