



EURO-MEDITERRANEAN HUMAN RIGHTS NETWORK
RÉSEAU EURO-MÉDITERRANÉEN DES DROITS DE L'HOMME
الشبكة الأوروبية - المتوسطية لحقوق الإنسان

Syrian Refugees in Turkey: A Status in Limbo

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*Boynuegin Camp, Syrian Refugees (15 Aug. 2011)
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The Euro-Mediterranean Human Rights Network is a network of more than 80 human rights organisations, institutions and individuals based in 30 countries in the Euromed region.

The Network is deeply attached to universal human rights principles and convinced of the value of cooperation and dialogue across and within borders.

www.euromedrights.org

Executive Summary:

From August 22-28, 2011, a delegation representing the Euro-Mediterranean Human Rights Network (EMHRN) conducted a fact-finding mission in Turkey to assess the situation of Syrian refugees in Turkey and examine the circumstances under which they fled their country.

The refugees, who arrived in large numbers since the eruption of violence in Syria mid-March, have either witnessed or personally suffered major human rights violations and they continue to fear for their lives should they return to their country.

The EMHRN continues to strongly condemn the Syrian government for its deadly crackdown and excessive use of force on pro-democracy demonstrators in Syria that has killed more than 2,700¹ people and led to the arrest and torture of hundreds more.

The EMHRN acknowledges the Turkish Government's humane handling of the thousands of Syrian refugees, and the efficient accommodation it has offered them.

However, EMHRN reiterates that providing full protection to the people coming from Syria seeking asylum in Turkey is not only a humanitarian imperative but a legal obligation under international refugee law and international human rights law.

As "guests" of the Turkish State, the Syrian refugees may enjoy *de facto* protection but their status is open to interpretation and to revocation. It lacks the minimum guarantees that the full application of the 1994 Turkish Asylum Regulations would provide.

In spite of the many shortcomings of the Turkish regular asylum system under which non-European asylum seekers are only entitled to temporary asylum, allowing Syrian nationals who wish to register as asylum seekers by the Governorship and the UNHCR would provide a clearer status and clearer legal protection against *refoulement*. It would also entitle refugees to being issued an ID card and a temporary residence permit.

With the Syrian crisis intensifying every week, and the likelihood that the refugees will be unable to return home in the near future, EMHRN urges therefore the Turkish government to reconsider the "guest" status provided to the refugees and to allow them to register as "asylum seekers".

¹ See <http://www.ohchr.org/FR/NewsEvents/Pages/DisplayNews.aspx?NewsID=11397&LangID=E>

Please note that this is a minimum estimation. Human Rights groups in Syria talk about more than 5000 victims <http://www.irinnews.org/report.aspx?reportid=93772>



Introduction:

During the mission, the EMHRN delegation met Turkish non-governmental organisations and officials, and other stakeholders in Istanbul, Antakya and Ankara.

The delegation visited five of the six operational camps which were hosting Syrian refugees at the time of the mission, and met many refugees who described what they had fled from in Syria, how the Turkish authorities were treating them, and how they were adapting to living in the camps.

This report is a short assessment of the reasons to have triggered an important flow of Syrian refugees to cross the borders into Turkey. The report also examines the way in which the Turkish authorities provided the Syrian refugees with both the protection and necessary assistance they were entitled to.

Due to the official restrictions in accessing some of the camps, and to the limited scope of the mission, the EMHRN does not claim this report to be exhaustive or comprehensive in its coverage of the refugee living conditions in Turkey, nor of the violations accounted for by the Syrian authorities.

Mission Background: The Brutal Repression of Pro-democracy Demonstrations in Syria

The EMHRN has followed with concern the escalation of Syrian government attacks against protest demonstrations that erupted mid-March, and has condemned in the strongest terms Syrian military and security handling of peaceful protestors, who have continued to call for democratic reforms.

Up to the time of writing of this report, more than 2,700 people were killed in Syria, according to United Nations figures, most of whom are civilians, including women and children. Thousands more have been arrested and killed, or held in incommunicado detention.²

A majority of the protests sparked in northern Syria, in Hama, Idlib, Deraa, Latakia and Homs. They later spread to parts of Damascus and, to a smaller extent, Aleppo. From the start, the Syrian government handled the demonstrators with a heavy hand, attacking them, often with live ammunition, and arresting protesters while at the same time offering reforms and portraying the demonstrators as armed thugs and Islamic extremists fighting security forces.

Since the eruption of violence in Syria, thousands of Syrian civilians, and defecting military forces, fled the violence into Lebanon, Turkey and Jordan.

A trickle of refugees began arriving in Turkey after the middle of March, but the larger waves crossed over in early June as they fled army violence in Idlib, and later Hama, Homs and Latakia. All of these cities are places where some of the heaviest security crackdown had been taking place. Refugees mainly crossed into Hatay, a semi-arid and mountainous border region. Many of the Hatay residents have family ties within Syria.

Both documented and undocumented refugees fleeing Syria were allowed entry to Turkey.

Turkey does not require visas from Syrian nationals: those who carry a passport are automatically allowed a three month stay. The refugees who did have a passport

²UN Office of the High Commissioner for Human Rights, Statement by Ms. Navi Pillay, UN High Commissioner for Human Rights to the Human Rights Council 17th Special Session on "Situation of human rights in the Syrian Arab Republic" in Geneva, 22 August,

<http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=11321&LangID=E>

See also Amnesty International, *Syria: Deadly detention: Deaths in custody amid popular protest in Syria*, MDE 24/035/2011, 31 August, 2011.

<http://www.amnesty.org/en/library/info/MDE24/035/2011/en>

mostly moved in with relatives, or rented apartments in the Hatay region and elsewhere in Turkey. They did not systematically register as asylum seekers with the authorities. ,

But the vast majority of refugees crossing the border were undocumented. At its peak in mid to late June, the number of Syrian refugees who arrived with no passports or other forms of identity was estimated at over 15,000. Turkey kept its border open and said it would provide them with temporary shelter. The refugees were settled in sixtent-camps that were set up near the border operating at the time and run jointly by the Hatay Governorship and the Turkish Red Crescent, under the security control of police and military forces. Syriandefectors from the army were separated from the civilians.

I. Fear for their lives triggered the flow of Syrian refugees into Turkey

The refugees met by the EMHRN delegation witnessed, or suffered, violations at the hands of the military and security forces and government militia. They were keen to make their stories known to the international public opinion.

Most of the refugees had escaped the Syrian town of Jisr al-Shughour in Idlib, and its surrounding villages after the Minister of Interior, Muhammad Ibrahim al-Shaar, announced on state TV (on June 6) that the authorities were planning to take decisive action against “any armed attack” in that region³.

They described the wide scale military and security attacks against protestors, and arrests and torture of activists or of their family members, and the forced participation of civilians in pro-regime demonstrations.

Most of the refugees in the camps were Syrian Sunni Muslims. There were also a few Palestinian refugees.

Many of the refugees met by the EMHRN had participated in the protests, and had sustained injuries and bullet wounds.

A Syrian refugee from Latakia described how his brother, who was a protestor, was blown up by militias, commonly known as “*shabbiha*”⁴), and who are known to be members of the Alawite minority closely linked to the ruling family. He said that as his brother was out early in the morning buying bread, a car drove by out of which

³ BBC News: “Syria vows decisive response in Jisr Al Shughour”, 6 June 2011, <http://www.bbc.co.uk/news/world-middle-east-13677200>

⁴A term which refers to the Syrian pro-Assad shadowy gangs and militias

hand grenade thrown at him. “He was killed on the spot and his body was shattered into pieces.”

Another refugee who was injured in the head and chest and awaiting further hospital treatment said snipers had shot at him three times during a protest march, and he was waiting to get well to return to Syria to take his revenge.

An activist from Jisr al-Shughour told EMHRN he fled when he discovered that Syrian military intelligence (*mukhabarat*) had his name on record and had identified him as a “terrorist” in a television program because he had covered events for international papers.

Another refugee from Jisr al-Shughour described how security forces had desecrated a mosque and wrote on its walls “Down with God, Long Live Bashar (el-Assad).”

In the words of one man who was referring to the Interior Minister’s televised warning: “The military has blood on its hands - when they entered Jisr al-Shughour four days after the warning, they found it empty - but they are still there, hiding their tanks in trenches.”

Many said military and security forces shot at men trying to rescue injured demonstrators, and at soldiers who refused to shoot at protestors.

Refugees interviewed denied Syrian state TV reports that the demonstrators were armed, and said it was the military that had killed a number of soldiers. The bodies of those soldiers were later discovered in a mass grave in Jisr al-Shughour.

EMHRN met a group of defecting military officers and soldiers who were housed in a separate camp in Hatay. These officers said orders to shoot at protestors were handed down verbally, and anyone who disobeyed “was arrested, tried quickly and liquidated.”

One of them said: “We left because we could not accept to kill (the protestors) and we were threatened with liquidation at any time.”

The EMHRN also met four Palestinians who fled to Turkey from Ramel, a UNRWA-run refugee camp in Latakia that housed more than 10,000 Palestinians, when the military shelled the city in August. The Syrian military shot at their camp in Latakia from the sea for a whole day before sending in tanks. Most of the residents had fled, and some eventually made it to Turkey. The Palestinian refugees claimed they were also exposed to violations on the part of a Palestinian political faction close to the Syrian regime which had arrested about 100 men from Ramel in July, on the grounds that they had participated in protest demonstrations.

At the time of the EMHRN visit, Syrian military and security forces had reportedly formed a ring around the border area to prevent more refugees from crossing into

Turkey, making it dangerous for them to move either way, and leaving scores of families stranded in a no-man's land along the border.

One of the refugees, who said he had been arrested and tortured by the Syrian Political Security Agents for two days, tried to return after he heard his brother had been arrested, but turned back when Syrian army forces shot and killed two of his companions as they crossed the border.

The Syrian authorities reportedly arrested activists from their homes after their return, and a Syrian refugee provided the Mission with the names of seven men who were allegedly detained when they returned to Syria between June 25 and July 5, four of whom were held on the day of their arrival.

According to Syrian activists, the Syrian military presence near the border was still noticeable in early September as a number of defecting officers from Jisr al-Shughour came under attack by government troops as they tried to reach the Turkish border.

II-Protection provided by Turkish authorities to Syrian refugees

a) Turkey's Refugee Protection Framework

Turkey ratified the 1951 Geneva Convention on the Status of Refugees with a provision granting it the option to apply the Convention only to persons who have become refugees as a result of events occurring in Europe. When Turkey acceded to the Protocol of 1967 protocol, it expressly maintained this geographical limitation⁵.

Accordingly, Turkey has no international legal obligation under the Geneva Convention towards refugees who have fled as a result of events occurring outside Europe. Non-Europeans are thus not eligible for refugee status or permanent residency in Turkey.

For non-European nationals, asylum in Turkey is temporary by nature. Those who are recognised to be in need of international protection are only given "permission to seek asylum in another country".

⁵UNHCR, [Reservations and declarations to the 1967 Protocol Relating to the Status of Refugees](http://www.unhcr.org/pages/49da0e466.html): "The instrument of accession stipulates that the Government of Turkey maintains the provisions of the declaration made under section B of article 1 of the Convention relating to the Status of Refugees, done at Geneva on 28 July 1951. According to this article, Turkey only applies the Convention to persons who have become refugees as a result of events occurring in Europe, and also the reservation clause made upon ratification of the Convention to the effect that no provision of this Convention may be interpreted as granting to refugees greater rights than those accorded to Turkish citizens in Turkey." <http://www.unhcr.org/pages/49da0e466.html>

Non-European asylum seekers are required to present themselves to the local governorate to “request residence permission in order to seek asylum from another country”⁶. They are also required to register with the UNHCR⁷. Once registered, the refugees are issued an identity card, and provided with a temporary residence permit.

The UNHCR assists the Turkish authorities both in the refugee status determination (RSD) process, and in identifying “durable solutions”, namely resettlement in a third country. If and once recognised, they are “allowed to reside in Turkey for a reasonable period of time and granted the right of temporary asylum (...) until they are admitted as refugees by a third country”⁸

According to the UNHCR, a period of “up to 15 months or more may be required to find a resettlement opportunity. Refugees awaiting resettlement have few opportunities to achieve self-reliance or to gain access to social protection”⁹. The UNHCR also expresses concern about the number of “recognised refugees whose stay in Turkey is extended for long periods, due to a lack of resettlement opportunities”¹⁰

In a 2009 report, Amnesty International stated that “persons in need of international protection in Turkey are prevented from accessing their internationally recognised rights due to Turkish asylum regulations that do not conform to international standards and which are unfairly and arbitrarily applied”¹¹

But the vast majority of Syrian refugees have not even been able to enter the “regular” Turkish asylum system which provides for minimum legal certainty and basic rights, in spite of its many shortcomings.

b) The Syrian Exception

Although the 1994 Regulation which sets up the procedures and principles applying to persons wishing to seek asylum in Turkey includes a chapter on “Action and precautions to be taken in the event of the acceptance of refugees and asylum

⁶ Regulation n° 1994/6169 on the Procedures and Principles related to Possible Population Movements and Aliens Arriving in Turkey either as Individuals or in Groups Wishing to Seek Asylum either from Turkey or Requesting Residence Permission in order to Seek Asylum from Another Country.

⁷ UNHCR, Information for non-Europeans Seeking Asylum in Turkey, <http://www.unhcr.org.tr/?page=45>

⁸ Turkish National Action Plan for the Adoption of the EU Acquis in the Field of Asylum and Migration, p.12 <http://www.ir.metu.edu.tr/iom/pdf/tr3.pdf>

⁹ <http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e48e0fa7f&submit=GO>

¹⁰ Ibid.

¹¹ Amnesty International, Stranded: Refugees in Turkey Denied Protection, 2009, p. 8

seekers who come to our borders or enter Turkish territory in groups”, the provisions which relate to their legal status do not seem to have been formally applied to the Syrian refugees.

Those refugees who fled the recent unrest in Syria have so far been registered by the Turkish authorities upon their entry at the border, and placed in the refugee camps with no access to the refugee registration process with UNHCR.

Turkish authorities consider Syrian refugees as “guests”¹², and while there seems to be no apparent restriction on the length of their stay, they have no official international or Turkish document describing their status as refugees or asylum seekers, and no residence permit.

Other than a highly publicised visit with UN Goodwill Ambassador Angelina Jolie, on June 17,¹³ the UNHCR has had limited access to the camps.

Refugees staying in the camps are not granted effective and systematic possibility of registering to an asylum application with the UNHCR, nor with the Governorate.

They are allowed out of their camps for a few hours a day and are accompanied by security personnel to nearby village markets, making it difficult, if not impossible, for them to travel to the UNHCR in Ankara, to proceed with their asylum application.

In addition, most of the refugees could not afford to travel to the UNHCR Ankara office, some 700 km away, or to its office in Van in south eastern Turkey, nearly 900 km away even if they were allowed to move more freely outside the camps.

Only a handful of Syrian refugees managed to reach the Ankara UNHCR office in June. They were registered as asylum seekers, and obtained appointments for RSD interviews, and also applied for asylum status to the Hatay Directorate for Security.

In other words, even if the Turkish authorities have offered *de facto* protection to Syrian refugees by keeping their borders open and by allowing the refugees to remain in the country, they are obviously reluctant to fit them into the official asylum system provided for by the 1994 Asylum Regulation. The ambiguous label of “guests of the State” appears to be temporary and revocable, giving rise to fears of deportation amongst the refugees.

Nearly all the refugees met by EMHRNsaid they wished to avail of UNHCR protection, and were worried about their unclear legal status in Turkey.

¹² The informal status of “guests” had been granted before to the Chechen refugees fleeing the war in Chechnya by the Turkish authorities. According to Amnesty International, “attempts made by individuals to make asylum application have reportedly been refused by officials, in spite of the fact that they belonged to the category of European asylum seekers. See Amnesty International, op.cit., p. 12

¹³ UNHCR, Goodwill Ambassador Angelina Jolie visits Syrian Refugees in Turkey, Hatay Province, 17 June 2011 <http://www.unhcr.org/cgi-bin/txis/vtx/search?page=search&docid=4dfb90049&query=Turkey%20Angelina>

In a reply to written questions, the UNHCR insisted that it has shared its views and expertise with Turkey concerning protection implementation in Hatay, and highlighted the office's willingness and availability to strengthen partnership with Turkey in support of the protection extended to those fleeing Syria. "UNHCR is ready to fulfill the full scope of its mandate and expertise accordingly".

The UNHCR confirmed that Turkey continues to refer to the Syrian nationals who are hosted in Hatay as "guests". But they consider that the protection that Turkey provides largely overlaps directly with the concept of "temporary protection", which, in their view, is an acceptable approach to situations of influx of persons on a substantial scale¹⁴.

However, whereas the concept of temporary protection is included in a draft asylum law, it has no formal existence under the present Turkish law. Moreover, by international standards, the beneficiaries of temporary protection should be provided with a legal status that authorises them to remain in the country of refuge for the duration of the protection, and receive the necessary documentation¹⁵. And finally, temporary protection should always be without prejudice to full refugee status.

In spite of the many shortcomings of the Turkish regular asylum system, allowing Syrian nationals who wish to register as asylum seekers by the Governorate and the UNHCR would provide the refugees with a clearer status, and would offer the advantage of issuing ID cards, temporary residence permits and clearer legal protection against *refoulement*.

c) Security Concerns

The EMHRN delegation confirmed reports that military officers and soldiers who had defected are housed with their families in a separate camp in Hatay.

These refugees are particularly vulnerable and sensitive, and their situation is of special concern to the Turkish authorities for obvious security reasons.

In interviews with the EMHRN, refugees said that they wanted to be under UNHCR protection, and felt unprotected especially given that their camp was close to the border with Syria.

¹⁴ Written reply from Metin Corabatir, Spokesperson, UNHCR Turkey, on 25 September 2011.

¹⁵ Resolution 5/2002 on Refugee Procedures (Guidelines on Temporary Protection), International Association, at <http://www.unhcr.org/refworld/publisher,ILA,,4280b0804,0.html>.

See also Article 8 of the Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof.

The notorious case of Lt. Colonel Harmoush illustrates the need for effective protection.

Lt. Col Hussein Harmoush is a prominent defected senior Syrian army officer residing in Yayladağı refugee camp who disappeared in early September in unclear circumstances.

According to Syrian opposition activists, Harmoush was to meet a Turkish intelligence agent when he was last seen in the camp. Activists believed the agent had colluded with Syrian intelligence authorities.¹⁶

In mid-September, Harmoush suddenly turned up on Syrian State TV out of Damascus and retracted earlier statements he had made against the Syrian regime, especially about receiving orders to fire at civilians.

Referring to Harmoush's re-appearance in Syria, the Turkish government said it would not send back anyone who had come to Turkey for refuge under any condition, for humanitarian reasons and in compliance with international laws and conventions.¹⁷

In general, a number of refugees told EMHRN they feared Syrian intelligence agents were in the region, or trying to get into the refugee camps.

The much publicised case of Colonel Harmoush obviously intensified feelings of insecurity amongst the refugees.

III –Living in Refugee Camps

a) Material Conditions

Of the six operational camps, three camps are set up within disused tobacco company warehouses (Yayladağı 1 and 2, and Altınözü), and, like the other camps, they consist of row upon row of white tents with the Red Crescent emblem. These sheltered camps are regarded as the 'most comfortable', in comparison to the three other camps (Bohsin, Reyhanli and Karbeyaz) established outdoors on dry semi-arid land, and exposed to harsh weather conditions.

¹⁶Telephone interview with an opposition activist in exile, 20, September 2011.
See also <http://www.bbc.co.uk/news/world-middle-east-14945690>

¹⁷Turkish Foreign Ministry statement (Arabic), September 15, 2011. <http://www.mfa.gov.tr/15-%D8%A3%D9%8A%D9%84%D9%88%D9%84-2011%D8%AA%D9%88%D8%B6%D9%8A%D8%AD.ar.mfa>

See also Al Arabiya News, *The full story behind the abduction of a defecting officer of the Syrian army*, 20 September, 2011. <http://english.alarabiya.net/articles/2011/09/19/167663.html>

According to the assessment made on the ground by the EMHRN delegation, the number of people in five of the camps ranged between 1,200 and 1,500 residents in each camp at the time of the visit, with women and children forming about 70 percent of the camp population. The rest were men from different age groups.

The sixth camp housed some 40 defected Syrian military men and their families.

Almost all the refugees EMHRN spoke to praised Turkey's welcome and treatment, and the way the Red Crescent has provided them with all their basic needs.

Each family was given one tent in the six camps visited, and family privacy was apparently respected. Each camp had around six shower and toilet areas for men and women. Many refugees said this was highly insufficient in terms of sufficient bathing water for everyone.

Some of the refugees pointed at the poor quality of water, and to the fact that there was little to no space between their tents, allowing infectious diseases to spread.

The Turkish Red Crescent provided three hot meals a day, and ran the day-to-day management of the camps. The camps were mostly well equipped with drinkable water, sports areas, television screens, children's playgrounds, vocational training and teachers for Turkish language classes. A prominent Turkish relief organisation, the IHH¹⁸, supplemented the Red Crescent provisions with fruit, vegetable, clothing and other material requirements. The IHH was the only non-government organisation to be allowed entry in the camps, on an informal basis.

EMHRN found that refugee participation in daily life varied from one camp to another. This was also the case in terms of relations among the residents, the medical attention and services provided, and the residents' interaction with the camp management.

In one of the camps, where services were relatively poor, residents had organised themselves into committees to ensure hygiene, cooking, information and education.

In another camp, however, there clearly was tension amongst the refugees and mistrust between them and the management. Most refugees EMHRN spoke to said that while they appreciated Turkey's generosity, they felt they were being held in a big prison due to restrictions on their movements, communication and camp visits.

Police or military forces were assigned to control the camps, apparently depending on the degree of protection and security that was needed. The military police

¹⁸The relief organisation works with partners in 110 countries, including Kosovo, Cuba, Lebanon, and Afghanistan. According to its website, the IHH has consultancy status with the UN ECOSOC, is a member of the Organisation for Islamic Conference (OIC), and of the UK-based Humanitarian Forum, which focuses on creating dialogue between Muslim countries and the West. <http://www.ihh.org.tr/anasayfa/e>

guarded the camp housing defected Syrian officers and soldiers, and other camps closer to the border.

b) No Allegation of Gender-based Incidents

During the mission, EMHRN heard of no incidents of gender-based violence or sexual abuse.

The delegation specifically asked different sources, including refugees, Turkish and international NGOs, lawyers and physicians about reports that have repeatedly surfaced in the Syrian state media about the rape of scores, if not hundreds, of women inside the camps at the hands of Syrian refugees and Turkish soldiers.¹⁹ All strongly denied the reports, and said this was part of the Syrian propaganda, and that camp residents had means of communication and would have raised the alarm had incidents like rape occurred.

c) Medical Care

According to Turkish officials, one general practitioner (GP), two gynaecologists, and two paediatricians were allocated to each camp. Nevertheless, refugees reported to EMHRN that this was not consistently observed, and in some camps there was no doctor available at all during weekends.

A significant number of refugees also said they were unhappy with the quality of medical care, particularly with what they said was insufficient paediatric care.

Women especially complained that children often fell sick due to seasonal ailments, overcrowding and poor water quality, and were sometimes given the wrong treatment.

A local doctor admitted it was difficult to provide for the long-term treatment of children with chronic conditions because of the distance separating the camps from hospitals and the limits on the refugees' mobility.

According to Turkish NGOs, at least 150 refugees who had sustained injuries and bullet wounds underwent treatment in hospitals in Antakya, Gaziantep and Istanbul.

A delegation from the Turkish Medical Association's Antakya branch²⁰ that visited two camps called on the authorities to allow for improvement in water quality and supply, and wider spaces between the tents to safeguard against fire. During a press conference, they also recommended that the camp management must prepare to move all the refugees to sheltered spaces before the start of winter if they had not

¹⁹ Syrian Arab News Agency, *Syrian Women Relate Rape Crimes at Turkish Camps*, 20, September, 2011

²⁰ Professional association of private physicians of Antakya

returned home by then. The association offered to help the Red Crescent with its own specialist trained in emergency health management, but got no response.

d) Freedom of Movement

Most of the refugees met by the EMHRN delegation complained of a lack of clear regulations on their freedom to move outside the camps.

Although the Turkish authorities have, on a number of occasions, detained refugees who were found further from where they were allowed to, some refugees have taken the risk of moving with no permission. They justified this move by saying it was the only way they could meet people freely.

EMHRN learned that refugees have been authorised to leave their camps only recently, on a daily, rotational basis, in accompanied groups of 10-20. They are driven in a police car, in the presence of a policeman to the nearest town or village, where they are allowed some shopping in local markets for a few hours before being taken back to the camps.

The refugees appreciated this improvement, but said authorisation for their outings was arbitrary and remained at the discretion of the camp director.

Clearly, the fact that the vast majority has not been able to register as asylum seekers, and that they have not been given any official Turkish document restricts the possibilities for the refugees to move freely outside the camps.

e) Unclear Regulations

Other rules set by the management differed from one camp to another – such as the way in which visits by friends or relatives were allowed, or the use of laptops and the Internet.

A number of refugees complained about tight security restrictions and reported the detention of a number of residents following protests or fights over what they perceived as unfair management procedures.

For instance, a woman in Yayladağı¹, said her five sons got into a fight with food distribution staff, and were taken away and detained for 24 hours. When they were released they were taken to a different camp. The sons had still failed to be reunited with their mother at the time of the mission.

f) Limited Access to Camps:

by Humanitarian Organisations

The Turkish authorities have denied regular access to other organisations that could provide assistance, including local and international NGOs, and the UNHCR.

The Coordination for Refugee Rights (CRR), a group of seven Turkish and international human rights organisations have had no access and said it was impossible to verify reports and information they received.

The CRR and other Turkish professional associations have repeatedly applied to the Hatay Governor to authorise visits to the camps, but were only invited to meet his office. Denying the camp visits were sustained on the grounds that it would violate the refugees' privacy and expose them to potential danger. The local governor's office made it clear that this was done on the orders of the Prime Minister's office.

by the Media

Turkish and international media have had limited access to the refugee camps, and many refugees said this was a cause of great frustration.

A young refugee in his twenties told EMHRN: "Our main problem is we have no access to the media, we want to tell our stories, about the killings we witnessed there, and many of us have no idea where their father, brother or children are. We need to tell the world what happened to each and everyone of us."

EMHRN Recommendations:

PROTECTION

-The EMHRN urges Turkey to continue to open its borders to people fleeing the conflict in Syria, and to ensure their protection within Turkey.

-The EMHRN urges Turkey to ensure the Syrian refugees who wish to register for asylum have unrestricted access to the competent Turkish authorities and to the UNHCR, and to grant the UNHCR unrestricted access to the camps

-The EMHRN urges Turkey to issue identity cards and residence permits to each Syrian refugee who registers through an asylum application procedure.

-The EMHRN urges Turkey to allow and encourage the UNHCR to fulfill the full scope of its mandate regarding the Syrian refugees

-The EMHRN urges the UNHCR to continue to cooperate with the Turkish authorities in order to ensure that the refugees from Syria enjoy the full rights of refugees and asylum seekers.

-The EMHRN urges the UNHCR to accept and facilitate to register the Syrian nationals who wish to avail themselves of their protection by applying for Refugee Status Determination

FREEDOM OF MOVEMENT

-The EMHRN calls upon the Turkish authorities to lift limitations on, or to apply the minimum limitations possible, to the refugees' freedom of movement outside the camps, and to introduce clear and standard regulations that are applied equally across the camps. Any restriction should be set out in clear and standard regulations, exclusively motivated by concerns for their security, and proportionate.

EQUAL TREATMENT

-The EMHRN calls upon the Turkish government, the Local District Governor of Hatay (*Qaimmaqam*), and the Red Crescent managing the refugee camps in Hatay to introduce clear and standard regulations in the camps regarding the rights and obligations of refugees. These regulations should be applied equally across the camps;

VISITING RIGHTS

-The EMHRN urges the Turkish authorities to lift restrictions on camp visits, including visits by the media, provided the security of the refugees is ensured, and to implement clear regulations on an equal basis amongst the camps.

COORDINATION AND COLLABORATION WITH NGOS

-The EMHRN calls upon Turkey to encourage the coordination with, and cooperation of local and international non-governmental organisations and professional associations that also have expertise in managing refugee camps and emergency situations.

-The EMHRN calls upon the Turkish authorities to allow humanitarian NGOs to visit the camps, provided security measures are observed. They may be able to further ensure that the needs of refugees are identified and met, especially in terms of psychological, medical, legal aid and supplement the material aid Turkey is already providing.

ANNEX:

The EMHRN Delegation was composed of:

- **Sarah Wansa**, Refugee Rights Expert from Frontiers Ruwad Association (Lebanon);
- **Nejla Sammakia**, Human Rights Consultant and Rapporteur;
- **Radwan Ziadeh**, Director of the Damascus Center for Human Rights Studies (DCHRS) and visiting Scholar at Harvard University, Expert on the Human Rights situation in Syria;
- **Rim Hajji**, EMHRN Deputy Coordinator on Migration and Asylum;
- **Osman Isci**, Turkish Interpreter and Assistant.

The EMHRN Delegation met:

In Istanbul:

- The Foundation for Human Rights and Freedoms and Humanitarian Relief (known as IHH);
- Helsinki Citizen's Assembly, a liberal think-tank and Human Rights organisation.

In Antakya, Hatay:

- Local representatives of the Human Rights Association (IHD), EMHRN member and member of the Coalition for Refugees Rights in Turkey (CRR); lawyers;
- Local representatives of the Human Rights Research Association, member of the CCR;
- Local representatives of Mazlunder, the Organization of Human Rights and Solidarity for Oppressed People ;
- Members of the Turkish Medical Association Antakya Branch.

In Ankara:

- SETA, a Turkish think-tank;
- The Turkish Human Rights Presidency of the Prime Minister's Office;
- The head of section of the EU delegation to Turkey;
- The Refugee Coordination Committee, a group of seven Turkish and international organisations working on Refugee Rights.

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