

# Turkey



## Main objectives

In 2005 UNHCR's objectives were to support Turkey's development of new arrangements for the reception and protection of refugees and asylum-seekers in conformity with international standards; collaborate with the Government and other partners to increase the knowledge and skills of key officials responsible for refugee and asylum matters; monitor Turkey's implementation of the 1951 Refugee Convention and ensure that asylum-seekers are admitted and have fair access to the national asylum procedure; ensure efficient refugee status determination (RSD) for asylum-seekers under UNHCR's mandate; promote durable solutions for refugees through resettlement, local integration and voluntary repatriation; cooperate with the Government and NGOs in meeting the basic protection and material needs of refugees and asylum-seekers with an emphasis on the protection of refugee women and children; and raise public awareness of and support for the problems of refugees and asylum-seekers.

## Impact

- The Turkish National Action Plan for the Adoption of the European Union (EU) *acquis* in the field of asylum and migration was signed in March 2005. It incorporates protection and social dimensions, which derive largely from UNHCR's advocacy role, including conformity with international asylum standards on such matters as gender- and child-sensitive procedures and interviewing techniques. Under the plan, the Government is expected to lift Turkey's long-standing geographical limitation to the 1951 Refugee Convention by 2012.
- UNHCR supported the implementation of the National Action Plan by training some 650 government officials, targeting staff of the Ministry of the Interior's General Directorate for Security who will be involved in the development of the new Turkish asylum system. The training contributed to a better understanding of asylum-related matters among key governmental staff and helped ensure that international protection was granted to the most deserving cases.
- An agreement was reached with the Turkish authorities on joint standards and procedures for the protection and care of separated children.

## Working environment

### The context

UNHCR's operations are shaped by Turkey's decision to retain the "geographic limitation" to its obligations under the 1951 Refugee Convention and 1967 Protocol. Under a 1994 regulation, European asylum-seekers may apply for refugee status, while non-Europeans are eligible for temporary asylum. UNHCR plays a direct role in relation to non-European asylum-seekers by providing them with protection and material assistance, while seeking durable solutions, mostly through resettlement.

Turkey's aspiration to European Union (EU) membership continued to be a factor that influenced UNHCR's working environment. Although UNHCR's collaboration with the Government to strengthen the national asylum system pre-dates Turkey's candidacy for EU membership, the accession process has become the country's main driving force and is supported by a clear agenda and timeframe, and new resources. Turkey's commitment to lift the "geographic limitation" by 2012 is a positive development. However, for this goal to be achieved, the Government will need to have in place the necessary legislative and institutional framework, infrastructure and staffing.

During the planning stages of the new asylum system, Turkey's priority was the implementation of the political reforms needed to satisfy the "Copenhagen criteria". These benchmarks on democratization and human rights were established by the European Council of Ministers as the minimum requirements for the opening of formal accession negotiations with Turkey. A positive recommendation from the European Commission (EC) followed an intensive debate among the member States in October 2005. The Council's decision opened a new phase during which implementation of the EU *acquis* on justice, liberty and security, which includes the areas of asylum, migration and border management, is expected to have a higher priority in Turkey within the overall accession process.

### Constraints

Insecurity and political instability in Iraq created major constraints for the Government of Turkey and for UNHCR with regard to achieving durable solutions for certain refugee groups. On UNHCR's advice, the Government maintained its policy of not returning Iraqis. Although some resettlement countries showed renewed interest in Iraqi refugees in 2005, most Iraqis registered with UNHCR continued to remain in a precarious situation with no durable solutions in sight, due to limited resettlement options and a ban on returns to Iraq. The situation has resulted in increased frustration among Iraqi refugees, who continue to depend on UNHCR.

A group of nearly 1,200 Iranian refugees, who reached Turkey from Iraq before 2003 and were unable to return to their first asylum country, also found itself in a precarious situation. The Turkish Government excluded the majority from the resettlement option, but local integration was not encouraged either. UNHCR's negotiations on durable solutions for this group had, by the end of 2005, failed to overcome the Government's concern that resettlement for this group would act as a pull factor and result in more asylum-seekers coming to Turkey.

The volatile security situation in Iraq also impeded progress on the voluntary repatriation of some 13,000 Turkish refugees of Kurdish origin to Turkey. The status of the tripartite agreement on voluntary repatriation, negotiated in January 2004 but still not signed, did not change in 2005. A few people continued to return of their own accord to their places of origin in Turkey.

Another constraint was the difficulty of aligning Turkey's asylum system to the EU *acquis* and international standards. Reception facilities were not developed, while the institutional RSD framework has not yet progressed to the implementation stage. The approval of EC funding for Turkey was delayed because proposed projects focused on specific elements of infrastructure, whereas the European Commission expected more clarity on a broad development framework prior to making any

### Persons of concern

Type of population	Origin	Total in country	Of whom UNHCR assisted	Per cent female	Per cent under 18
Refugees	Islamic Republic of Iran	2,000	2,000	42	30
Asylum-seekers	Iraq	2,200	2,200	47	35
	Islamic Republic of Iran	1,700	1,700	40	24
	Somalia	400	400	47	23
	Afghanistan	300	300	46	48
Others of concern	Russian Federation (Chechens in a refugee-like situation)	1,400	-	-	-

financial commitment. In this context, UNHCR found it more difficult to pursue its own capacity-building activities, as funding was increasingly being tied to the Government's pre-accession project submissions. UNHCR's human resources were overstretched as a result of trying to meet all legal training demands while simultaneously working to maintain the quality of RSD.

Sweden, Norway and Denmark announced that they would no longer accept refugees from Turkey for resettlement. Canada revised its 2005 targets and lowered the quota for Turkey from 575 to 445. Fewer refugees were resettled as a result.

## Funding

UNHCR's annual programme budget focused on the provision of basic material assistance to refugees and needy asylum-seekers. Limited funding was also available for the Office's extensive capacity-building activities. However, more significant capacity-building initiatives were only able to continue in 2005 as a result of funding received from donors for extra-budgetary activities. Smaller contributions were also received from diplomatic missions to support training activities.

An increased number of asylum-seekers, mostly from Somalia, approached UNHCR for material assistance in 2005. UNHCR provided emergency accommodation assistance until a larger number of asylum-seekers could be hosted in government shelters. These increased demands had not been planned and, with limited resources, the Office was not able to meet all the requirements of this group.

## Achievements and impact

### Protection and solutions

In support of Turkey's efforts to develop a new asylum system, UNHCR formulated an asylum transition planning framework, which was organized around six main themes. These were: legislative and institutional planning and development; training strategy and coordination; RSD knowledge transfer and handover; reception, integration and social support; public outreach and advocacy; and resource mobilization and management. UNHCR's approach to training on asylum issues entailed a gradual shift away from the direct delivery of training towards the development of training capacity.

UNHCR continued to carry out RSD for non-European asylum-seekers, while also advising the Government on the need for temporary asylum and identifying refugees for resettlement. In 2005, UNHCR received close to 2,300 new asylum applications from more than 3,900

people, which equated to almost exactly the same number of arrivals as during the previous year. UNHCR reached a decision on more than 1,200 applications for refugee status. The backlog of pending RSD applications increased by 19 percent (almost 2,700 applications, corresponding to approximately 4,900 people).

UNHCR's activities for durable solutions focused mainly on the resettlement of non-European refugees. In 2005, close to 1,300 refugees were resettled.

Recognizing that return to Iraq was not feasible due to the security situation, the Government offered the Iranian refugees who had previously sought asylum in Iraq one-year temporary residence permits, albeit for a fee. The residence permits were expensive (the total fees could be in excess of USD 1,000 for a family) and this prevented many from taking advantage of this opportunity to legalize their stay. However, the Government demonstrated flexibility by exempting families with school-age children from having to pay for these permits. In 2005, the Government also gave its consent for UNHCR to initiate resettlement efforts for 55 refugees among this group.

UNHCR intervened with the Ministry of the Interior to facilitate the departure of 185 asylum-seekers, not recognized as refugees by the Turkish authorities, who had obtained visas from the Australian and Canadian Governments through humanitarian and private-sponsorship programmes. UNHCR monitored the local integration of some 50 refugees from Bosnia and Herzegovina and Serbia and Montenegro who opted to remain in Turkey.

UNHCR facilitated the return of 21 Turkish nationals from Iraq. Progress on the voluntary repatriation of some 13,000 Turkish refugees of Kurdish ethnicity in Iraq proved difficult. The Office continued its preparatory actions, such as the development of an information package on current conditions in Turkey. The security situation in Iraq prevented UNHCR from initiating direct dialogue with the refugee community in order to assess their intentions and to engage in confidence-building measures.

### Activities and assistance

**Community services:** UNHCR and its implementing partners ran legal, social and psychosocial counselling sessions for refugees and asylum-seekers in Ankara, Istanbul, Van, Agri, and Hakkari. UNHCR staff undertook seven missions to 19 cities to provide social and legal counselling to persons of concern. In Agri and Hakkari UNHCR contracted lawyers who provided additional legal counselling services.



A refugee family at Istanbul airport minutes before their departure for resettlement in Canada. Due to the geographical limitation maintained by Turkey to the 1951 Convention, UNHCR has to find resettlement countries for non-European refugees. *UNHCR/ F. Ozdogru*

**Domestic needs and household support:** On average 1,175 refugees and asylum-seekers received financial assistance each month for a six-month period. *Ad hoc* financial assistance was provided to some others in addition to the above.

**Education:** UNHCR provided education assistance to more than 700 children of asylum-seekers and refugees attending Turkish public schools. With support from UNHCR, a national NGO implemented educational and recreational programmes in Van for the children of the Iranian refugees from Iraq who could not legally attend public schools.

**Food:** More than 60 vulnerable refugees and asylum-seekers received monthly food assistance. Food assistance was also provided to a small group of refugees who returned voluntarily to Iraq, as well as to all Turkish refugees who returned in 2005.

**Health and nutrition:** An average of 1,288 refugees and asylum-seekers per month received medicines and health care through state hospitals and clinics. Supported by UNHCR, a clinic in Ankara provided guidance on antenatal and mother and child health care, as well as counselling on family planning. More than 2,900 refugees and asylum-seekers used the services of the clinic in 2005. Pregnant women received medical

assistance during labour. An average of 290 women and adolescent girls received sanitary materials each month on a 20-per-cent co-payment basis.

**Legal assistance:** UNHCR's legal assistance focused on protection training and capacity-building activities. UNHCR staff participated in four EC-funded "twinning" seminars and actively contributed to understanding of the National Action Plan. UNHCR and an international NGO partner were involved in training activities including seminars for experts, NGO consultations, monitoring visits, evaluation meetings and advanced RSD workshops for officials of the Ministry of the Interior's General Directorate of Security. The Office also organized introductory refugee law seminars with the Ministry of the Interior's *Gendarme* General Command and the Ministry of Justice. UNHCR designed a four-day event for all ministries and civil society organizations that were named in the plan. The Office invited specialists from the Czech Republic, Poland and Hungary to work with the Turkish authorities. The EC High Level Working Group co-funded a conference which was the first forum for intensive dialogue on reception conditions between Turkey and new EU Member States.

**Operational support (to agencies):** UNHCR helped to cover the staffing, communication and other administrative costs of its implementing partners in relation to

social and psychosocial counselling programmes in Ankara and Istanbul, as well as for public awareness activities. The salaries of two national UNVs were also covered by UNHCR.

**Shelter and infrastructure:** UNHCR provided accommodation assistance in Ankara and Van to more than 360 people. The beneficiaries were mainly separated children, single-parent families, survivors of sexual and gender-based violence, and other extremely vulnerable individuals. The Government designated the Social Services and Child Protection Agency as the agency responsible for coordinating social support to refugees and asylum-seekers. Pending the signature of a draft cooperation protocol submitted in 2005 by UNHCR, Social Services and Child Protection Agency began accommodating separated children (13 in total) in shelters in Ankara and Kayseri.

**Transport and logistics:** UNHCR facilitated the travel to Ankara of an average of 140 refugees and asylum-seekers each month, so that they could attend eligibility interviews or complete resettlement processing. Travel allowances were offered on several occasions when serious medical cases arose. UNHCR also covered the local travel expenses of the more than 30 children who attended the vocational and recreational programmes in Van.

## Organization and implementation

### Management

The country programme was implemented from the main office in Ankara, and through field offices in Istanbul, Silopi and Van. In 2005 there were a total of 72 staff members consisting of seven international staff, one JPO, 61 national staff and three national UNVs.

### Working with partners

In 2005, UNHCR continued to work closely with various Turkish Government ministries on strengthening the national asylum system, operational protection matters and durable solutions. As in 2004, UNHCR teamed up with an international NGO and two national NGOs in Ankara and Istanbul for the delivery of social and psychosocial counselling services. The Office continued to cooperate closely with IOM on resettlement, family unification and voluntary repatriation.

## Overall assessment

UNHCR continued to see progress in Turkey as a result of the investment made in refugee law training and asylum capacity-building activities over the past several years. The National Action Plan incorporated many of the international standards and good practices advocated by UNHCR. Although some issues have not been sufficiently addressed, provisions on others exceed the minimum requirements of the EU *acquis* on asylum. UNHCR was an indispensable partner for both the Government and civil society in the development of Turkey's new asylum system.

UNHCR's exit strategy in Turkey continues to be closely related to the creation of a well-functioning national asylum system that conforms to international and EU standards. Hence, on-the-job training initiatives for immigration officials and progressively shared activities, such as joint screening exercises on the Mediterranean Coast, were important steps in the preparation for the phase out and handover.

UNHCR's joint exercises and shared activities with the Government meant that the Office's workload increased in 2005, while funding remained more or less the same. This was due to the fact that case work and on-the-job training had to run in parallel with each other, which is most likely to continue until the Government reaches its full institutional and processing capacity.

### Offices

Ankara  
Istanbul  
Silopi  
Van

### Partners

#### Government agencies

Ministry of Foreign Affairs  
Ministry of the Interior - General Directorate of Security  
Ministry of the Interior - *Gendarme* General Command  
Ministry of Justice  
Social Services and Child Protection Agency

#### NGOs

Association for Solidarity with Asylum-Seekers and Migrants  
Human Resources Development Foundation  
International Catholic Migration Commission

#### Others

Hacettepe University School of Social Work  
IOM  
Turkish Red Crescent Society

## Budget, income and expenditure (USD) Annual and supplementary programme budgets

	Final budget	Income from contributions <sup>1</sup>	Other funds available <sup>2</sup>	Total funds available	Total expenditure
Annual programme	8,258,797	848,840	6,726,300	7,575,140	7,380,361
Supplementary programme <sup>3</sup>	899,475	0	619,218	619,218	619,218
<b>Total</b>	<b>9,158,272</b>	<b>848,840</b>	<b>7,345,518</b>	<b>8,194,358</b>	<b>7,999,579</b>

<sup>1</sup> Includes income from contributions earmarked at the country level.

<sup>2</sup> Includes allocations by UNHCR from unearmarked or broadly earmarked contributions, opening balance and adjustments.

<sup>3</sup> The supplementary programme figures apply to the Iraq Operation.

Note: The supplementary programme budget does not include a 7 per cent support cost that is recovered from contributions to meet indirect costs for UNHCR.

## Financial report (USD)

Expenditure breakdown	Current year's projects			Prior years' projects
	Annual programme budget	Supplementary programme budget	Total	Annual and supplementary programme budgets
Protection, monitoring and coordination	2,279,446	280,954	2,560,400	0
Community services	154,033	0	154,033	(1,909)
Domestic needs and household support	641,019	323,217	964,236	5,294
Education	39,959	0	39,959	0
Food	5,219	458	5,677	0
Health and nutrition	380,041	3,018	383,059	0
Legal assistance	285,847	10,398	296,245	0
Operational support (to agencies)	40,066	0	40,066	3,666
Shelter and infrastructure	49,512	0	49,512	0
Transport and logistics	50,060	1,173	51,233	0
Instalments with implementing partners	125,674	0	125,674	(7,051)
<b>Sub-total operational activities</b>	<b>4,050,876</b>	<b>619,218</b>	<b>4,670,094</b>	<b>0</b>
Programme support	3,329,485	0	3,329,485	0
<b>Total expenditure</b>	<b>7,380,361</b>	<b>619,218</b>	<b>7,999,579</b>	<b>0</b>
<b>Cancellation on prior years' expenditure</b>				<b>(25,364)</b>
<b>Instalments with implementing partners</b>				
Payments made	317,103	0	317,103	
Reporting received	(191,429)	0	(191,429)	
<b>Balance</b>	<b>125,674</b>	<b>0</b>	<b>125,674</b>	
<b>Prior years' report</b>				
<b>Instalments with implementing partners</b>				
Outstanding 1 January				4,463
Reporting received				(7,051)
Refunded to UNHCR				(270)
Adjustments				2,858
<b>Balance</b>				<b>0</b>