

## “I AM ONLY LOOKING FOR MY RIGHTS”

LEGAL EMPLOYMENT STILL INACCESSIBLE FOR REFUGEES IN TURKEY

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## SUMMARY

Turkey currently hosts the largest refugee population in the world, with 3.5 million people seeking refuge within its territory. Of these, 3.2 million are from Syria, and the rest are from a number of countries, including Afghanistan, Iraq, and Iran. With the Syrian conflict in its seventh year and the wars and human rights abuses that pushed refugees from their homes showing no signs of abating, the need for sustainable solutions for the refugees currently in Turkey is ever more pressing. While limited financial assistance programs by the Turkish authorities and the European Union are available, refugees in Turkey must largely fend for themselves to survive and, often, also support their relatives back home. Many can find jobs but almost all work in the informal job sector and face temporary employment with long hours, difficult working conditions, low wages often paid late, if they receive payment at all.

In early 2016, Turkey introduced a system of work permit issuance for Syrian refugees. As Refugees International (RI) noted in an April 2016 report, Turkey's decision was a major step forward, but nearly two years later, the reality is that these work permits remain inaccessible for the vast majority of refugees in Turkey.<sup>1</sup> Both Syrian business owners and employees need to have work permits and there are now at least 6,000 Syrian-owned businesses in Turkey. However, for those who are not able or not interested in opening their own businesses, work permits are rare. Employers must apply for the work permit on behalf of the refugee they seek to employ, pay a fee and prove they cannot find a Turkish citizen to fulfill the role. As pockets of hostility towards Syrian refugees appear to be increasing, a need exists for strong incentives from the Turkish government and from the international community, including the private sector, to encourage employers to hire refugees, maximizing the expertise that refugees bring while utilizing the work permit system now in place.

More than 90 percent of Turkey's refugee population is in urban centers and almost one million are estimated to be living in Istanbul. Livelihoods programs must reflect this reality and provide for more Turkish language courses, training programs to improve skills, and more community centers that are key for facilitating social connections and improving access to information for refugees about their rights and the rules in Turkey. Such programs should be specifically accessible to women who are often isolated in such urban settings.

The Government of Turkey deserves credit for opening up both educational and livelihood opportunities for many refugees currently living in Turkey. But the Government and people of Turkey cannot alone provide for these 3.5 million refugees. Other governments, including the United States and EU Member States, must help Turkey through targeted and tailored assistance.

Other governments should also be prepared to admit higher numbers of refugees through refugee resettlement and other programs. In September 2017, the U.S. government moved in the opposite direction, announcing a dramatic reduction in the U.S. refugee admissions ceiling to 45,000 for fiscal year 2018.<sup>2</sup> In addition to depriving tens of thousands of refugees from a key pathway to protection, this sends a negative message to Turkey and other countries hosting large numbers of refugees and demonstrates a lack of solidarity. At the time of this writing, EU countries – which collectively have hosted hundreds of thousands of Syrian asylum-seekers since 2015 – had also resettled 11,354 Syrians from Turkey under an EU refugee resettlement scheme, but the scheme excludes non-Syrian refugees and this number is inadequate given the high number of refugees in Turkey.

*Cover photo: Syrian refugees in Sanliurfa, Turkey line up to register for local support services.*

## RECOMMENDATIONS

### To the Government of Turkey:

- Lift a geographic restriction to the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol (limiting the application of those instruments to refugees from Europe), and thereby enable refugees of all nationalities to access all rights and protections provided under the Convention and Protocol.
- Waive the existing work permit fee for employers; in the interim, significantly reduce the fee to remove one of the barriers to the legal employment of refugees.
- Create incentives for employers to hire refugees and educate employers on the work permit policy.
- Implement a clear and comprehensive informational campaign to educate the Turkish public on the refugee population and their positive contribution to Turkey's economy and include steps to dispel negative myths about refugees.
- Implement a clear and comprehensive informational campaign to educate refugees about their work rights and about the rules governing their access to employment in Turkey. Such a campaign should be tailored to reach refugees living in urban settings, given the challenges they face in accessing information.
- Address the need of refugees to learn the Turkish language by expanding available classes and facilitating the participation of adults and children. This would also facilitate refugees' access to public health-care, education, and public services.
- Provide opportunities for refugee women in Istanbul to participate in specialized trainings that would develop their skills, and increase the number of government-supported community centers that provide social support and information, and emphasize programs that are gender sensitive. The Government of Turkey should also work with municipalities hosting refugee communities to build on existing programs and ensure they are available and accessible to refugee women.

- Ensure that efforts to improve refugees' access to the formal labor market as well as learning and training opportunities include refugees of all nationalities.

### To the European Union and EU Member States:

- In EU financial assistance to Turkey under the EU-Turkey statement of March 2016, place greater emphasis on livelihoods and self-reliance of the refugee population, in addition to current cash assistance programs.
- Ensure that livelihoods projects reach non-Syrian refugees, a population that often has difficulty accessing assistance in Turkey.
- Increase refugee resettlement numbers to EU countries and include non-Syrians in the EU's resettlement program, which is not currently the case. EU governments should also provide refugees in Turkey with other safe and legal pathways to Europe such as work and student visas, humanitarian visas and family reunification.
- In the absence of the full range of rights provided under the Refugee Convention and Protocol, do not send asylum-seekers from Greece back to Turkey under the EU-Turkey statement of March 2016.

### To the U.S. Government:

- Increase livelihood support for refugees in Turkey, particularly in urban centers.
- Support additional projects that assist women's access to legal employment.
- Continue to ensure that U.S.-funded programs supporting livelihoods for refugees include non-Syrians as well as Syrians.
- Significantly increase resettlement to the United States, particularly for people with vulnerabilities. The U.S. government should also develop and provide other safe and legal pathways for refugees in Turkey, such as work and student visas, humanitarian visas and family reunification, and make necessary administrative and legislative adjustments to accomplish this objective.

## To the Office of the UN High Commissioner for Refugees (UNHCR):

- Support the creation of more community centers and programs at the municipality level in Istanbul, where refugees can access information about their rights and the rules governing their stay in Turkey, as well as reach assistance in finding employment.
- Working with the Turkish government, improve refugees' access to information about their rights through greater outreach initiatives.

- Work with the Turkish authorities at the national government and municipal levels to expand the availability of free Turkish language lessons for adult and child refugees of all nationalities.

## To the Private Sector:

- Support new initiatives to match refugees' skills with individual labor needs of the private sector and provide mentoring opportunities for refugees.

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## BACKGROUND

### Refugees in Turkey

Turkey hosts 3.5 million refugees, more than any other country in the world. The vast majority (3.2 million) are from Syria and about half of those are children. Turkey hosts an additional 300,000 refugees from other countries such as Afghanistan, Iran, and Iraq. Since the start of the Syrian crisis in 2011, Turkey has hosted an ever growing number of refugees fleeing that devastating conflict. While the international community and international organizations have generally and appropriately acknowledged the generosity of the Turkish government and its people towards the Syrian refugees, the difficult conditions for refugees and the challenges they face on a daily basis remain as they struggle to adapt to their new environment.

Most Syrian refugees live in southeastern Turkey, close to the Syrian border. More than 90 percent of refugees in Turkey live in urban areas. During Refugees International's visit to Istanbul in October 2017, there were 590,000 registered Syrian refugees in Istanbul, though estimates of the actual number, including non-registered refugees, ranged between 700,000 and 900,000 in addition to several thousand non-Syrian refugees.

### Categories under Turkish Law

While Turkey has signed the 1951 Refugee Convention and its 1967 Protocol, it maintains a geographic limitation

to its scope and only recognizes as refugees, within the meaning of the Convention, people who fled persecution in a European country.<sup>3</sup> These refugees have the right to work without a work permit.

Under Turkish law, people persecuted in non-European countries fall under the category of "conditional refugees."<sup>4</sup> Their stay in Turkey is meant to be temporary until they are resettled to another country. Many conditional refugees are from Afghanistan, Iran, Iraq, and some African countries. The standard process for these refugees usually begins in Ankara, where they register with an implementing partner of UNHCR, and where the Turkish authorities assign them to one of 62 "satellite cities" (which exclude Istanbul, Ankara, and Izmir). The refugees must register with the local immigration authorities and then check-in regularly with those authorities, usually every two weeks. They must live in their satellite city and are not allowed to leave without a travel permit. If they fail to check-in with the authorities on more than three consecutive occasions without a justification, their international protection case is considered closed, and, as a consequence, they risk deportation from Turkey. Upon their registration with the Turkish authorities, the law provides that they should be interviewed within 30 days and a decision should be made about their status within six months, but in practice, this process takes much longer. Many refugees from countries other than Syria also apply for international protection with UNHCR in the

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— *Faisal, a Syrian refugee in Istanbul*

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hope of being resettled to a third country. In a February 2017 report, RI described the considerable challenges refugees from these countries face in accessing protection in Turkey and the lack of durable solutions for them.<sup>5</sup>

People who neither qualify as refugees nor as conditional refugees but who, if returned to their country, would face death, torture or inhuman or degrading treatment or punishment, or indiscriminate violence, may benefit from “subsidiary protection” under Turkish law.<sup>6</sup>

People fleeing the conflict in Syria fall within the category of “temporary protection,” under a separate regulation.<sup>7</sup> They must live in the city in which they register and cannot travel to another city without permission from the government. “The main problem is that Turkey doesn’t [consider] Syrians as refugees,” said Faisal, from Syria. “They still call us ‘guests.’ This takes so many rights from us.”

## **Refugees and the Right to Work in Turkey**

While Turkish law grants conditional refugees and temporary protection beneficiaries the right to work, they can only be formally employed with a work permit delivered by the Ministry of Labor and Social Security. The employer must apply for a work permit on behalf of either of these categories of refugees, and the employer must demonstrate that he or she could not find a Turkish citizen to fulfill the job. The employer must pay a work permit fee of TRY537 (about USD \$138), submit tax reports, commit to paying at least the minimum wage, and pay the employee’s social security benefits. In each workplace, employees under Temporary Protection must not constitute more than 10 percent of the workforce, though an exemption from this rule can be requested by the employer. As for conditional refugees, the rules are the same as for any

other foreigners in Turkey: there must be at least five Turkish employees for every foreign employee in the workplace, and the salary must be at least three times as much as the gross minimum wage. Those under Temporary Protection must wait for six months upon receiving this status before they can apply for a work permit. Conditional refugees can apply for a work permit no less than six months after applying for international protection. According to information received by RI, it currently takes the authorities one month to two months to process the request upon filing a request for a work permit.

The introduction of work permits is an important step towards enabling refugees to work formally, as access to legal work is widely acknowledged as a key factor in self-reliance for refugee populations. But during its visit to Turkey in October 2017, Refugees International found that in practice, few refugees from non-European countries access the work permits. According to information received by RI, as of October 2017, the Turkish government issued 14,000 work permits to refugees under the temporary protection program since this system was introduced in January 2016. It is, however, unclear whether this number included extensions of existing work permits. Most refugees, Syrians and those from other countries, who are employed work in the informal sector and face high risks of exploitation or abuse. As of October 2017, there were more than 6,000 companies founded by Syrians, following the same rules as for anyone opening a business in Turkey. For Syrian refugees to be employed in the agricultural sector, the requirement of a work permit can be waived with permission of the provincial authorities where they are registered.<sup>8</sup>

In its research in Istanbul, Refugees International found that refugee women face significant challenges in accessing legal employment for reasons that include cultural barriers, lack of childcare, and the lack of sufficient community centers disseminating information and providing training opportunities.

While some refugees in Turkey receive financial assistance in the form of cash payments or assistance in kind (such as coal during the winter or textbooks for children attending school), this assistance is generally not sufficient to cover their costs. In partnership with the Turkish government, the EU’s Emergency Social Safety Net (ESSN) targets

vulnerable refugee families and provides an amount of TRY120 (about USD \$30) per family member per month. In June 2017, the EU's Conditional Cash Transfer for Education (CCTE) program started providing cash transfers to families whose children regularly attend school, with a monthly sum that ranged from TRY35 (\$9) to TRY60 (\$15). According to a UN official interviewed by RI, other forms of socio-economic support by the Turkish government and municipalities are also available to some refugees, but they do not provide a regular or sufficient income. Indeed, these programs serve as just a minimal supplement.

## The EU-Turkey Statement of March 2016

The right to work for refugees in Turkey and their access to livelihoods and self-reliance are pressing issues due not only to the needs of refugees already in Turkey, but also in light of a March 2016 agreement between Turkey and the EU which envisions the transfer of migrants and asylum-seekers from Greece to Turkey.<sup>9</sup>

Following the arrival of more than one million asylum-seekers and migrants in Europe in 2015, of whom 80 percent traveled by sea from Turkey to Greece, the EU and Turkey concluded an agreement which sought to close this migration route. In exchange for resuming talks on Turkey's accession to the EU and visa-free travel for Turkish citizens to EU countries, Turkey agreed to accept returned migrants and asylum-seekers who traveled irregularly from Turkey's coast to Greece's Aegean islands. The EU also promised Turkey three billion Euros in funding for projects supporting refugees in Turkey and held out the possibility of an additional three billion Euros up to the end of 2018. The EU-Turkey statement of March 18, 2016 also provides that for every Syrian returned to Turkey, another Syrian will be resettled from Turkey to an EU state. This scheme is not open to non-Syrian refugees in Turkey.

To implement the EU-Turkey statement, the Greek government has put in place a containment policy on its Aegean islands: as a general rule, asylum-seekers and migrants who arrive on these islands are not allowed to leave for the Greek mainland until their case is processed. Greek asylum authorities assess whether asylum-seekers applying for protection in Greece can be returned to Turkey on the grounds that it is a "safe third country"

of asylum for them. In an August 2017 report, RI documented appalling living conditions and deteriorating mental health of asylum-seekers confined to the Greek islands as a result of this policy.<sup>10</sup>

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— Ayman, a Syrian refugee in Istanbul

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## I. Working conditions in the informal sector

In October 2017, RI visited Istanbul and Ankara and met with refugees from Syria, Afghanistan, and Iran as well as with NGO workers, government officials, humanitarian experts, diplomats, and EU and UN officials.

Most of the refugees interviewed by RI were working or had worked in Turkey, and some said they were supporting not only themselves and their immediate families but also relatives back in Syria or Afghanistan. Most of those who were or had been employed in Turkey described exploitative conditions in the informal sector, including long working hours and wages that were low and lower than their Turkish co-workers. Several said current or former employers had failed to pay them or paid them less than the promised wages and that payment was often late. The majority said they did not receive extra pay for extra hours of work.

If they are found by the authorities, both employer and employee are liable to pay an administrative fine.

Ayman, a refugee from Syria, summarized the main problems faced by Syrian refugees: “Payment is always in cash, almost always late, and sometimes not complete.” He added that “Many Syrians work insane numbers of hours, so they don’t want to socialize, and they get isolated.”

Turkey's large informal labor market pre-exists the arrival of Syrian refugees, and about 40 percent of Turkey's labor force is informal. According to a representative of an

## The Right of Refugees to Work

While RI fully recognizes the sovereign right of each country to regulate its labor market in accordance with its economic goals and interests, RI considers it a State's obligation to adhere to the provisions contained in Article 17 of the 1951 Refugee Convention and provide refugees "the most favorable treatment accorded to nationals of a foreign country in the same circumstances, as regards the right to engage in wage-earning employment." States hosting refugees have an obligation, under international law, to comply with the principle that no refugee shall be returned to a country where he or she would be persecuted. In this context, RI believes it is the duty of hosting States to provide refugees who cannot return to their countries of origin with ways to provide for themselves and their families through legal employment.

However, granting the right to work in principle is not sufficient. Particularly in States that impose restrictions to refugees' access to the labor market by requiring work permits or other bureaucratic hurdles, governments should take effective measures to ensure that refugees can enjoy, in practice as well as a matter of law, their right to work legally.

RI urges States hosting refugees to implement the International Labor Organization (ILO) Guiding Principles on the Access of Refugees and other Forcibly Displaced Persons to the Labour Market. RI urges those States to also implement the provisions of the International Covenant on Economic, Social and Cultural Rights (ICESCR) that grant the right to work, "which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts..." (Article 6). The ICESCR also provides that States parties "recognize the right of everyone to the enjoyment of just and favourable conditions of work," which ensure that workers receive equal pay for equal work, safe and healthy working conditions, and a decent living for themselves and their families (Article 7).

As stated by the Parliamentary Assembly of the Council of Europe, of which Turkey is a member, in a 2014 report on refugees and the right to work, "for asylum-seekers and refugees (including those with subsidiary protection), the right to work is particularly important as it can enhance their sense of dignity, self-respect and self-worth, and brings with it independence and financial self-sufficiency. Employment is also, more broadly, a crucial facet of integration and can help them recover from often traumatic experiences."<sup>11</sup>

organization assisting refugees to find employment, 80 percent of refugees in Turkey are working in the informal sector, as are 70 percent of Turkish blue collar workers. But for most refugees, who face significant obstacles in accessing legal employment, informal work is the only option to support themselves and their families. Refugees also typically face a language barrier, and their inability to speak Turkish can make them more vulnerable to exploitation by employers.

As of October 2017, 41 percent of Syrian refugee children in Turkey were out of school. A major factor is child labor, with many refugee children working instead of attending

school because of their parents' inability to cover their family's costs with the parents' wages alone. A UN official told RI that the main reasons for child labor in Istanbul are first that employers – particularly in the textile industry – prefer to employ children as they can pay them lower wages and, second, because due to the low wages adult refugees earn in the informal sector, families also send their children to work in an effort to meet their families' living costs. He said that in Istanbul, where living costs, including housing and transportation, are high: "In any given household, there is more than one person working and this includes children."

## Testimonies

Refugees International spoke with dozens of refugees from Syria and other countries. Most were working or were in between jobs, and the vast majority worked in the informal labor market. As they expressed in their testimonies, this exposes them to numerous hardships and to exploitation.

**Adel**,\* a refugee from Syria, has been in Turkey for five years. He lives in Istanbul with his wife, their three children, and his parents. When RI met Adel, his children were attending a Turkish school. He and his wife were expecting a fourth child. He said his siblings traveled to Europe by sea but that he did not want to take the risk, given his children's young age.

Adel said he had worked in a textile workshop for at least three years, from 8:30am to 7pm five and a half days per week for TRY550 (about \$142) per week. He told RI that the work, which involved standing all day, gave him back problems and a doctor advised him to stop. Adel said he started working as a day laborer but that the irregularity of the work and the pay (about TRY100, \$26, per day) makes it very difficult to cover his family's costs, especially since he is the only one working. "I work as a painter," he said. "Sometimes there is work, sometimes there is none." He told RI that "at the end of the month, sometimes I have TRY50 (\$13), or TRY100 (about \$26) left, and sometimes I am in debt." He said a friend who works in a hotel asked if Adel could be employed there. "They said 'he needs a work permit, and to speak Turkish.'"

**Marzia**, a woman from Afghanistan living with her brother and sister in Istanbul, said she had worked in a textile workshop in the city of Yalova, where the employer was supposed to pay her every week or two weeks, but instead he refused to do so and told her the payment would be monthly. Marzia said that when she confronted him about the delay, he said "I don't know you. You didn't work here." She told RI she then worked

in another textile workshop for two months, but was only paid for one month. She said that after she fainted at work, her employer "called our interpreter and told him to say that 'Marzia can't work here anymore because she's not insured, and I don't want to have problems with the government.'"

**Ameena**, a single woman from Afghanistan, said that while living in the city of Duceze, where she was registered, she had worked in a restaurant, where she also lived. "I worked 12 hours per day and was paid TRY20 per day (about \$5)," she told RI. She only had one day off every two weeks. Ameena said that there were mostly men in the restaurant and that she felt so uncomfortable as a woman that she dressed like a man. "It was very hard. I couldn't cope with the situation so I preferred to come to Istanbul," she said. She told RI that after moving to Istanbul, she changed jobs many times, after about two weeks. She said this was "[f]or many reasons: physically difficult jobs, not being paid, being offered a relationship with the employer, problems with my knees." She said she did daily jobs, sometimes working 14 or 15 hours in day for TRY80 (about \$21)."

"I've done a lot of jobs," said **Mazen**, a Syrian man who has been in Istanbul for three years. "Some were paid, some weren't. I've worked in sewing, construction, moving companies. In the winter, there's less work." He said his last job was for a moving company, where he started work at 5am and sometimes finished at 4pm, other times at midnight. He said he was paid TRY100 (about \$26) per day, regardless of the number of hours he worked. He said that prior to that, he worked in construction. When he left, his employer owed him TRY3,700 (about \$952) in wages, but only gave him TRY1,200 (\$309). Mazen said that he had two accidents at work and missed a total of three days to recover, but he was not paid for those days. He said what he hoped for, as a priority, is "a secure job, where if I do a job I'll get paid the same as a Turkish person."

\* To protect their identity, the names of all refugees cited in this report have been changed.

**Reza**, an Iranian refugee who had lived in the city of Isparta, said, “In winter, there are fewer demands for laborers so refugees and asylum-seekers can’t work. When there is work, you’re not paid.” He added that in Turkey, “You are not assisted by the government, and you don’t have a work permit.”

**Farhad**, also from Iran, said that the difficult conditions in Turkey had led him to decide to attempt the journey to Europe. “[I was] working in an atmosphere where they’re insulting you and not paying you. They insulted me a lot. It was really difficult. It caused me to choose a new way. We were not living in Turkey, we were trying to stay alive.”

**Afizeh**, a woman from Afghanistan living in Istanbul, told RI she was washing dishes in a restaurant three days per week, from 1:00pm to 1:30am. She said she was paid TRY30 (less than \$8) per day and spends half of that on public transportation to and from the restaurant, which takes her between one and a half and two hours. “I get paid at the end of the day, when I finish the work,” she said. “It happens that they don’t pay,” she said, adding that her employers say they do not have the money or that they will give her wages to Afizeh’s co-worker the next day, to pass on to her instead. Afizeh said this happens about once a week.

**Taherah**, a woman from Afghanistan, told RI she has been in Turkey for five years. She said her husband has a drug addiction and is abusive and that the youngest of her three daughters has a disability. Taherah said her eldest daughter, who is 17, has been working since their arrival in Turkey, when she was 12 or 13 years old. In her daughter’s current job in a clothes shop, Taherah said, “A salesperson should get TRY2,500 (\$643) to TRY3000 (\$772), but my daughter is paid TRY1,200 (\$309) because she’s a foreigner. She has to work from 8:30am to 10:30pm, with one day off per week. Fortunately, she receives the payment.” Ameena told RI that while she too had been working, she had to stop when she recently filed to divorce her husband because the process is time consuming. “Now, we just have my daughter’s income,” she said. “We haven’t paid the rent for three months. All

our income was used for my husband’s drugs.” Speaking of her other daughter, who is 15, Ameena said she doesn’t attend school. “Sometimes she takes courses, but when we’re in a bad financial situation, she works in textiles.”

**Abdallah**, a young man from Syria who has been in Istanbul for three years, told RI that he had worked for a tailor for two months without receiving payment. “I went to the police, and they said ‘why did you work without a work permit?’” Abdallah said that for two years, he worked at another tailor’s shop and that “for one and a half months, he didn’t pay me. It was very long hours and tiring, from 8:30am to 7:00pm, but sometimes they said it’s not enough and made me work until 10. There was very little pay for the extra time, like TRY3 (less than \$1) or TRY4 (just over \$1). Now I’m still in textiles but I go from place to place. If they don’t pay, I leave.”

RI interviewed refugees in Istanbul who were employed with work permits and described significantly better working conditions and generally a far better quality of life than when they worked in the informal sector.

Hamza and Manal, a couple from Syria, told RI they had tried living in other cities but decided to move to Istanbul where there are more job opportunities. Manal said she had worked in a restaurant in southeast Turkey without a work permit, cleaning dishes 12 hours per day for TRY900 (about \$232) per month, less than what her Turkish co-worker was making. Hamza told RI about a previous job he had in Istanbul, without a work permit, loading and unloading goods from a truck for 12 and sometimes 15 hours per day for TRY1,300 (\$335) per month. He said he was fired without warning and got into debt while he was unemployed and searching for a job. With the help of a non-profit that connects refugees seeking employment with potential employers, Hamza and Manal found jobs with a company that agreed to employ them legally with work permits. They now work eight hours per day, have good relations with the owner of the company, and said that if they work overtime, they get paid extra. Hamza and Manal told RI that this new job has changed their lives.

## The Comprehensive Refugee Response Framework, an Opportunity for Turkey to Lead by Example

In September 2016, all 193 countries that are members of the United Nations adopted the New York Declaration for Refugees and Migrants. The countries welcomed positive steps taken by governments that have opened their labour markets to refugees and committed to “strengthen host countries’ and communities’ resilience, assisting them, for example, with employment creation and income generation schemes.”<sup>12</sup> These countries also adopted a Comprehensive Refugee Response Framework, which calls on States hosting refugees, in cooperation with United Nations agencies including UNHCR, to “take measures to foster self-reliance by pledging to expand opportunities for refugees to access education, healthcare and services, livelihood opportunities and labor markets, without discrimination among refugees and in a manner which also supports host communities.”<sup>13</sup>

Turkey’s system for granting refugees access to the labor market, together with the commitments by States in New York in September 2016, provide an opportunity to improve the livelihoods of refugees in Turkey and enable them to access safe and decent working conditions through a joint effort between the Turkish government, the international community, and the private sector.

## II. Challenges in accessing legal employment

As a result of their inability to access formal employment, many refugees in Turkey are trapped in a cycle of informal, often exploitative work in the informal sector, where the long working hours do not leave them enough time to take Turkish lessons or to attend courses that would enable them to improve their skills and find a better job.

### *Challenges of living in a major urban center*

For the refugees interviewed by RI in Istanbul, a city with a population of over 14 million, living in this major urban center presents a number of challenges. The refugee population in Istanbul has grown considerably over the past couple of years. Refugees living in Istanbul told RI they had moved there either to seek employment, or to join relatives. While they find more job opportunities in Istanbul, expenses, particularly housing, are high compared to other parts of the country.

“In Istanbul, life is hard for Turks, and even harder for refugees” said Manal, a Syrian woman who has been in Turkey for four years. “Of course life is hard, psychologically we already have problems because we fled the war. It’s not easy to see people dying around you, to say goodbye to people and not know if it’s the last time you’ll see them,” she said, adding that “the problem in Turkey is that we’re not treated as refugees, even if we’re registered. Here in Turkey, we’re guests.”

Most of the refugees interviewed by RI in Istanbul said they had received limited or no information about the system of work permits in Turkey, and several did not know the difference between work permits for Temporary Protection beneficiaries and residence permits (“Ikamet,” in Turkish, which are delivered to foreign nationals living in Turkey who are outside of the international protection categories, and include access to the labor market without a separate work permit). One major gap identified by RI in Istanbul is the lack of enough community centers where refugees can access information about livelihoods opportunities and other services close to their homes. Given the size of the city and of its refugee population, there is an urgent need for such centers, which are particularly needed for refugee women as well as children.

There are only seven formal community centers for refugees in Istanbul, in addition to NGO-supported centers. This is a small number for a population of Syrian refugees estimated to be between 700,000 and 900,000, not counting several thousand additional non-Syrian refugees.

“There is no source of information for us,” said Ayman, a 22 year-old refugee from Syria. “Sometimes I meet people, and they say, ‘You have the right to this.’ And I say, ‘Really?’”

Mazen, also from Syria, told RI that “there are lots of rights here, but we’re not getting any of them. We got information about the rules [in Turkey] from Turkish people, from our friends, but not from the UN or NGOs.”

The Turkish government should implement a comprehensive informational campaign to inform refugees about the system of work permits and their rights at work, and ensure that women can access this information as well as men. Such a campaign should provide comprehensive information about the system of work permits which applies to refugees from Syria and the system that applies to refugees from other countries. In addition, the system should be tailored to reach people living in large urban areas.

### *Employers’ reluctance to employ refugees*

Turkey has a large informal labor market. Many interviewees cited the reluctance of many employers to hire employees formally — an issue also faced by many Turkish workers – due to the obligation to pay the minimum wage, which is TRY1,777 (\$457) gross and TRY1,400 (\$360) net per month, with social security contributions as another major obstacle to the legal employment of refugees in Turkey. But employers must also pay a work permit fee of TRY537 (\$138) in order to employ a refugee and that represents a major additional barrier. RI received information about ongoing discussions within the Turkish government about a possible reduction in the work permit fee.

The Turkish government should implement informational campaigns to educate employers about the work permit policy and workers’ rights and educate the Turkish public

about the contribution refugees make to the Turkish economy and society, along with the skills refugees bring to Turkey. An important measure to incentivize the employment of refugees would be simply to waive the work permit fee.

### *Language barrier*

Many refugees interviewed by RI cited their inability to speak Turkish as a major barrier to accessing not only employment but services overall, including healthcare and education. According to an NGO worker, “Many [refugees] moved from other parts of Turkey, [primarily] from the southeast, because there are not many job opportunities [there], and they have relatives here [in Istanbul]. The main problem in access to services is the language barrier.” He added that accessing health services pose the greatest challenges.

In early 2017, the Turkish Ministry of Education required that NGOs stop providing Turkish language classes to refugees unless they have a protocol with the Ministry. RI received information that local authorities can provide such lessons, but a group of at least 12 people must request the lessons in order for a class to open.

In addition to the lack of available and free Turkish language classes, some refugees interviewed by RI said that the long working hours in the informal sector make it difficult for them to attend classes.

“Many Syrians can’t learn Turkish because they don’t have time to learn Turkish,” Ayman, a Syrian refugee, said.

The Turkish government, with the support of the EU, the U.S. government, and the United Nations, should bridge the language gap non-Turkish speaking refugees face in Turkey and expand the availability of free Turkish language lessons for adult and child refugees of all nationalities. The government should facilitate refugees’ participation by ensuring that such classes are provided in neighborhoods where refugees reside and at times that accommodate working hours. Better command of the Turkish language would facilitate refugees’ access to legal employment as well as public healthcare, education and other public services.

### *Barriers and delays in registration*

As of October 2017, according to an NGO worker assisting refugees in Istanbul, it took at least six months for Syrian refugees in Istanbul to obtain an identity card (or kimlik), which is required for refugees to access health and education services as well as to apply for a work permit. Until they have a kimlik, refugees can only access emergency medical assistance. Children can attend school without a kimlik if they obtain a permission from the authorities.

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**“If there is a sexual harassment case or they’re not paid, there is nothing they can do. Most aren’t registered in Istanbul. They’re not supposed to be here.”**

— *A humanitarian worker speaking about non-Syrian refugees*

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Non-Syrian refugees face even greater challenges under Turkey’s satellite city system, whereby the Turkish authorities select one of 62 satellite cities (which do not include Istanbul, Izmir, or Ankara) where the refugee is required to live and report regularly to the local authorities.<sup>14</sup> They cannot travel outside their satellite city without a special permission. While they are not allowed to live in Istanbul, many move there without permission given the greater availability of jobs in the informal sector. They then either travel to their satellite city regularly to check-in with the authorities and comply with the registration requirements, which can be costly and time consuming, or stop checking in and risk deportation. RI also spoke with non-Syrian refugees in Istanbul who never registered with the authorities in the satellite city they were assigned and therefore did not have a kimlik and could not access public services. The satellite city system also poses a major obstacle for non-Syrian refugees, particularly in Istanbul, to access legal employment because they — like Syrians under

Temporary Protection — are only allowed to work in the city in which they registered.

One Afghan refugee, registered in Yalova and living in Istanbul, told RI, “I heard there is such a law [about work permits], but I haven’t heard of any Afghans getting one. I haven’t heard of any examples.”

Speaking of non-Syrian refugees working in Istanbul, a humanitarian worker told RI, “If there is a sexual harassment case or they’re not paid, there is nothing they can do. Most aren’t registered in Istanbul. They’re not supposed to be here.”

### *Social tensions*

Interviewees also stated that misconceptions about refugees are widespread: that they receive high amounts of financial assistance, that they do not want to work or that they will take Turkish citizens’ jobs. As one UN official emphasized, there is a need “to explain to the local population that refugees are making big contributions to the local economy.”

“I don’t see any future here,” Maryam, a 35-year-old woman from Syria, told RI. “I used to come to Turkey a lot before the war. Turkey was different for me, compared to now that I’m a refugee,” she said. “The moment someone knows I’m Syrian, everything changes. I was waiting in front of the [Syrian] consulate, a Turkish person went past, looked at me and said ‘Syrian,’ like it was an insult.”

According to a humanitarian worker working with refugees in Istanbul, hostility towards refugees in Turkey is common: “They don’t want them here. Not to integrate, nor have work permits, or in schools.”

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**“[There is a need] to explain to the local population that refugees are making big contributions to the local economy.”**

— *A UN official interviewed by RI*

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Several Syrians interviewed by RI said they had faced difficulties renting apartments because landlords did not want to rent to Syrians. Kamal, a refugee from Syria, told RI this happened to him many times when he contacted landlords and rental agents. “I say, ‘Hi, I’d like to see the flat,’ and they ask, ‘Where are you from?’ I say ‘Syria,’ and they say ‘I don’t rent to Arabs.’” Several refugees also described increases to their monthly rent and often significant amounts of money demanded to begin their lease, including a deposit. This represented an additional pressure on their monthly budget and an additional challenge for them to be able to rent accommodation.

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**“I say, ‘Hi, I’d like to see the flat,’  
and they ask, ‘Where are you from?’  
I say ‘Syria,’ and they say  
‘I don’t rent to Arabs.’”**

— Kamal, a Syrian refugee in Istanbul

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## CONCLUSION

While Turkey took an important step forward by introducing the system of work permits for Syrian refugees, two years later very few are benefiting from it, and the vast majority of refugees continue to work in the informal sector where they are vulnerable to exploitation and abuse. And while more than half of all Syrian children in Turkey attend school, 41 percent do not. A major reason is that their parents are unable to make a decent income, forcing many children to work instead of earning an education. Yet refugees bring with them a rich variety of skills, and it is a missed opportunity not to facilitate their access to the formal labor market so that they can contribute in productive and positive ways to their host country, its economy, and its society.

As this report has indicated, the Turkish government has made some important and positive steps. But Turkey, with a population of 3.5 million refugees, cannot be left alone to face the challenges posed by such a large group. The international community, including the private sector, has

a key role in encouraging and incentivizing the formal employment of refugees in Turkey. This would not only benefit the refugees themselves, by restoring their sense of dignity, their self-reliance and their integration into their host community, but would also be beneficial for the Government of Turkey by reducing refugees’ reliance on state support and benefiting from their skills and expertise.

And while the overwhelming majority of refugees in Turkey are likely to remain there for the foreseeable future, the United States and EU governments must do more to alleviate some of the pressure on Turkey by accepting far greater numbers of refugees, from Syria and from other countries, through resettlement programs, humanitarian visas, work and student visas, as well as family reunification. The response in Turkey can provide best practices and lessons to be used in other contexts, but all actors must work together to make progress sustainable, with the human rights of refugees as a core concern.

## ENDNOTES

- 1 Planting the Seeds of Success? Turkey's New Refugee Work Permits, Refugees International, April 2016, <https://www.refugeesinternational.org/reports/2016/4/14/turkey>
- 2 As of this writing, the U.S. resettlement of Syrians has largely been suspended pursuant to an Executive Order by President Trump in March 2017 that particularly impacted refugees from several countries, including Syria. See RI Statement on the New White House Policy Restricting Refugee Admissions, October 2017, <https://www.refugeesinternational.org/advocacy-letters-1/newtrump-adminrefugeepolicy>
- 3 Law on Foreigners and International Protection (LFIP) of April 2014, Article 61.
- 4 LFIP, Article 62.
- 5 "Except God, We Have No One," Lack of durable solutions for non-Syrian refugees in Turkey, Refugees International, February 2017, <https://www.refugeesinternational.org/reports/2017/2/turkey>
- 6 LFIP, Article 63.
- 7 Temporary Protection Regulation of 2014, <http://mhd.org.tr/assets/temporary-protection-regulation.pdf>
- 8 Regulation on Work Permits of Foreigners under Temporary Protection, January 11, 2016, Article 5(4), <http://www.refworld.org/docid/582c71464.html>
- 9 EU-Turkey statement, 18 March 2016, European Council, Council of the European Union, <http://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/>
- 10 "Like A Prison:" Asylum-seekers confined to the Greek islands, Refugees International, August 2017, <https://www.refugeesinternational.org/reports/2017/greekislands>
- 11 Parliamentary Assembly of the Council of Europe, Resolution 1994 (2014) on Refugees and the right to work, <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-EN.asp?fileid=20893&lang=en>
- 12 New York Declaration on Refugees and Migrants, Resolution adopted by the General assembly on September 19, 2016, A/RES/71/1, paragraph 84.
- 13 New York Declaration for Refugees and Migrants, Annex I: Comprehensive refugee response framework, paragraph 13 (b).
- 14 See "Except God, We Have No One," Lack of durable solutions for non-Syrian refugees in Turkey, Refugees International, February 2017, <https://www.refugeesinternational.org/reports/2017/2/turkey>



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