



PLANTING THE SEEDS OF SUCCESS? TURKEY'S NEW REFUGEE WORK PERMITS

Authors: Daryl Grisgraber and Ann Hollingsworth

INTRODUCTION

Turkey's December 2015 announcement of a work permit option for registered Syrian refugees is a momentous step, with support expressed by the United Nations, international non-governmental organizations, and donor governments alike. The decision is indeed encouraging both for ensuring refugees' rights are respected and for promoting self-sufficiency. The implementation process for the work permits is just beginning, and while the new policy has promise, there are also potential obstacles and warning signs in the process as it appears on paper. The day-to-day impact of this new development for both the Syrian refugee population and the Turkish host community must be carefully considered as the work permit plan moves forward.

RECOMMENDATIONS

- ❑ The Turkish government should implement a clear and comprehensive informational campaign to educate Turkish employers and the general public about Syrian refugees' work rights and responsibilities.
- ❑ The Turkish government should implement a clear and comprehensive informational campaign to educate Syrian refugees about their work rights and to help them navigate the application system. This should include support in using the online work permit application system as well as offering language-appropriate vocational training in employment centers.
- ❑ The Turkish government should regularly consult with non-governmental organizations providing services to Syrian refugees about how to best contribute to the success of not only the work permit plan, but all aspects of support to Syrians.
- ❑ The U.S. government, in consultation with the Turkish government, should support the implementation of the work permit plan for Syrian refugees through diplomatic and targeted programmatic resources in areas such as public information and vocational training services.
- ❑ The European Union should set clear and accountable benchmarks in its deal with Turkey about how its assistance will be spent in order to accurately monitor progress of the agreement, including at least one pertaining to tracking the real benefits being offered by work permits.

BACKGROUND

As the misery inside Syria continues into its sixth year, the international community's spotlight has lately shifted to Turkey's role in hosting the largest Syrian refugee population in the region. Turkey has done an admirable job of welcoming the Syrians. By its own account, the country has spent at least 8 billion U.S. dollars supporting Syrians affected by the conflict, making it the single largest donor of humanitarian aid to the ongoing crisis. Turkey is feeling the pressure of absorbing so many additional people, but has not seen the kind of social tensions and apparent competition for resources between the local population and the refugees that have plagued some of the other countries hosting Syrian refugees in the region.

In addition, the complex negotiations of a deal that would provide potentially billions of dollars in European Union (EU) aid to Turkey have been concluded. The original stated purpose of the money was to help Turkey support Syrian refugees within its borders, and there was a hope that the funds would be used at least partly for humanitarian assistance. However, the focus of the agreement has more recently shifted to finding ways to stem migration from Turkey across the Mediterranean. Some of the final provisions toward this end are troubling and raise serious questions about violations of refugees' basic human rights. Equally problematic is the fact that how the EU's money should or even can be used in Turkey is still unclear. This lack of clarity is the backdrop for a recent, groundbreaking decision issued by the Turkish government to offer work permits to registered Syrian refugees.

SYRIAN REFUGEE LIFE IN TURKEY

“Syrians [working illegally] don't complain much; they're just trying to survive.”

-Employee of NGO working with Syrian refugees

Life as a refugee is difficult anywhere in the world, and it is typical that after living for a long period of time in a host country, refugees will think about whether their futures – and the futures of their children – lie elsewhere. Syrian refugees in Turkey are no exception. The initial relief at arriving in a safe place and having reasonable access to humanitarian assistance has given way to worry about what the coming years will bring as the conflict in Syria drags on. People who arrived five years ago with savings or property to sell have long since exhausted

those resources and are now left with few options for earning a living. This coincides with the reality that humanitarian funding is not keeping up with the ever-growing needs, leaving larger numbers of people more vulnerable.

After five years with employment access limited largely to the informal/illegal market, Syrian refugees are searching for reliable ways to support themselves and their families during their extended stay in Turkey. The Turkish government camps have been widely praised for the quality of their accommodation and services, and support for the non-camp population has progressed over the years. Syrian refugees outside the camps in Turkey – the majority of them – have service centers to help them adapt to a new daily life and help foster social cohesion with their host communities. However, the average monthly income of 700 Turkish lira for Syrian refugees (as opposed to the standard 1300 Turkish lira for Turks) rarely allows for self-sufficiency and leaves Syrians in the no-win position of vying with Turks for low-paying jobs. In such a situation, Syrians often end up either unemployed or working in exploitative conditions for sub-par wages.

“We need bridges between Turkish society and Syrian society.”

-Member of Turkish host community

The Turkish government has shown a real commitment to including Syrians in its national services structure. Syrians are eligible for health care in the national system, in many cases their children may attend Turkish schools, and there is support available for people who need legal assistance or help accessing social services. While each of these areas presents its own complications – for example, Syrian children are eligible for the national education system but often do not speak Turkish, the language of instruction – the intention to incorporate Syrians into the already-existing network of Turkey's social benefits is sound and it has been happening slowly but steadily. However, Syrians arriving in Turkey during the past five years increasingly feel the hardships of having to wait for such inclusion issues to be realized.

WORK PERMITS FOR FOREIGNERS

The Turkish Ministry of Labour and Social Security's (MoLSS) Regulation on Work Permits of Foreigners Under Temporary Protection (hereinafter “Regulation”) came into force in early January 2016. It allows Syrians registered with the Directorate General of Migration Management (DGMM)¹ access to the work permit application process that is part of a broader system

open to other foreigners wishing to be legally employed in Turkey. Eligible Syrians can apply for permits through the same administrative procedure as other foreigners, albeit with restrictions on when and where they can make their applications, as well as some limitations on the sectors in which they may be employed. It is important to note that other than in cases of self-employment, the employer must submit the application on behalf of the Syrian refugee. An official work permit will also require an employer to provide a minimum wage and social security benefits (registration and payment of premiums) to the employee. The MoLSS makes the final decision to grant or deny a work permit.

“Work permits must be part of an integration plan for Syrians.”

-Member of Turkish host community

This regulation was greeted with enthusiasm by the international community. The United Nations High Commissioner for Refugees called the decision “courageous and a major step forward for refugees,”² and said “I believe Turkey is an example of how refugees should be received.”³ At the same time, Turkey’s Minister for EU Affairs acknowledged that “We [Turkey] are trying to reduce the pressure for illegal migration by giving Syrians in Turkey work permits.”⁴

In February/March 2016, an RI team traveled to Turkey to learn more about the new work permits. In the course of many RI interviews with policymakers, service providers, and refugees themselves, it became clear that the work permit application and decision process is very much in its infancy right now. There are still many practical details to clarify, such as how long the approval process will take once an application is submitted, and how professionals like doctors and teachers will be certified according to Turkish standards.

Understanding that it will take some time for all of the potential kinks to be worked out, there needs to be constant monitoring of the application and decision process over at least the coming year to ensure that Syrians have meaningful access to the application system, and that they are not being exploited in the labor market.

It is not certain whether issuing work permits will change the migration patterns of Syrian refugees and dissuade them from trying to get to Europe. One Syrian RI met with at the Turkish-Syrian border said that people migrate because they are interested in leaving Turkey, and making money will not be an incentive to stay. But in order to make a fair assessment of the possibility that earning a living will influence refugees’ decision to keep moving, there needs to be a genuine effort

to provide them with the option of supporting themselves in Turkey to see if new dynamics result.

Repeated inquiries into the likelihood of a successful work permit regime for Syrians in Turkey that would benefit large numbers of people yielded a range of responses. There is general agreement that some Syrians will benefit from the opportunity to work lawfully. There is also general agreement that the numbers of such people are not likely to reach the stated estimates, and that there is quite a bit of room for employers to take advantage of struggling Syrians by demanding unofficial fees for employment applications, or by underpaying Syrians who are desperate enough not to complain about the violation of the Regulation. The Turkish government has suggested that up to 400,000 Syrian refugees could be helped by the issuance of work permits. Most people RI interviewed thought the number would be closer to 40,000 while some guessed as low as 20,000.

THE SOCIAL CONTEXT FOR EMPLOYMENT

The inclusion of Syrian workers in both the labor market and the work permit system in Turkey is a positive step very much in keeping with best practices of integrating refugees into the regular daily life of the countries that host them, and in promoting refugees’ self-sufficiency. Syrian refugees have valuable skills that can support the Turkish economy and labor market.

The reaction of the host community to this development will contribute greatly to the success of the work permit initiative. One non-governmental organization (NGO) worker RI spoke to pointed out that there have been questions from the host community about why refugees get so much help when the local community also needs assistance. General Turkish supportiveness for Syrians’ new ability to work will likely vary in different regions of the country, and according to different types of employers. Particularly in more densely populated urban areas like Istanbul, it is possible that tensions with the host community regarding employment could increase if larger numbers of Syrian refugees come to these places to join family members who are their support network.

The Turkish government should implement a clear and comprehensive informational campaign to educate Turkish employers and the general public about Syrian refugees’ work rights and responsibilities. If the work permit plan is to succeed, there must be a meaningful effort to ensure that it will benefit both Turks and Syrians.

Turkey has a significant unemployment rate, generally estimated to be about 10 percent. However, in the southeast provinces along the Syrian border – where large numbers of Syrian

refugees are concentrated – that rate is widely agreed to be closer to 30 percent. Even before the Regulation came into force, there was perceived competition for jobs between Turks and Syrians, due in part to the fact that Syrians were willing to work illegally for lower wages and without benefits. There has also been a measurable amount of Syrian child labor in Turkey, as children will often work for even less than adults and are normally less inclined than adults to insist on respect for their rights. RI spoke to service providers who described a common thread: it remains a challenge for parents to find regular work, but children are often able to do so. Working usually keeps these children out of school. There is hope that work permits for adults might have a positive effect on this state of affairs.

“Children find jobs more easily than adults.”

-Member of Turkish host community

Big firms and companies will not be much inclined to have illegal Syrian workers, and these are the employers that are most likely – and arguably most able financially – to apply for work permits for Syrians at a cost of approximately 200 Turkish lira per year. The Regulation anticipates significant fines for both employers and workers who do not comply with the work permit requirement. However, smaller enterprises will be less able to offer the work permit sponsorship and may well continue to rely upon informal workers, including Syrians.

A different version of the social context around employment of Syrians was offered by a staff member of an NGO working with Syrians: the lower-level jobs in Turkey are fairly full with Turkish citizens. For higher-level positions, Syrians are not qualified, mostly because of language issues and their inability to show professional credentials and licensure that are valid in Turkey. So in the end, the Syrians who are employed will probably get lower wages and will continue to fill jobs that Turkish workers want and need.

While this particular prognosis for the work permit scheme is not necessarily the opinion of the majority, among those who support this analysis it's hard to see how the new system will be an improvement over the current situation, and how it will be a benefit to Turks.

WORK PERMIT COMPLICATIONS

In general, there was a noticeable dearth of information available to Syrian refugees, host community members, and support organizations about the new work permit application process.

While there seemed to be understanding that employers would apply for employees' permits online, further details were scarce. At one community service center for Syrians, the staff said there had been no spike in interest or questions about work permission. RI spoke with one Syrian refugee who had a work permit and who indicated that the work permit scheme is gradually becoming known; he himself is a highly-skilled worker and was able to secure employer sponsorship for the permit. But he also felt that Turkish employers would not necessarily comply with the requirements of the Regulation in the absence of an incentive.

Another Syrian refugee thought the process was targeted toward Syrians who are educated and well-connected socially, and those with less exposure to the community would be less aware of the option. Even service providers were unsure about if and how the Turkish government would publicize the new Regulation, or what the application process consists of and how decisions are made. The Turkish government should implement a clear and comprehensive informational campaign to educate Syrian refugees about their work rights and to help them navigate the application system. This should include support in using the online work permit application system as well as offering language-appropriate vocational training in employment centers.

Besides the uncertain numbers of beneficiaries, one of the concerns that arose most often was the quotas imposed by the new Regulation. According to Article 8, “the number of the employed foreigners under temporary protection within the work place applied for obtaining work permit, cannot exceed ten per cent of the number of Turkish citizens employed therein [sic].” This requirement was expected to have negative implications for a variety of types of employers. While large employers might have the ability to properly balance the number of Turkish citizens and Syrian refugees they employ, medium and small workplaces would have more difficulty. RI's interviews included those who speculated that in order to achieve – or simply not run afoul of – the stated ratios, small- and medium-sized employers would either dismiss the Syrians they currently employ in order to avoid having to hire more Turks to meet the quotas, or would simply decline to hire Syrians in the first place.

“Some Syrians won't work legally because they fear having to be registered.”

-Donor government official

A related worry expressed by the many local Syrian groups that provide humanitarian assistance inside Syria but are based

in southeastern Turkey concerned their ability to bring on Turkish employees in order to meet the ratios designated by the Regulation. There was not a common understanding of an adjusted ratio that might be applied to Syrian groups: some said one Syrian for every five Turkish citizens, some said one Syrian for every two Turkish citizens. Either way, the assumption was that while large international non-governmental organizations (INGOs) might be able to take on the burden of hiring these additional employees, smaller groups would simply not have the financial or administrative capacity to do so. As they mostly need employees who speak Arabic and are familiar with the operational context inside Syria, it is logical that they employ primarily Syrians to do the work. If compelled to take on Turkish employees without those specific qualifications simply to be in compliance with the Regulation, these groups were not sure they would be able to maintain operations. If they could not, this would result in a measurable decrease in the amount of humanitarian assistance being provided inside Syria.

The next most common concern about work permits was the possibility that Syrians would be exploited by employers hoping to find cheap labor. More specifically, multiple service providers expressed the fear that in order to keep their current (illegal) jobs, Syrians would be required to pay unofficial fees to their employers and/or continue to accept sub-minimum wages in order to retain their positions.

The Regulation anticipates that the cost of the work permit application process will be the responsibility of the employer, but there is a worry that this cost will be transferred onto the employee/applicant in exchange for consideration of being hired or kept on; the fee would be out of reach for many employable Syrians. If such a practice were to become a pattern in the employment of Syrian refugees, many of them might well choose not to apply for work permits at all and to continue working informally or illegally, leaving them subject to further exploitation and discrimination.

It is important to pay attention to these concerns from the groups providing services to Syrian refugees outside the camps. Such groups are working with roughly 90 percent of the Syrian refugee population in Turkey and are well-acquainted with their current living situation, their worries, and the factors that influence their decisions. They are generally well aware of the possible effects of a change like the one to offer work permits, and in many cases will already be preparing to address problems. The Turkish government tends to handle its refugee response very independently, but it could benefit from more discussion with these humanitarian groups to learn about how its policies play out on the ground on a daily basis.

Until recently, the various Turkish government agencies that were involved in assisting Syrian refugees did not always operate according to an integrated plan. The DGMM kept track

of registration, the Ministry of Health oversaw medical care policy concerns, the Disaster and Emergency Management Authority (AFAD) supported refugees in camps, to name a few examples. Possibly due to this compartmentalized approach to refugee support, there has also been very minimal consultation on the refugee response between the Turkish government and international and national NGOs.

A new coordination office for the Syrian refugee response has been established in Ankara, and a number of international and national NGOs operating in Turkey told RI that its director has made a point of including them in meetings and discussion. This is an important step that must be continued in order to have a full, realistic picture of how Syrian refugees' lives and needs are changing in response to a wide range of current events in Turkey and beyond. The Turkish government should regularly consult with NGOs providing services to Syrian refugees about how to best contribute to the success of not only the work permit plan, but all aspects of support to Syrians.

SKILLS AND ABILITIES

In spite of the high rates and levels of education of Syrians generally, there was repeated concern about whether the average Syrian refugee would be qualified for a job, assuming a work permit could be obtained. Discussions of this idea – including with a team at the Turkish Ministry of Labour – invariably included the fact that no one seems to have compiled a database of what Syrians were doing before they became refugees, and so now there is a distinct lack of knowledge about what their skills are and how they can best be placed in the workforce. One estimate RI heard was that 95 percent of Syrians in Turkey do not have the skills currently needed in the Turkish labor force. As a result, they would be likely to continue working illegally in exploitative conditions because they do not offer employers skills that would be a reason to apply for their permit.

In order to maximize the chance for the success of the work permit plan, the U.S. government – in consultation with the Turkish government – should support the implementation of the work permit plan for Syrian refugees through diplomatic and targeted programmatic resources in areas such as public information and vocational training services to help establish skills.

In addition, in light of the very current issue of Syrian refugee migration through Turkey to the European Union, the EU should take this chance as a donor to set clear and accountable benchmarks in its deal with Turkey, including at least one pertaining to tracking the real benefits being offered by work permits. If Turkey's stated aim of curbing the refugee outflow to Europe is indeed one impetus for offering the permits, they should be held accountable for the success of the initiative. This would be an important element of the effort to keep track of

the bigger picture of life for Syrian refugees in Turkey and to respond to their developing needs.

The question of skills is especially relevant to the significant number of Syrians with professional degrees who are in Turkey as registered refugees. These highly-skilled Syrians in Turkey face an additional step in securing permission to practice their professions. Large numbers of doctors and teachers were not able to bring their professional documents with them when they fled Syria. Having them accredited and licensed could make a tremendous contribution to the support of Syrian refugees in Turkey, as health care and education are two of the sectors most under strain due to the huge numbers of people who now need access to them.

“Within the Turkish system, we know who needs how many workers, but we don’t know what [Syrian] workers can do.”

-Member of Turkish host community

As an example, the Turkish government has been developing plans for a series of migrant health centers that would serve Syrians and be staffed primarily by Syrian doctors with a Turkish supervisor. As it stands right now, the Ministries of Health and Education will have to certify doctors and teachers, respectively. But like the work permit scheme itself, the process is in its beginning stages. Creating a way to verify credentials and/or abilities will be crucial to the ability of these professionals to enter the workforce, and to Turkey’s ability to offer enough services to the refugee population.

Syrians who are issued work permits will also be eligible to participate in the programs of the Turkish Employment Organization (İŞKUR), an agency that makes available vocational training and job placement assistance. However, these programs are administered and provided in Turkish, which many Syrians of working age do not speak. While Turkish classes are available to Syrians through a number of avenues, there would need to be a large-scale teaching effort if many Syrians were to be equipped with basic Turkish for the workplace.

A successful work permit arrangement for Syrian refugees in Turkey will be an important step toward support for Syrians generally, and for refugee assistance programs worldwide. The Turkish government, international donors, aid agencies, and host communities and refugees themselves need to contribute now during the implementation process to make sure it is a benefit rather than a complication.

Daryl Grisgraber and Ann Hollingsworth traveled to Turkey in February and March 2016.

ENDNOTES


1. DGMM is the agency within the Turkish Ministry of Interior that is responsible for maintaining rosters of registered Syrian refugees and issuing related documentation, among other duties.
2. United Nations High Commissioner for Refugees (UNHCR), “High Commissioner welcomes Turkish work permits for Syrian refugees,” 18 January 2016, <http://www.unhcr.org/569ca19c6.html>
3. Ibid.
4. “Turkey plans to issue work permits for Syrians,” *Hurriyet Daily News*, 11 January 2016, <http://www.hurriyetdailynews.com/turkey-plans-to-issue-work-permits-for-syrians-.aspx?pageID=238&nID=93686&NewsCatID=347>

REFUGEES INTERNATIONAL

2001 S Street, NW · Suite 700 · Washington, DC 20009

PHONE: [202] 828-0110 · FACSIMILE: [202] 828-0819 · E-MAIL: ri@refintl.org

www.refugeesinternational.org

 Refugees International

 @RefugeesIntl