

COUNTRY OPERATIONS PLAN

Country: Turkey

Planning Year: 2002

Part I: Executive Committee Summary

(a) Context and Beneficiary Population(s)

Political context

Turkey's geographical situation makes it a country of destination or transit for considerable numbers of refugees and economic migrants. The subject of migration control takes up an increasing part of Turkey's dialogue with its neighbours and European partners, in which the need for continued protection of asylum-seekers should not be overlooked.

The Government issued in March 2001 a National Programme for the adoption of the EU acquis. The programme includes a qualified commitment to the lifting, at an unspecified date, of the geographical limitation to the 1951 Convention and its 1967 Protocol. The document also announces the Government's intention to review its legislation and regulations in the asylum field. It furthermore calls for stepped-up training of officials in refugee protection, improvement of support arrangements for refugees, and close collaboration with UNHCR, IOM and relevant NGOs.

Security Situation

The general security of asylum-seekers and refugees in Turkey is good, and the authorities act as necessary to protect the security of refugees on their territory. However, asylum-seekers coming illegally into Turkey from Iraq and Iran cross tense borders, where significant forces are deployed on either side to intercept illegal migrants, drug smugglers and armed elements. On account of UNHCR's influence on refugee status-determination (RSD) and resettlement, its staff in Turkey are exposed to acts of frustration by rejected cases.

Protection Issues

Despite Turkey's option to limit its application of the 1951 Convention to persons who became refugees as a result of events occurring in Europe, a functioning system of temporary protection exists for non-European refugees, under an Asylum Regulation issued in 1994. Turkey has often stressed that it applies the non-refoulement provisions of the 1951 Convention to all refugees, irrespective of geographic origin.

UNHCR enjoys close and regular consultation with the Government of Turkey on the functioning of the asylum system, the eligibility of applicants and the protection of individual asylum-seekers. The Turkish procedure for granting temporary residence to non-European asylum-seekers, including legal and illegal entrants, has functioned well in recent years. Persons who had entered the country without valid travel documents accounted for 28% of the asylum-seekers who registered with the Government in the year 2000.

Access to the Government's asylum system is however limited, for all nationalities, by procedural rules, notably the requirement to make an asylum claim within ten days of entering Turkey, and to provide some form of official identification within 15 days. In 2000, 11% of asylum-seekers who approached UNHCR in Turkey were unable to register in the Government procedure.

A person who registers in the asylum system is assured of a temporary residence permit until determined to be a refugee and resettled. Economic and social circumstances during the wait are generally difficult. Because of the state of the local economy, foreigners' work permits are difficult to obtain, and action is taken to stop unauthorised labour.

For European refugees, the 1951 Convention offers protection without need of resettlement. Turkey has traditionally taken a particularly liberal approach to asylum-seekers coming from the Balkans but protection has usually been granted without formal reference to Convention status, the preferred option being the renewal of temporary stay permits under "guest" status. The enjoyment of Convention rights such as access to work permits, children's education and obtention of Convention Travel Documents would benefit from clearer rules and procedures.

UNHCR's role

UNHCR's main functions in Turkey are (a) to advise the Government on the eligibility of individual asylum claimants on non-European origin (b) to cooperate with the Government in strengthening its capacity in the asylum field, through training programmes and other activities (c) to identify and promote durable solutions, mainly through resettlement to third countries in the case of non-European refugees and (d) to cooperate with the Government and NGOs to ensure basic assistance and services to refugees during their stay in Turkey.

Main costs to the country programme are generated by the RSD operation and the programmes for meeting the subsistence and medical costs of refugees, as well as, to a lesser extent, the expenditures related to refugee resettlement. Most non-staff costs for training and study tours have been covered in the past three years by extra-budgetary sources.

Overview of each beneficiary population and theme being addressed

Quality of Asylum in Turkey:

The Turkish authorities are committed to upgrading their asylum system. This interest, reflected in the National Programme for the adoption of the EU acquis (see above) also led in 2000 to agreement between the Government and UNHCR on a 3-year framework for training and technical cooperation in the field of asylum. Activities covered by the framework are directed at the preparation of key government and judicial personnel, with the aim of strengthening the asylum system in accordance with international standards.

An important objective for UNHCR in Turkey continues to be the reduction of waiting periods to assess asylum claims, without bypassing procedural safeguards or otherwise reducing standards. Average wait from registration to a first decision is currently 6 months. For cases that go to appeal, an additional wait of 9 months is involved on average. These delays exacerbate economic and social problems (see below).

Beneficiary Population in Turkey:

1. Non-Europeans: On 31 March 2001, 7,400 non-Europeans were registered with UNHCR in Turkey, including 2,800 recognized refugees and 4,600 asylum-seekers pending assessment. Iranians accounted for 61% of the overall

caseload, Iraqis for 34%, and Afghans and Palestinians for most of the rest. During their stay in Turkey, refugees are largely dependent on UNHCR assistance, often supplemented by local authorities within their means. Social and economic problems are especially acute in Van and the other border cities, where one third of the caseload is located and where the presence of internal migrants in great numbers creates additional pressures.

2. Europeans: UNHCR promotes durable solutions, collaborating with IOM on voluntary repatriation. The country programme also provides for social and legal counseling and some material assistance to vulnerable individuals. Bosnian and Kosovar refugees declined to less than 1,000 in the past year, mostly through voluntary repatriation. Some 260 ethnic Chechens arrived in Turkey. In March 2001 some 8,000 Macedonians entered Turkey as a result of the hostilities in the Tetovo area, but most had left by the end of the month, without need for international protection.
3. Turkish returnees: 2,168 persons have voluntarily repatriated from northern Iraq to Turkey with UNHCR assistance since 1996. UNHCR will continue to facilitate such returns in 2002.

Policy Issues

UNHCR's long-term strategy is to support Turkey's efforts to develop its asylum institutions and capacities, both for the intrinsic benefits this will bring to refugees and for the possibilities it will create for UNHCR to diminish its financial and operational burdens in Turkey. Recent policy statements by the Government (see above) are highly encouraging, and new legislation on immigration and asylum will probably be introduced in 2001. Nevertheless, these legislative steps and their practical follow-up will require time and planning. UNHCR's core responsibilities in Turkey will therefore continue in 2002 to require a higher operational burden than in other Western countries, notably for RSD, financial support and durable solutions for non-Europeans.

In order to reconcile the core nature of the High Commissioner's responsibilities in Turkey with the global funding situation, the strategy adopted is to mobilise additional resources, both budgetary and extra-budgetary, that would not otherwise be available to UNHCR. It is planned that a significant part of the activities promoted, supervised or implemented by the Branch Office in 2002 will be supported by the European Commission's Penelope programme, the Dutch Government's MATRA programme and other bilateral contributions of expertise as well as funds.

Linkages to other country operations

Branch Office Turkey works closely with RO Brussels with regard to EU developments and fund-raising possibilities. Cooperation with COM Baghdad and its staff in northern Iraq will continue with respect to the voluntary repatriation of Turkish refugees.

Capacity and presence of implementing partners

UNHCR maintains good working relations with the Government and NGOs in Turkey. Close collaboration will continue with the Ministry of Foreign Affairs and the Ministry of Interior in training, the assessment of asylum claims and other matters.

Five NGOs (International Catholic Migration Commission, Caritas, the Interparish Migration Programme, Association for Solidarity with Asylum-seekers and Migrants and Anatolian Development Foundation) provide social counseling and referral services. One NGO (Human Resources Development Foundation) organizes education programmes in reproductive health. The Turkish Red Crescent Society provides health services to European refugees in Istanbul. UNHCR closely cooperates with IOM in resettlement, voluntary repatriation and family reunification.

Presence and role of UN agencies and international organizations

Coordination mechanisms with relevant UN agencies (UNICEF, UNFPA and UNDP) were established to achieve better cooperation on gender-related activities, education and psychosocial intervention. Cooperation with UNICEF will be strengthened to benefit from the latter's partnerships with government line ministries at the national and provincial levels.

(b) Selected Programme Goals and Objectives

Name of Beneficiary population/Theme # 1: Ensured Quality of Asylum in Turkey	
Main Goal(s): 1. Access of asylum-seekers to the Turkish asylum procedure will be facilitated 2. The eligibility of asylum-seekers for refugee status will be determined in a speedy, fair and objective manner 3. Turkey will strengthen and develop its asylum system in conformity with international standards	
Principal Objectives to Goal 1	Related Outputs
<ul style="list-style-type: none"> Government officials and judiciary will be well versed with the application of the Turkish asylum procedure Continued good cooperation with the authorities on the implementation of the 1994 Asylum Regulation Increasing number of Turkish lawyers will be knowledgeable on asylum issues 	<ul style="list-style-type: none"> Regular training programmes in refugee law for newly recruited officials dealing with asylum Joint missions to assist local authorities with the RSD procedure and other protection issues Seminars in refugee law and practical workshops on court cases organised for the Bar Associations
Principal Objectives to Goal 2	Related Outputs
<ul style="list-style-type: none"> Reduced backlog of unresolved asylum applications 	<ul style="list-style-type: none"> Approximately 8,000 non-European asylum seekers will have their claims assessed
Principal Objectives to Goal 3	Related Outputs
<ul style="list-style-type: none"> Enhanced capacity of Government officials to perform RSD The Turkish asylum system will be gender-sensitive and attentive to the special needs of refugee women and children 	<ul style="list-style-type: none"> Advanced workshops on RSD and other topics of refugee law, including gender-related issues COI reference system is established for use by the national RSD authorities Qualified interpreters used for asylum procedure Study tours for government officials to examine the asylum system in other countries
Name of Beneficiary population/Theme # 2: Durable Solutions	
Main Goal (s): 1. Durable Solutions are achieved for refugees in Turkey 2. Voluntary repatriation from northern Iraq proceeds in safety and dignity 3. The assistance needs of refugees are assured for their well-being	
Principal Objectives to Goal 1	Related Outputs
<ul style="list-style-type: none"> Resettlement processing of non-European refugees in need of long-term protection will be maintained at its current pace. Progress on durable solutions for the remaining Bosnian and Kosovar refugees in Turkey 	<ul style="list-style-type: none"> 3,200 refugees resettled in 2002 Average 7-month wait from RSD to departure 85 percent of refugees are accepted for resettlement on first submission Potential solutions will be identified on a case-by-case basis for the camp group and corresponding advice and support provided
Principal Objectives to Goal 2	Related Outputs
<ul style="list-style-type: none"> Voluntary repatriation from northern Iraq to be facilitated. 	<ul style="list-style-type: none"> 300 persons return safely in 2002
Principal Objectives to Goal 3	Related Outputs
<ul style="list-style-type: none"> Refugees in need will receive financial, medical and food assistance pending durable solutions Asylum seekers and refugees will have access to social and psychological counselling, with special focus on the needs of women and children Improved capacity of local NGOs and government services to provide social and psychological counselling services for refugees and asylum seekers Access of refugee children to primary education in Turkey will be increased. 	<ul style="list-style-type: none"> 1300 refugees and 350 asylum-seekers will receive assistance, based upon strict vulnerability criteria and for a short duration, in the form of a combination of one or all of the following: cash subsistence, cash for lodging. 1500-1600 refugees receive medical care and sanitary supplies each month Regular needs assessments carried out Qualified social workers identified and trained on UNHCR guidelines and procedures Refugee parents sensitised to send their children to local schools in Turkey 1000 informal education kits distributed and supplies given to 400 children to encourage school attendance