

By Berlan Alan, Head, Migration Department, Ministry of Foreign Affairs, Turkey

Thank you chair,

I would first like to join in commending IOM for the choice of the "Managing Migration in Crisis Situations" theme for International Dialogue on Migration 2012, and this workshop on "Migration Consequences of Complex Crises" couldn't have been timelier...

When complex emergencies continue to affect millions of people, with the overall number of displaced persons on a steady increase, IOM rightly points at the need to sharpen focus on potential migration consequences of complex crises.

The latest events in Libya and Syria demonstrate us the importance of strong but flexible migration management -may be made of composite material- frameworks that supports responses to crises in immediate and longer stages.

Cross Border Displacement is a subject of great importance and I am pleased to provide remarks at this session. As requested, I will focus on specifically crisis-induced migration highlighting the most recent displacement from Syria.

Director General Swing has truly pointed out in his invitation letter for this workshop that "Turkey's geographic location has long made the country a hotspot for migration flows of all kinds."

Turkey didn't remain immune to the negative impacts of the crisis in Syria as a neighbouring country. Recent events have shown that Syria has obviously failed in its responsibility to protect its population.

At the outset in April last year, the Turkish Red Crescent, considering the emerging need for humanitarian assistance, provided humanitarian services at zero point on the border to the Syrians in need on the other side of the border.

The flow of Syrian nationals into Turkey in need for protection started on 29 March 2011 and Turkey has been experiencing a growing flow since June 2011.

Prime Minister Erdoğan declared an "open-border" policy for the fleeing as early as June 2011, which was highlighted by Foreign Minister Davutoglu in February 2012.

Temporary shelters have been set up on the Turkish side of the Syrian border immediately to provide humanitarian needs. The principle of non-*refoulement*, including non-rejection at the border, has been strictly observed.

The number of Syrians at the shelters went up to over 12 thousand at the end of June 2011; it came down to around 7 thousand end of summer; rising gradually to the level of 10,760 in the beginning of March 2012.

Intensified military operations in residential areas near the common border by the Syrian army from March 26, lead to a dramatic increase in the number of Syrians crossing the border, in search of protection in Turkey. 7,600 arrivals were recorded in March while the total number was 9,649 in 16 days from 26 March to 11 April. There were 5,143 arrivals in only three days.

The Syrian authorities have recently tightened the control along the borderline. Laying landmines in areas commonly used by Syrians to cross the border in order to curb the flow towards the Turkish territories.

Since the outbreak of the crisis in Syria over a year ago a total of 39.910 Syrians have received protection and assistance in Turkey (29 March 2011) out of which 16.567 returned to Syria. As of this morning the centres hold 23.343 Syrian citizens.

On the humanitarian aspect: In addition to basic services such as shelter, food, health, Turkey, has provided social activities, worship places for different faith groups, communication facilities and other services. A psycho social programme has already been running in the centres.

Most importantly, preschool and school education is provided to 805 Syrian children of whom 420 are girls in 35 classes in Hatay. Moreover, preparations aimed to provide education for 3.561 Syrian children and youth in Kilis Accommodation Centre are ongoing under the coordination of the Ministry of National Education. Vocational training, skill development and hobby courses are also organized. They can also benefit from sports activities.

Ministry of Health put up field hospitals to provide health services. Patients who need further treatment are referred to Government Hospitals including in the Capital where the service is free of charge. At the moment there are 53 inpatients in different hospitals.

Turkish Red Cross is responsible for the distribution of food and other necessities and facilitates social services within the centres.

An IOM senior official who visited the temporary shelters in Hatay mentioned that they were the best that he has seen in his 20 years carrier. I can say that accommodation provided is much better than some of the "expensive" budget hotels in Geneva.

Disaster and Emergency Management Agency (AFAD) under the Prime Minister's Office is responsible for the coordination of the assistance provided at HQ level.

Governorates are responsible from coordination within the Province.

Now, we are realising our plan to move the Syrians from the temporary shelters in the Hatay to the purpose built centre in Kilis with a view to provide better services where they will be accommodated at shelters with even higher standards. Container housing will replace tents. Population movement from Hatay to Gaziantep (Islahiye), Kilis (Oncupinar) and Sanliurfa (Ceylanpinar) started on 15 March. At this moment only 4 temporary shelters remain in Hatay.

Some of our projects got delayed as all this was going on at a stage where we had devastating earth quake in Van Province. By the way we are thankful to the response of the international community there.

On the protection aspect: When we first received Syrian nationals we referred them as "guests" as a reflection of well known Turkish hospitality. But there was more to it and "temporary protection" status was granted later in line with the UNHCR Executive Committee Conclusions. In addition to the 1951 Convention relating to the Statue of Refugees we found the UNHCR Executive Committee Conclusion No. 22 (XXXII) on Protection of Asylum-Seekers in Situations of Large-Scale Influx as the only yet very efficient tool to address the legal status of the displaced Syrian population.

The Conclusion provides general principles, measures of protection, minimum basic standards of treatment, responsibilities of the asylum-seekers, co-operation with the Office of the United Nations High Commissioner for Refugees and the international solidarity, burden-sharing and duties of States.

Cooperation between the Government of Turkey and the UNHCR and the UN Country Team (IOM included) immediately started with the first mass arrivals from the Syrians at border. This was liaised through the Ministry of Foreign Affairs.

We received valuable advice from the UNHCR regarding protection regime and now the UNHCR maintains presence in the field to provide technical advice and assistance as appropriate and as requested:

- support in identification and registration of persons.
- advice with regard to camp management, including representation within the camps, community-based approach in provision of services, and civilian character of protection.
- expertise on voluntary repatriation to safeguard the voluntary nature of return.

Out of necessity a "Directive on Reception and Accommodation of Syrian Arab Republic Nationals and Stateless Persons who reside in Syrian Arab Republic, who arrive to Turkish Borders in Mass Influx to Seek Asylum" was issued by the Ministry of Interior end of March 2012.

The purpose of the Directive is to compile the general principles, establish procedures, regulate management of the shelters and accommodation centres, duties and powers of the management, rules to be complied in the centres, services to be provided, as well as the division of work between different government institutions. Rights and obligations of the residents are also listed.

The Directive has 3 main principles which are - Prohibition of *refoulement*, - Prohibition of discrimination, - Personal data and confidentiality.

Ministry of Interior is responsible from registration of the Syrians and stateless persons under the temporary protection regime. As well as conducting voluntary repatriation procedures.

Recognition of masses in an attempt to escape non-discriminatory and widespread violence or natural disasters as "prima facie" refugees, would leave the host countries in a difficult situation, as the rights upon the refugees are once bestowed, it would not be possible to withdraw them when the situation is over. This led to the development of new protection concepts. Some European countries began to use the term "temporary protection" with the aim of protecting the people escaping from the clashes in the Balkans in 1990's. The "temporary protection" concept

referred after the events in Tunisia and Libya makes it possible to ensure protection to people having taken refuge in other countries in masses due to violence, clashes or other reasons without getting involved in individual status determination procedure and granting a legal status.

This concept brings limited obligation to host countries; while making it possible to determine the time span of the protection to be provided. Currently, this is the concept that the international community accepts and related international organizations refer to in cases of mass movements.

The concept of temporary protection is also in the "Draft Law on Foreigners and International Protection" that will redefine main policies and significantly enhance the current system in the areas of asylum and migration management. Article 97 of the aforementioned draft states that "temporary protection might be granted to foreigners who have been forced to leave their countries, do not return to their country of origin, have come to our borders or crossed the borders with the aim of receiving immediate and temporary protection". The law will set legal and normative framework and foresees the establishment of a new General Directorate of Migration Management. The draft is soon to be submitted to the Parliament by the Government.

Delegations of UN specialized agencies, including the UNHRC's Independent Commission of Inquiry, international organisations as well as some NGOs have visited the camps. International media representatives are regularly briefed at the camps. The UN and Arab League Joint Special Envoy Kofi Annan also pointed out to the excellent condition n 10 April after visiting the centres.

Syrians who prefer to stay depending on their own means are issued with residence permit, free of charge where appropriate. Yet they are not covered by the temporary protection on their own choice. There are 7,030 registered Syrian residents at the moment.

Departure of foreigners placed to centres to a third country is subject to approval of the Ministry of Interior. But migrant smugglers are *vulturing* the area. A number of Syrian citizens were apprehended in our western borders trying to leave illegally and were taken to shelters as they immediately claimed asylum.

Meanwhile the life goes on... Engagements and marriages continue... New married are provided with two day five star hotel honeymoon by Hatay Governorate. People die... Babies are born. Children play... Youngsters' revolt... People fight... Some do sports... Some watch TV and get more upset about the regime... Nerves are tense... Anything is an excuse to complain. Why the food is warm and the hot water is not hot enough?

Usual passenger traffic went on in 2011 and continues in 2012 trough the functioning border gates. In 2011, 970,163 Syrians arrived in Turkey while 962,076 left and in 2012, 137,905 arrived and 130,263 left.

We also have in place arrangements with IOM and the embassies for the possible evacuation of third country nationals. As we have successfully cooperated with IOM in the Libyan crises on this.

I would like to briefly touch upon the fact that although certain circles love to criticise Turkey by being party to the 1951 Geneva Convention relating to the Status of Refugees and 1967

Additional Protocol with "geographic limitation" Turkey grants "asylum seeker" status to those who are from "non-European countries" and who apply for asylum in its territory.

Turkey provides fair and effective protection to some 36,442 asylum seekers who are allowed to reside in Turkey until they are resettled in a third country by the UNHCR assisted by IOM. Asylum seekers are settled in 51 provinces and I can argue that UNHCR's urban protection concept could be based on the Turkish experience...

Lastly but not least, I would like to emphasise that, in response to mass displacement from Syria, Turkey has put every effort to provide assistance to the Syrians to the extent possible making full use national resources (of its own means and capabilities) until very recently. Up until today 292 million US Dollars have so far been spent by the Disaster and Emergency Management Agency out of Government allocated budget.

However, upon the considerable increase in number of refugees, we have decided to accept offers by the international community to share the burden as of 13 April 2012 with the anticipation of further influx. We have forwarded our appeal to the relevant bodies of the UN (OCHA, UNHCR), EU ECHO and NATO EADRCC.

There are a lot of questions waiting for answers. What happens when/if the situation gets protracted? How time shall pass in the centres? How long can people stay unemployed? What is happening to the greater family or relatives left behind? What happened to the property (house, farm land, workshop, office, vehicles)? How they will start again when they can be able to return? Q's go on and on. Any of these Q's can lead to anxiety and revolt.

There are also challenges and in areas where you would least expect: Which curricula will be followed in schooling of Syrian children? OK! It is not the Turkish curricula as we strongly hope that they all shall be able to return to their mother land. Then if it would be something similar to the Syrian curricula, how we will find teachers? Who would provide the books? Can we benefit from professional teachers within the Syrian population? How can we employ them? Are we sure what they are going to tell the kids, do we want subversive generations? And, how the certification will be done, so that these children don't waste their valuable years of early age? We are working with UNHCR and Unicef to find answers.

Well!

The recent events one more time proved that "Turkey is the laboratory of migration." with the words of Deputy Director General Laura Thomson.

IOM rightly points at the need to sharpen focus on potential migration consequences of complex crises. We support IOM in the elaboration of an integrated mapping, early warning and response mechanism. Another reason we have aligned with the EU statement.

25 April 2012

Turkey sees the value of newly established IOM Migration Emergency Funding Mechanism, adopted by the IOM Council in December 2011. Therefore we made a modest contribution in early 2012, which actually made Turkey the second largest donor after the US to the fund (I am not sure if this is the case today) and we would continue our support. Thank you... ---