Problems Faced by Syrians in Accessing Fundamental Rights While Acquiring Turkish Citizenship



MONITORING REPORT

SOLARIS

Monitoring Report on Problems Faced by Syrians in Accessing Fundamental Rights While Acquiring Turkish Citizenship

"Children are not coloring book, you do not get to fill them with your favorite color."
Khaled Housein

Writer
M. Fatih Şanlı
Director of SOLARİS
fatih.sanli@solaris.ngo

SOLARIS
Website: www.solaris.ngo
E-mail: info@solaris.ngo

"Monitoring Report on Problems Faced by Syrians in Accessing Fundamental Rights While Acquiring Turkish Citizenship" can be used on the condition that the source is indicated. This report cannot be copied even partly by electronic and mechanical methods such as photocopy, film, etc. without the permission of SOLARIS.

Ankara, 2020
Design and Printing: Orun Matbaası
Adakale Sokak No: 25/8-9-10-18 Kızılay/Ankara
Tel: 0 (312) 435 13 49

Translation: OTM- Onur Tercüme Merkezi Ltd. Şti.
Ceyhun Atıf Kansu Cad. No: 19/2 Balgat/Ankara
Tel: 0312 285 58 49



This publication was produced with the financial support of the European Union provided under Etkiniz EU Programme. Its contents are the sole responsibility of SOLARIS and do not necessarily reflect the views of the European Union

TABLE OF CONTENTS

Executive Summary 4

General Information And Conditions For Acquiring Citizenship In Turkey 8

Method Of The Research 11

Obtained Data 11

Comments And Opinions Of The Participants 23

Conclusion 24

Recommendations 25

References 26

Executive Summary

SOLARIS (Social Leadership, Research and Investigation Strategies) is a non-governmental organization established by professionals in many areas to implement projects which lead to social development and to create strategic solutions by conducting research and studies in fields such as women, education, entrepreneurship, sustainable development, environment, culture and arts, agriculture, food, migration and humanitarian. We can consider this study as the first phase of series of reports pursuant to the mission of SOLARIS.

The statement of Republic of Turkey President Recep Tayyip Erdoğan regarding granting citizenship to Syrian refugees in July 2016 has stayed on the agenda for a long time. Discussions, criticism, supportive opinions and hate speeches against Syrian refugees started to be seen intensively in both mainstream media and social media, and the subject is still topical.

According to information given in the "Weekend Special" show on the Turkish TV channel CNNTurk by the Republic of Turkey Minister of Interior Süleyman Soylu on 29.12.2019, the number of Syrians who have acquired Turkish citizenship is 110.000 as of December 2019. 53 thousand of these people are adults and 57 thousand are children [1]. According to the information given by the Minister of Interior in the aforementioned program, the number of Syrians born in Turkey is over 450,000 [2].

As of the issue date of our report, these numbers have certainly increased. As the Minister of Interior expressed, by granting citizenship to these displaced people, the State of Republic of Turkey did not leave them in uncertainty and showed its humanitarian reflex. The State of Republic of Turkey gave them an opportunity to establish a better life in a way that is befit with human dignity and to look to the future with hope both for themselves and their children. Most of the people who were given citizenship did not experience any problems in accessing basic services in accordance with the ideal of social state. However, there are also people who could not access these rights due to various reasons. Our study is transformed into a report in order to eliminate the problems of these victims in accessing their fundamental rights, to provide their procedure processes like other refugees who benefit from the right of citizenship being executed without any problem, and to raise public awareness on this issue.

It is known that various reports were published on this issue at different times, but there has been no studies conducted on the problems faced by Syrian families while acquiring citizenship. For this reason, this study was carried out in order to solve the problems faced during the process of acquiring Turkish citizenship by Syrian refugees because of the fact that the parents acquired citizenship but the children born during citizenship investigation phase have not yet acquired or could not acquire citizenship. As SOLARIS, the primary objective of deciding to carry out this study is to be the voice of refugees, refugees and immigrants in Turkey and throughout the world when they face violation and victimization arising from not being able to access the rights that regulated in the laws, directly or indirectly, and regulations and/or bureaucratic reasons, to advocate for monitoring and granting rights, and to draw attention to the execution of necessary legal and administrative acts in the context of human rights.

Even though we tried to reach as many people as possible in our study, so many people that felt desperate and faced the same victimization of rights chose not to participate in our survey because no response could be obtained and victimization could not be remedied for a long time. For this reason, even though the sample size is larger, the individuals participating in our study also represent them. Our report has been prepared based on the information that is provided by 49 family members among the families experiencing similar situations in different provinces of Turkey through a survey interview carried out between August 1st -30th, 2020.

After analyzing and evaluating the survey data and interviews, it has been determined that almost all of the families faced the same problems in accessing fundamental rights such as healthcare, education and freedom of travel. It has been determined that the families who obtained the right to apply to the citizenship thanks to the exceptional article specified in the Turkish Citizenship Law complained about the long process of acquiring citizenship for their children and the uncertainty of what problems they would face in the future.

The main findings of the report are given below:

- 49 Syrian refugees living in 12 different provinces participated in the research.
- While 16 of the participants stated that they had been living in Turkey for more than 7 years, 33 of the participants stated they had been living in Turkey more than 4 years.
- Only 5 of the participants stated that only one of the parents acquired Turkish citizenship.
- 45 of the participants stated that only 1 child did not acquire Turkish citizenship. Other 4 participants stated that their 2 children did not acquire Turkish citizenship.
- 47 of the participants stated that the child who did not acquire citizenship was born in Turkey whereas only 2 stated that their children was born outside the borders of Turkey.
- While 40 of the children who did not acquire Turkish citizenship have Temporary Protection status, it has been determined that 7 of them are stateless, 1 is unregistered and 1 has visitor-guest status.
- Among the 49 participants who participated in the study, 43 of them stated that their freedom of travel were restricted, and 35 of them stated that they had difficulty in accessing to healthcare services. The number of those who stated that they could not get their children vaccinated is 21. While the number of those who stated that they had difficulties in accessing educational services is 32, it was observed that the difficulties encountered in education posed an indirect problem. In addition, the number of those who stated that they could not receive the newborn child support from the state is 19.

In the light of these findings, the following recommendations were briefly presented to the institutions involved in decision-making mechanisms to eliminate the problems of these victims in accessing the fundamental rights and carrying out procedure processes like other refugees who benefit from the citizenship rights without any problems.

- As of the publication of report, to put an end to these victimizations by making legislative regulations with decision-making mechanisms to eliminate such victimization completely with the support of the TBMM (Turkish Grand National Assembly) Higher Committee on Human Rights , TBMM (Turkish Grand National Assembly) Sub-Committee on Migration and Integration, relevant public institutions, departments of political parties responsible on human rights and migration, non-governmental organizations and institutions,
- In cases where both parents or one of the parents have acquired citizenship and only their children could not acquire Turkish citizenship due to bureaucratic reasons, to make the necessary legislative changes to carry out necessary administrative investigation processes as quickly as possible,
- To compensate the victimization of children whose parents have acquired citizenship but who could not acquire citizenship themselves due to long periods and different reasons, to take necessary steps to create a system similar to temporary citizenship number so that they can benefit from the rights arising from Turkish citizenship just like any Turkish citizen child,
- To convince the necessary institutions to respond quickly to issues that create irreversible victimizations such as vaccines, access to education, healthcare and social services so that these individuals whose parents have acquired Turkish citizenship but who have not yet acquired themselves access these services.
- To take steps to save children whose parents or one of the parents acquired citizenship and who was born in Turkey actually so that could not acquire Syrian citizenship and accordingly became stateless, but not even in this status legally, and to provide psychosocial support to both parents and children in order to prevent the traumas that these children and their families will experience in the future,
- To provide guidance, information sharing, awareness-raising support for the citizenship rights of parents who have acquired Turkish citizenship and the children who could not acquire citizenship through the state institutions and non-governmental organizations and institutions.

Our Turkish and Syrian teammates, who are active in the field and in social media groups and other social communication channels, make great efforts in the process of identifying and observing the victims who experienced victimization of rights and the effects of these victimizations on their daily lives and transforming this information into a report. We would like to express our thanks to our teammates; especially among them to Khaled Aldroubi, Ahmet Doğan and Nesrin Keyyali for their valuable contribution and support and to ETKINIZ EU Programme staff for their support to SOLARIS in sharing this report with the public.

M. Fatih Şanlı
Director of SOLARIS



1. General Information and Conditions for Acquiring Citizenship in Turkey

With the beginning of the crisis in Syria in 2011, human population in that area moved to nearby countries. According to data announced by the Republic of Turkey Ministry of Interior Directorate General of Migration Management, number of Syrian refugees under temporary protection in Turkey is 3 Million 624 Thousand 941 as of the date 01.10.2020 [30].

In Turkey, legal regime of the temporary protection is regulated within the framework of Article 91 of Foreigners and International Protection Law (YUKK) and Temporary Protection Regulation [4] that came into force on 22 October 2014 and the following statements are included in the Article 91 of the Foreigners and International Protection Law (YUKK):

"Temporary protection may be provided for foreigners who have been forced to leave their country, cannot return to the country that they have left, and have arrived at or crossed the borders of Turkey in a mass influx situation seeking immediate and temporary protection."

Although the Cabinet of Turkey was previously regulated as the competent authority that decides when the temporary protection starts or ends and who can benefit from temporary protection, this authority is now held by the President [5]. Since 2011, Palestinian refugees and stateless persons who previously lived in Syria and all Syrians can benefit from temporary protection in Turkey [6].

It is possible for the Syrians that returned from the Greece to apply for temporary protection within the framework of Memorandum of Understanding between European Union and Turkey dated March 2016, however, there is no guarantee that these people will receive this status [8].

While Temporary Protection Regulation allow Syrian refugees for benefiting from social services, opportunity to work and staying in Turkey, it is not considered equivalent to a residence permit. People with the status of temporary protection must also apply for residence permit [9].

That the Syrian crisis has yet to come to an end and the continuing uncertainty has ended the hopes of refugees to return to their countries in the past 9 years. Besides refugees who find the remedy to settle in third countries, the number of people who became Turkish citizens is 110 thousand according to the statement made by the Minister of Interior on December 30th, 2019 [10].

The procedures and principles regarding post facto acquisition of Turkish citizenship are regulated within the scope of the Turkish Citizenship Law No.5901 (TVK) and related legislations. Turkish citizenship may be acquired by birth or by naturalization according to this Law. Post facto acquisition of citizenship can be granted by decision of the competent authority, by marriage, by adoption or by choice [11]. In addition, the criteria specified in Article 11 of the TVK No. 5901 [12] must be fulfilled in order to acquire Turkish citizenship. According to criteria specified in the Law, the following conditions are sought for the foreigners who want to acquire Turkish citizenship: being an adult according to their national law, if stateless, according to Turkish law and having ability to distinguish, being resident in Turkey for five years without interruption prior to her/his date of application, not having any disease that constitutes a danger to public health, having the intention of settling in Turkey and prove this intention with action, being a person of good morals, speaking an adequate level of Turkish, having an income or profession to provide for his own livelihood and those of his/her dependents in Turkey, and not posing a threat to national security and public order.

Within the scope of exceptional cases in the acquisition of Turkish citizenship, the law states in Article 12 that foreigners specified by the decision of the President can acquire Turkish citizenship provided that there is no situation that will pose an obstacle in terms of national security and public order.

Accordingly, those persons who bring into Turkey industrial facilities or have rendered or believed to render an outstanding service in the social or economic arena or in the fields of science, technology, sports, culture or arts and regarding whom a reasoned offer is made by the relevant ministries, foreigners who have a residence permit in accordance with the Foreigners and International Protection Law No.6458 and Turquoise Card holders[13], and their foreign spouses, his or his spouses' nonadult or nondependent child, those who are deemed to be necessary to be received into citizenship and those who are recognized as migrants can acquire Turkish citizenship in exceptional cases.

Syrians can acquire Turkish citizenship only in exceptional cases specified in the law. Decision of this exceptional case depends on the Presidency. On July 9th, 2016, President Recep Tayyip Erdoğan stated in a speech he made in a program when he was in Kilis, [14] that Syrians would be granted citizenship. The draft law entitled "Qualified Residence Permit without Bureaucratic Processes [15]," which was discussed in the TBMM Committee on Health, Family, Labor and Social Affairs opened the doors of citizenship to Syrians.

In the first stage, it was stated that doctors, engineers, academics, who can contribute brain power of Turkey, would be encouraged to apply for citizenship. At the same time, it was stated that Syrian orphans would be the leading groups that would be given priority while granting citizenship. The total number of Syrians to be given citizenship is predicted to be around 250 thousand [16].

In general, there is approximately 3.6 million registered "Syrian under the Temporary Protection" in Turkey. According to officially announced data from currently registered Syrians, 110 thousand people have become Turkish citizens on the basis of exceptional articles [17]. Considering Syrians were accepted as citizens pursuant to the exceptional articles of the relevant law, attention should be paid to which contributions (science, sport, technology, investment etc.) those persons would made and why they deemed suitable for citizenship without any arbitrariness when they are given citizenship.

In this study, the problems of Syrian immigrants (one of the parents or both) who have acquired citizenship caused by their children not being able to acquire citizenship while applying for citizenship, and the process of acquiring citizenship have been tried to be observed.



2. Method of Research

The research was conducted as a desk research and field research. In the desk research, international conventions, national regulations, shadow reports, national constitution-regulations, previously published reports, academic articles, and thesis studies on the subject were examined. At the same time, TBMM Committee meetings, parliamentary questions and answers and, locally, the statements of governorships on the subject from their websites were scanned.

Possible case files and precedents on the subject have not been encountered.

National and local news were scanned in the media scanning. Social media posts on the subject were examined and the reaction of the host communities was studied without specific date range as of Syrian refugees' arrival to Turkey.

The research was tried to be carried out in all provinces that Syrian refugees lived in Turkey. 49 participants, who had acquired citizenship but their children could not, were interviewed in 12 different provinces. The exact number of Syrians who have acquired Turkish citizenship in the same situation is not known. An application has been made within the scope of the right to demand information, but no information has been obtained as of the date of the report. After the report is published, the digital version of the report on the SOLARIS website will be updated after obtaining information and the details about the necessity of updating will be announced.

In the field research, we were included the WhatsApp chat group established with the intent of solidarity by families in which parents have acquired citizenship but children have not yet acquired/could not acquire, problems were discussed and recommendations were received. At the same time, survey form prepared for quantitative research was shared online from the WhatsApp chat group and data was obtained.

Participants were evaluated on a family basis. The participation of any of the family members, mother or father, was deemed sufficient. 49 participants in total were interviewed.

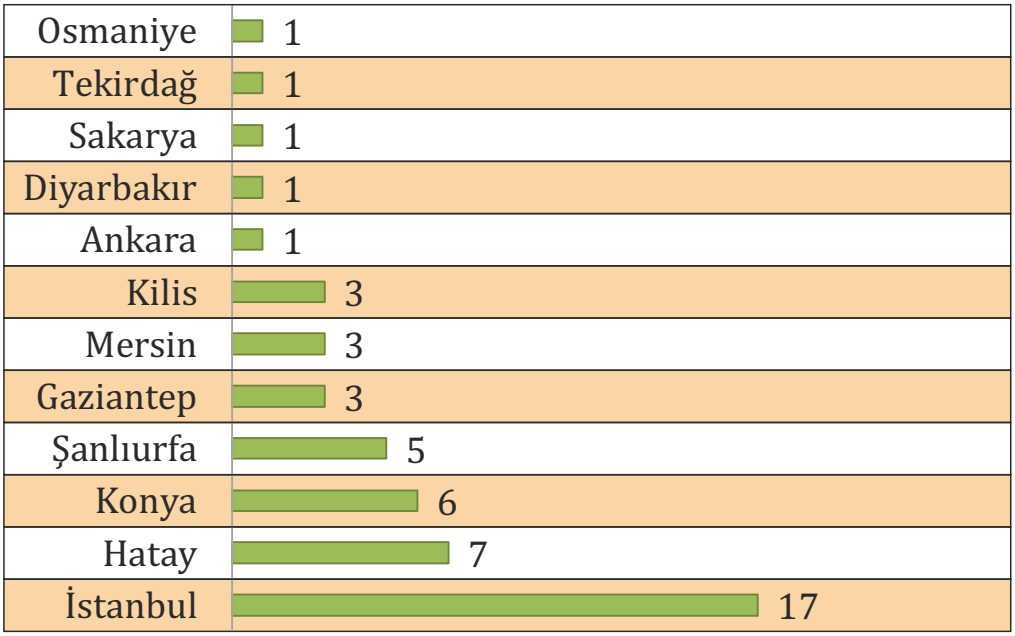
The opinions expressed by the participants who did not participate in the online survey within the WhatsApp chat group were included in the conclusion part of the report.

3. Obtained Data

Applications for Turkish citizenship of refugees under temporary protection have been made in the scope of the exceptional article. The citizenship application process made within the scope of the exceptional article has been performed as follows: people who are educated and considered beneficial for Turkey have been detected and shared with immigration authorities, and after relevant immigration authorities have reached those persons via Security General Directorate (EGM), they have been said that they might apply for Turkish citizenship, and also face to face interviews have been made in the relevant units in the immigration authorities.

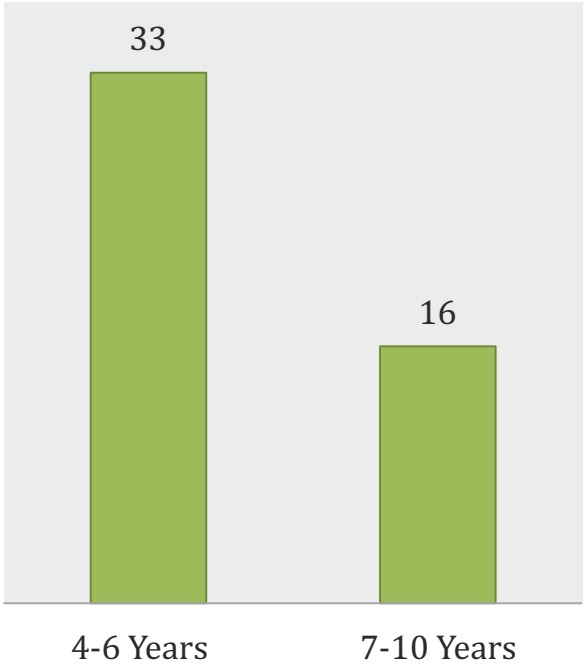

TÜRKİYE CUMHURİYETİ
REPUBLIC OF TURKEY
PASAPORT
PASSPORT
RUSSIAN FEDERATION
KAZAKHSTAN
IRAN
SAUDI ARABIA
YEMEN
OMAN
ETHIOPIA
KENYA
SOMALIA
Arabian Sea
Indian Ocean
Southern Ocean
North Pacific
MARSHALL ISLANDS
NEW ZEALAND
Tasman Sea

Figure 1: Figure showing the distribution of participants by city



Number of Participants by City

Figure 2: Figure showing the period of stay of the participants in Turkey



In Figure 3, the date of the application for citizenship of participants was observed. While approximately half of the participants who applied for citizenship within the scope of the exceptional article specified in the law made their applications in 2017, other participants stated that they made their applications in 2016 and 2018.

Figure 3

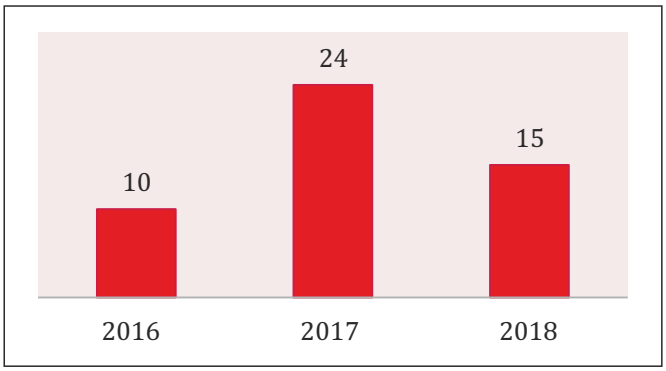


Figure 3: Figure showing the year of application of the participants for Turkish citizenship

Figure 4

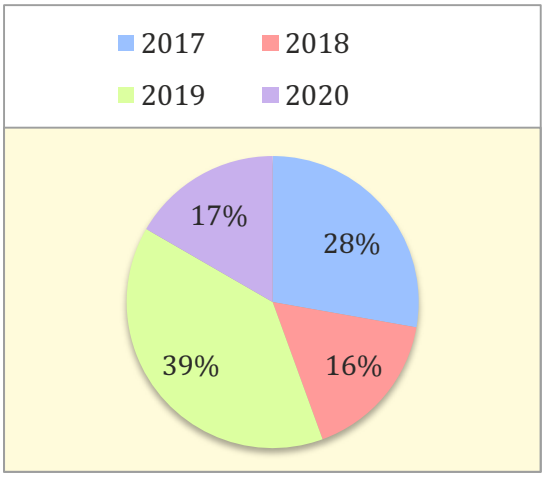


Figure 4: Figure showing the year participants acquired Turkish citizenship

While 39% of the immigrants participating in the study acquired Turkish citizenship in 2019, 16% stated that they received Turkish citizenship in 2018, 17% in 2017 and 16% in 2020.

Figure 5

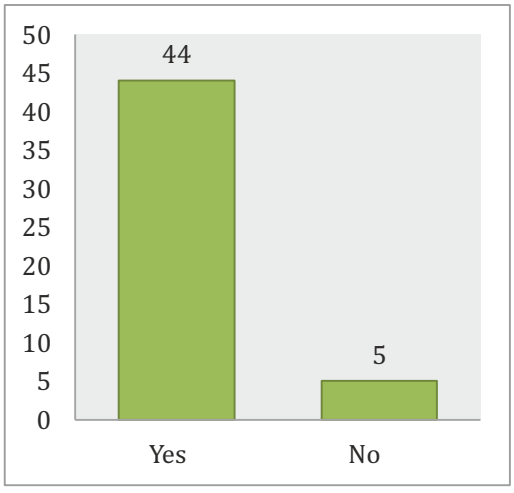


Figure 5: Figure showing whether the spouses of participants also acquired Turkish citizenship or not

Only 5 participants stated that their spouse has not yet acquired Turkish citizenship. While other 44 participants stated that their spouse also acquired citizenship, it was observed that only one spouse acquired citizenship due to polygamy in some families.



Figure 6: Number of Children in the Family

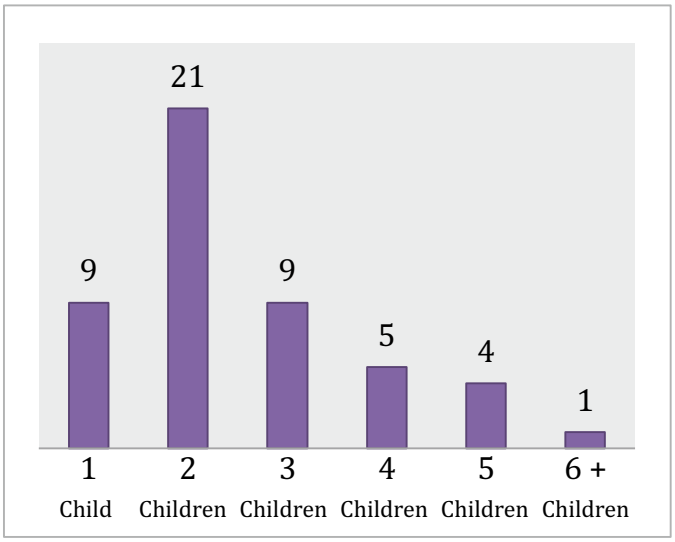


Figure 6: Number of Children in the Family

Figure 6: Figure showing the number of children in the family

Contrary to popular belief, the Syrian refugees who received Turkish citizenship do not have families with many children. While 22 of participants have 2 children, only 1 family have 6 and more children.

Only 2 of the families which participate in the study stated that all their children acquired Turkish citizenship (Figure 7). However, families complained about the long process and stated that this process could be shortened. One or two children of the 47 participants has not acquired Turkish citizenship yet.

Figure 7 - Türk Vatandaşlığı

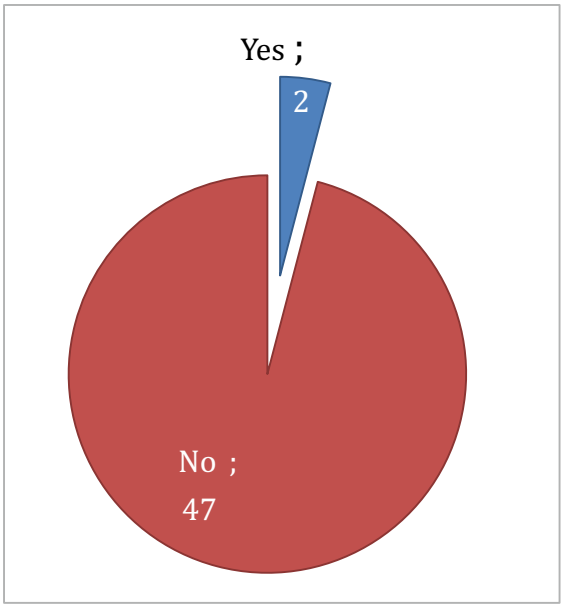


Figure 7: Figure showing whether all children in the family have acquired Turkish Citizenship or not

Figure 8

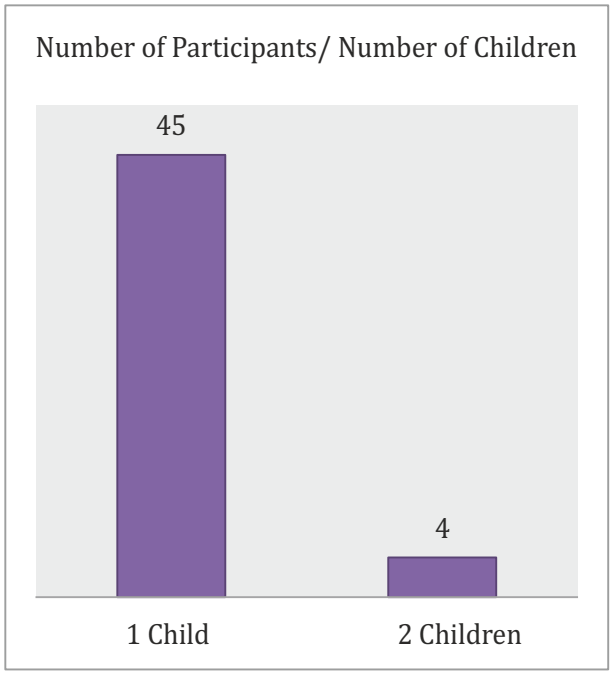


Figure 8: Figure showing the number of children who have not acquire Turkish citizenship

To the question asked to find out the number of children who did not acquire Turkish citizenship, 45 of the participants stated that only 1 child did not acquire Turkish citizenship. Other 4 participants stated that their 2 children have not yet acquired Turkish citizenship. When asked the date of birth of these children, it was stated that the children were born between the date the family applied for Turkish citizenship and the date they received citizenship. During this period, it was stated that a new application was opened for the newborn baby, and later they acquired citizenship, but the child has not yet acquired it. It is the figure that explains only the number of children who have not yet acquired/could not acquire Turkish citizenship regardless of whether the parents have other children or not. Therefore, whether parents have other children or not is not considered.

Figure 9

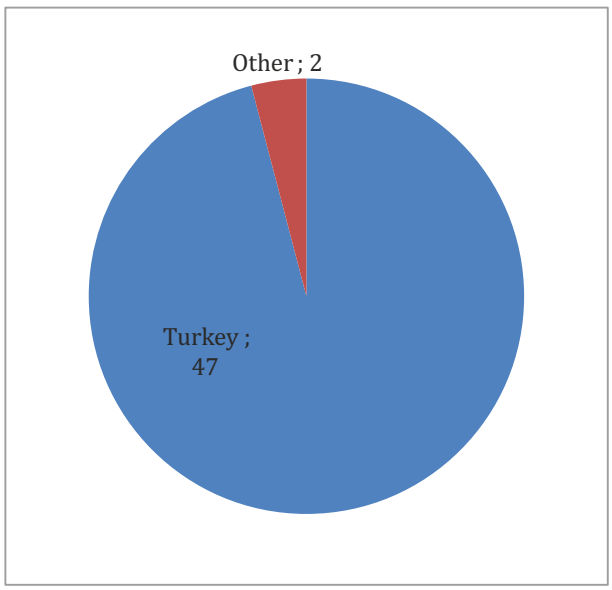


Figure 9: Figure showing the place of birth of the children who did not acquire the citizenship

Examining Figure 9, while 47 of the 49 participants in the survey stated that their children who did not acquire Turkish citizenship was born in Turkey, only 2 participants stated that their children was born outside the border of Turkey.

Figure 10

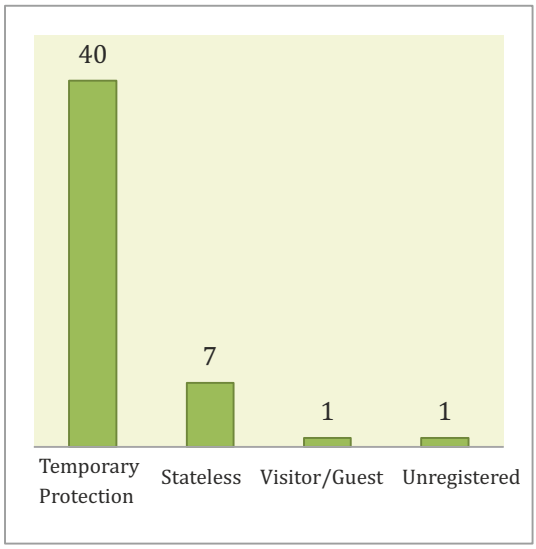


Figure 10: Figure showing the current status of the children who did not acquire Turkish citizenship

With the question asked to learn about the current status of their children who did not acquire Turkish citizenship, it is understood that 40 children have Temporary Protection Status, 7 children are stateless, 1 child has visitor-guest status and 1 child has no registration in Turkey. Here, how stateless children benefit from health services is also a subject of research. We do not have information on why stateless children have this status, but it is considered that there may be situations such as multiple marriage or illegal entry into the country and subsequently not informing the relevant official authority. Also, there is no information about whether these children have special status or not.

Figure 11

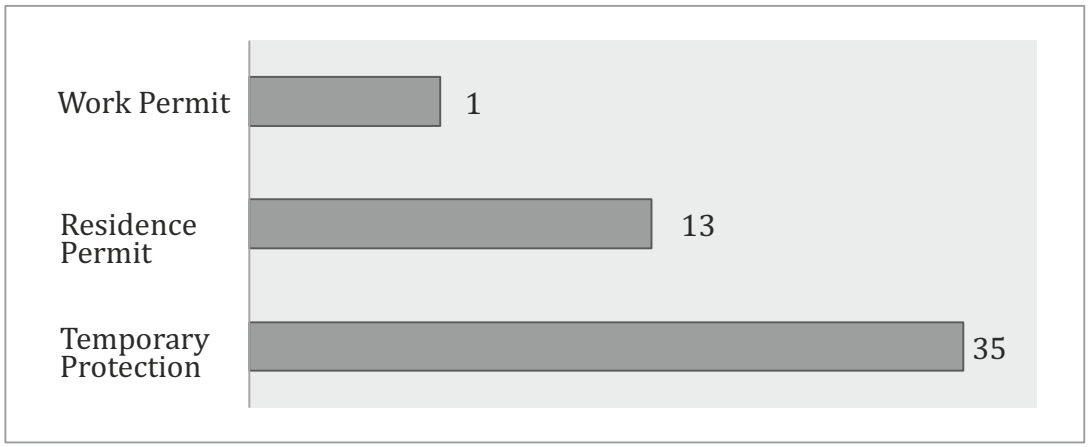


Figure 11: Figure showing the status at the time of citizenship application

To the question asked to find out the status of families at the time of applying for Turkish citizenship, 35 of the participants stated that they applied while under the Temporary Protection Status. While the number of applicants with a residence permit is 13, the number of participants applying with a work permit is 1. People who have a work permit and a residence permit are also under Temporary Protection. However, this question led to the information that there were also people who could not acquire a work permit and a residence permit but were able to apply for citizenship. Here, it is understood that the exceptional article allows refugees under temporary protection to apply for citizenship regardless of whether they have a work permit or a residence permit.


APPROVED

Figure 12

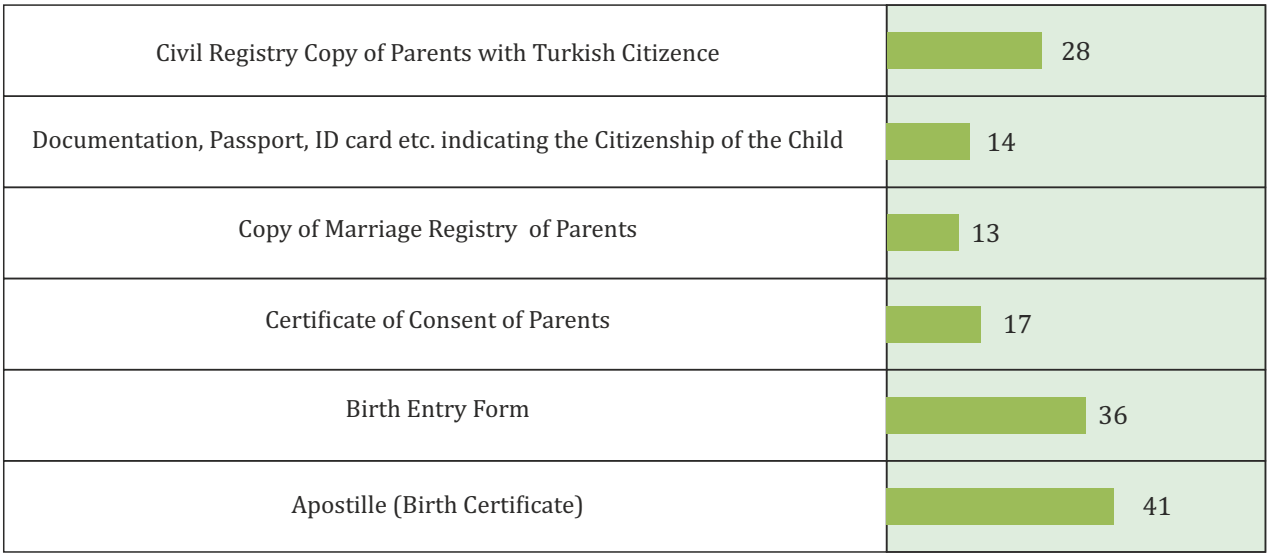


Figure 12: Figure showing the documents submitted in the citizenship application for the newborn child

When Figure 12 is examined, it is understood that people applying for Turkish citizenship did not follow the same method. Documents requested from Syrians may be different. The reason for this difference has not known yet. In some cases, it is understood from the answers of the participants that authorized bodies requested supplementary documents. During the interviews with Provincial Directorate of Migration Management or processes in the General Directorate of Population and Citizenship Affairs, supplementary documents may be requested from Syrian who can apply within the scope of the exceptional article in the Turkish Citizenship Law, if deemed necessary.

Figure 13

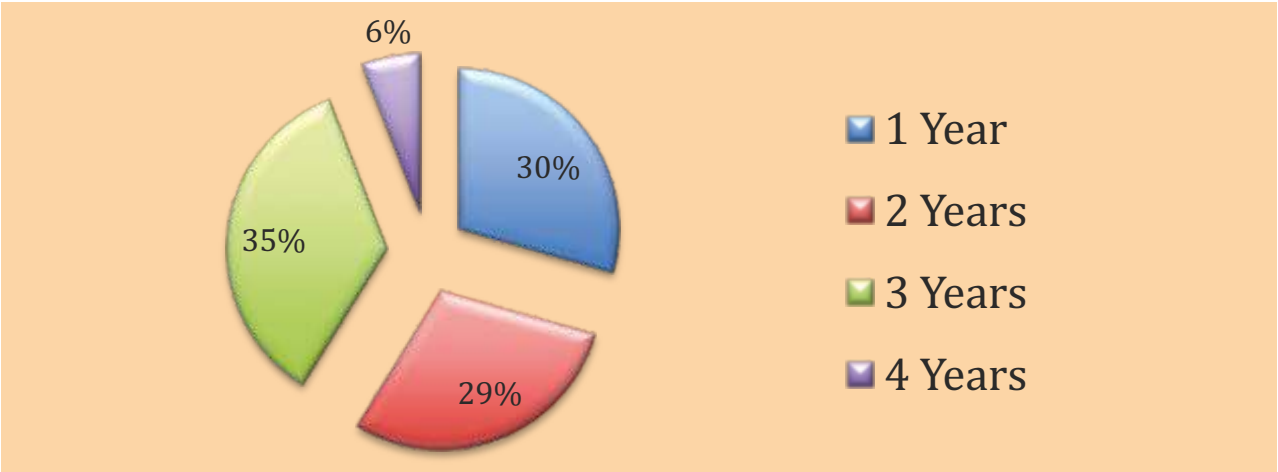


Figure 13: Figure showing time of pending of the citizenship application for a newborn child

The answers given to the question asked to learn about the status of children whose at least one of the parents have acquired Turkish citizenship but they have not yet acquired/could not acquire Turkish citizenship are as in the graphic. While the majority of children's applications have been at investigation stage for 3-2-1 years, it is observed that there are children who made application 4 years ago but investigations are still pending. It should be noted that 4-year-old children will have problems in social services in general and especially in being registered in nursery and kindergarten.

Figure 14

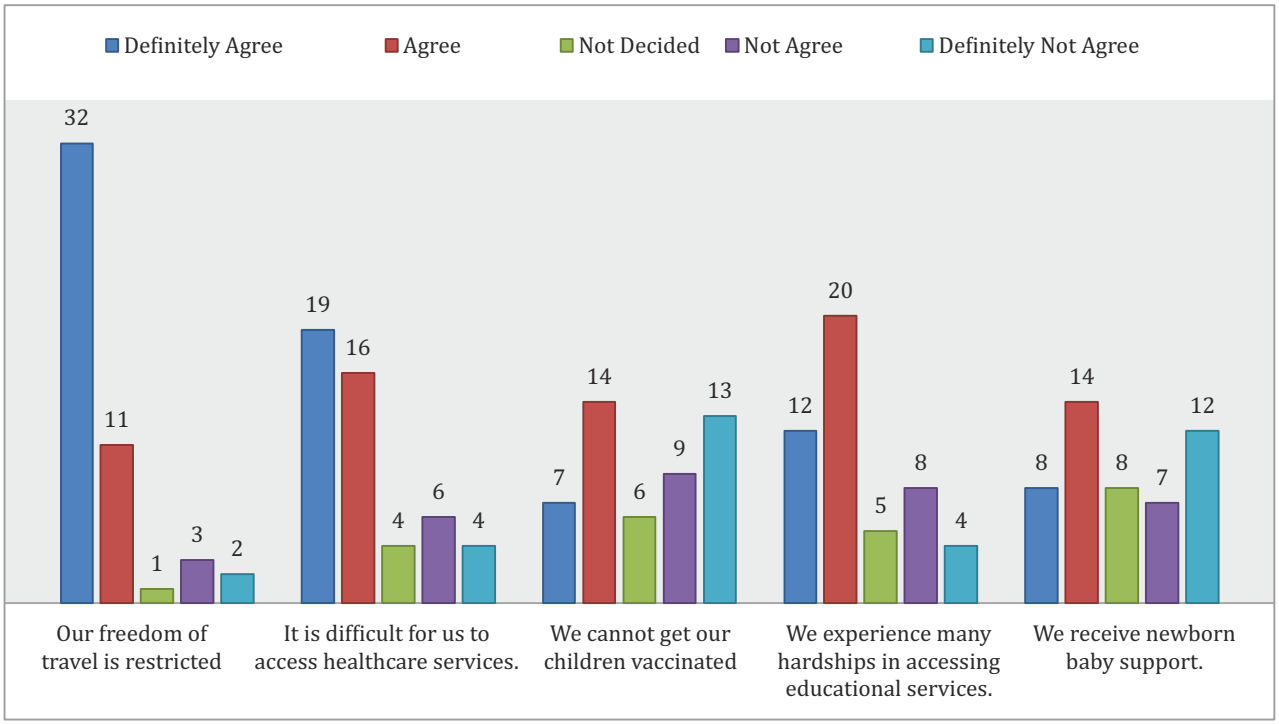


Figure 14: Figure showing whether they agreed the specified questions or not

When the participants were asked whether they agreed with the specified situations or not, their answers revealed how urgent the problem was. Among 49 participants, 43 participants stated that their freedom of travel was restricted, and 35 participants stated that they had difficulty in accessing healthcare services. 21 participants stated that their children could not have vaccination. While the number of participants stating they had difficulty in accessing educational services is 32, the number of participants stating that they could not get newborn baby support from the state is 19. While parents do not have restrictions in terms of freedom of travel, it is thought that they have restrictions indirectly because their children cannot travel. There is no participant stating that they illegally get their children vaccinated by healthcare professionals such as Syrian doctors or nurses, but it is thought that the healthcare procedures of stateless and unregistered children are provided in this way.

If an evaluation is made with the data in this Figure in the light of international and national child rights laws and other legal documents, it should not be forgotten that children have right to grow up in an environment that protects them. Protection of child rights is a primary problem in developed and developing countries. The value that a society gives to children in ensuring the development and continuity of society is directly proportionate to its development [18]. A protective environment for the children is an environment in which children are healthy both physically and mentally, self-confident, and may respect/ learn to respect the rights of other people [19].

In Article 7 of the UN Convention on the Rights of the Child [20], it is stated as follows regarding the citizenship of the child: “The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and.

as far as possible, the right to know and be cared for by his or her parents." In the same Article, the responsibilities of the States Parties to the convention are specified as: "States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless."

In the Article 28 and 29 of the Convention on the Rights of the Child, the right to education of the children has been included and it is emphasized that the state party accepts the right to education and it should be realized in accordance with the equality of opportunity. To the question asked about education in Figure 14, the parents complain that their other children cannot go to other provinces and get education under better circumstances due to the fact that their children who have not yet acquired/could not acquire Turkish citizenship. It has been observed that the situation of the child, who has not yet acquired/could not acquire Turkish citizenship, directly affects and restricts the rights of all other individuals in the family.

Article 25 of the Universal Declaration of Human Rights, adopted in 1948, included the Right to Health[21] within the framework of the "right to life" which is the most fundamental right as follows: "(1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection." It is said in Article 24 of Convention on the Rights of the Child, "States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services."

Although the right to access healthcare services is directly mentioned in the Universal Declaration of Human Rights and the Convention on the Rights of the Child, it is seen in Figure 14 that the children of the participants have difficulties in accessing health services. It is apparent that there are those who cannot access the vaccine system which is a precautionary measure to prevent diseases.

Again, Article 13 of the Universal Declaration of Human Rights mentions right to travel as" 1) Everyone has the right to freedom of movement and residence within the borders of each state.(2) Everyone has the right to leave any country, including his own, and to return to his country." To the question asked during the reporting phase, 43 out of 49 participants stated that their freedom of travel was restricted. Although personal freedom of travel is not restricted, it is seen that parents directly affected from travel restrictions subject to special permission of their children who have not yet acquired/could not acquire Turkish citizenship.

4. Comments and Opinions of Participants

Participant 3: *"We have submitted all the necessary documents and paid the fees for one and a half year, but there is no response so far and they do not provide any information."*

Participant 8: *"We are deprived of health and education services."*

Participant 18: *"My son could not acquire citizenship and he is 2 years old now."*

Participant 20: *"We have been waiting for citizenship for 2 years."*

Participant 27: *"My daughter had citizenship."*

Participant 44: *"My mother has citizenship in my family other than me."*

Participant 49: *"We hope that this study will reach the decision makers to solve our problem."*

Participant 32: *"I booked a flight ticket for my family, but since I have a child without citizenship, I cannot get the HES (Hayat Eve Sığar) (Code for safe movement in accordance with Coronavirus measures) Code for her/him, and I could not book a flight ticket for her/him."*

Participant 36: *"I had difficulty in getting my children vaccinated. I got it done illegally by immigrant doctors."*

Participant 29: *"I continuously have to prove that the child belongs to us with a birth certificate whenever the police patrol asks. The parents are Turkish citizen, but the police do not believe that the child has temporary protection status."*

Participant 32: *"These are children, I have difficulty in understanding why this process takes so long time. There is no security problems arising from children. Investigation should take less time."*

Participant 9: *"I generally have problems in hospitals. When travelling, they do not believe that he is my son and I have reactions and problems such as how your son does not have citizenship while you have."*

Participant 4: *We want a solution to the problem of children who have not yet acquired Turkish citizenship."*

Participant 45: *"I have acquired citizenship but my children have not yet, however, I applied for them and submitted necessary documents. Can you please help, thank you."*

5. Conclusion

As the crisis in Syria leaves its ninth year behind, the hopes of Syrian refugees to return to Syria, their homeland, have begun to disappear due to the current condition in Syria. For this reason, refugees have been struggling to adapt a new life in Turkey. Although some of the Syrian refugees are looking for a way to return their country, inappropriate conditions in Syria directs Syrians to adapt a new life in Turkey.

Syrian refugees trying to get used to their new life in Turkey are hoping to acquire Turkish citizenship. However, the acquisition of Turkish citizenship by refugees under Temporary Protection can only occur in exceptional cases. Exceptional cases specified in the law are stated in the first part of the report.

Some refugee groups who have acquired Turkish citizenship have different problems. The most important of these problems is the status of children whose parents have acquired Turkish citizenship and who were born between the date of application and the date of citizenship. It takes a long time for these children to acquire citizenship, as can be seen in the graphics above. Years of investigations have led to problems in families' access to basic rights such as traveling, access to education, and access to healthcare services.

In addition to the data for analyzing the families' situation in the report, the expectations of the families from this study are included in the 4th heading. Stating various problems and wishes, participants hope that this study will reach the authorities and decision-makers and necessary works will be done in order to solve aforementioned problems.

6. Recommendations

1- As of the publication of report, to put an end to these victimizations by making legislative regulations with decision-making mechanisms to eliminate such victimization completely with the support of the TBMM (Turkish Grand National Assembly) Higher Committee on Human Rights , TBMM (Turkish Grand National Assembly) Sub-Committee on Migration and Integration, relevant public institutions, departments of political parties responsible on human rights and migration, non-governmental organizations and institutions.

2- In cases where both parents or one of the parents have acquired citizenship and only their children could not acquire Turkish citizenship due to bureaucratic reasons, making the necessary legislative changes to carry out necessary administrative research processes as quickly as possible.

3- To compensate the victimization of children whose parents have acquired citizenship but who could not acquire citizenship themselves due to long periods of different reasons, taking necessary steps to create a system similar to temporary citizenship number so that they can benefit from the rights arising from Turkish citizenship just like any Turkish citizen child.

4- To convince the necessary institutions to respond quickly to issues such as vaccines, access to education, health and social services that create irreversible victimizations so that these individuals whose parents have acquired Turkish citizenship but who have not yet acquired themselves access these services.

5- To take steps to save children whose parents or one of the parents acquired citizenship, and who was born in Turkey actually so that could not acquire Syrian citizenship, and accordingly became stateless, but not even in this status legally, and to provide psychosocial support to both parents and children in order to prevent the traumas that these children and their families will experience in the future.

6- Providing guidance, information sharing, awareness-raising support for the citizenship rights of parents who have acquired Turkish citizenship and the children who could not acquire citizenship through the state institutions, and non-governmental organizations and institutions.

References

1. Minister of Interior Süleyman Soylu, CNN TÜRK "Weekend Special" Program, 29.12.2019. Access: https://www.cnnturk.com/tv-cnn-turk/programlar/hafta-sonu/icisleri-bakani-suleyman-soylu-yilin-sicak-gelismelerini-ve-gundemdeki-kritik-konulari-hafta-sonu-ozelde-degerlendirdi - Minute 2:56:26)

2. Minister of Interior Süleyman Soylu, CNN TÜRK "Weekend Special" Program. 29.12.2019. Access: https://www.cnnturk.com/tv-cnn-turk/programlar/hafta-sonu/icisleri-bakani-suleyman-soylu-yilin-sicak-gelismelerini-ve-gundemdeki-kritik-konulari-hafta-sonu-ozelde-degerlendirdi - Minute 2:59:32).

3. Directorate General of Migration Management, Syrians under Temporary Protection (10.09.2020), Access: https://www.goc.gov.tr/gecici-koruma5638

4. Turkey, Temporary Protection Regulation, 22 October 2014, Access: https://www.refworld.org/docid/56572fd74.html

5. Access: https://www.mevzuat.gov.tr/MevzuatMetin/21.5.20146883.pdf

6. Temporary Protection Regulation, Provisional Article 1

7. European Commission, 'EU-Turkey Statement (18 Mart 2016) (EU–Turkey Memorandum of Understanding)
Access: http://www.consilium.europa.eu/en/press/press-releases/2016/03/18-eu-turkey-statement/

8. Report on Turkey's Asylum Law and Policies, Heinrich Böll Stiftung Association Turkey, 2019.

9. How to Give Citizenship to Syrians, Deutsche Welle Turkish (4 July 2016). Access: https://www.dw.com/tr/suriyelilere-vatanda%C5%9Fl%C4%B1k-nas%C4%B1l-verilecek/a-19376075

10. Soylu Announces the Number of Syrians Given Citizenship, Sol News Portal (30 December 2020). Access: https://haber.sol.org.tr/turkiye/soylu-vatandaslik-verilen-suriyeli-sayisini-acikladi-277273

11. Citizenship, Migration and Integration Policies, Access: https://www.researchgate.net/publication/320205917_Goc_ve_Entegrasyon_Politikalarinda_Vatandaslik (Access Date: 18.09.2020)

12. Turkish Citizenship Law, Article 11.

13. 14 March 2017 Dated and No. 30007 "Turquise Card Regulation".

14. Citizenship for Syrians in 9 Title, Yeni Şafak Gazette (9 July 2016). Access: https://www.yenisafak.com/gundem/9-baslikta-suriyelilere-vatandaslik-2491850

15. Their Homeland Will Be Turkey, Yeni Şafak (4 July 2016). Access: https://www.yenisafak.com/gundem/vatanlari-turkiye-olacak-2490291

16. Their Homeland Will Be Turkey, Yeni Şafak (4 July 2016). Access: https://www.yenisafak.com/gundem/vatanlari-turkiye-olacak-2490291

17. Kamu News Bulletin, 22 December 2019. Access: https://www.kamubulteni.com/gundem/erdogan-dan-suriyelilere-vatandaslik-aciklamasi-vatandaslik-h17773.html

18. Akyüz, Emine (2000) Protection of Child Rights and Safety in National and International Law, Ankara, Milli Eğitim Basımevi.

19. Bellamy, C. (2004) Childhood Under Threat, Ankara, UNICEF Publications

20. UN Convention On the Rights of the Child. Access: https://www.unicef.org/turkey/%C3%A7ocuk-haklar%C4%B1na-dair-s%C3%B6zle%C5%9Fme

21. Universal Declaration Of Human Rights, Access: https://www.ohchr.org/EN/UDHR/Pages/Language.aspx?LangID=trk





SOLARIS

www.solaris.ngo

info@solaris.ngo