

# Shadow Report on Turkey to the UN Committee on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW) 24<sup>th</sup> session 11 – 12 April 2016

**This shadow report on the implementation of the UN Convention on the Rights of Migrant Workers and their Families is a joint initiative of the Platform for International Cooperation on Undocumented Migrants (PICUM), the Development Workshop Cooperative, the Human Resource Development Foundation (HRDF), and the Immigrant Justice Clinic at American University Washington College of Law (IJC) complementing the First Periodic Turkish Report to the Migrant Workers Committee.**

## I. Introduction

This joint submission examines the Turkish Republic Government's progress towards the enjoyment of the UN Convention on the Rights of Migrant Workers and members of their families, with specific focus on the human rights situation of undocumented migrant workers. Coordinated by PICUM with support from the IJC, this report is a summary of existing research, reports and insight from Turkish organisations working on the ground – namely, the Development Workshop Cooperative and the Human Resource Development Foundation (HRDF).

Addressing Section B.1. (*regarding Part II Article 7 of the Convention*) prohibiting discrimination against regular and irregular migrant workers as well as Section B.3. (*regarding Part III Articles 8-15*) of the List of Issues Prior to Reporting (LOIPR).<sup>1</sup>

Since its ratification of the International Convention on the Protection of All Migrant Workers and Members of their Families (the Convention) on 27 September 2004<sup>2</sup>, the Turkish government has not adequately met all of its obligations under the Convention. Despite the twelve-year delay between the State Party's ratification of the Convention and its initial review by the Committee, and recent legal amendments in the Law on Foreigners and International Protection, No 6458<sup>3</sup>, the lack of adequate labour law standards addressed at ensuring equal protection for undocumented migrants further exposes them to exploitation, discrimination and abuse, and presents a barrier to migrants' equality and empowerment.

Focusing on the general labour rights situation of migrant workers; the difficulties facing migrant workers to obtain, and maintain, a work permit; the lack of an effective complaints mechanism to claim unpaid wages and address exploitation; and barriers to access basic social rights including education and healthcare - **this report highlights urgent shortcomings regarding Turkey's fulfilment of Articles 1, 25, 27, 30 and 31 of the Convention.**

## II. Undocumented migrants in Turkey

While Turkey has a long history of migration, in the early 1990s it changed from being primarily a country of origin to a country of destination. Turkey has emerged as a popular destination for labour migration in the region, as its large informal sector offers different opportunities for irregular migrants to stay for a while than travel further to other countries or return to their countries of origin. The liberal visa regime for citizens of some countries serve as short term stay permits. However, as these are tourist visas, they do not allow migrants a work permit or offer them social security.<sup>4</sup> Recently, the country has faced a large increase in the numbers of migrants seeking shelter and safety in Turkey or transiting through Turkey to get to the European Union. While the nature of irregular migration presents

many challenges to gather data, an IOM report of 2012 estimated the number of undocumented migrants in Turkey between 200,000 and 5 million.<sup>5</sup> On 10th of March 2016, Deputy Prime Minister Yalçın Akdoğan, announced that the number of Syrian refugees in Turkey reached 2,733,784 of which 282,815 refugees reside in 26 temporary refugee centres.<sup>6</sup>

Despite the scarcity of official quantitative data available, on-the-ground reports from various Turkish NGOs provide a qualitative picture of the difficulties that undocumented migrants in Turkey face. It is their observance and analysis that undocumented migrants mainly entered Turkey regularly with touristic visas and became undocumented when their visas expired, or entered with a visa worked without a work permit, leading them to become undocumented.<sup>7</sup> Nationalities include Azerbaijanis, Georgians, Syrians, Armenians, Moldovans, Iranians, and as well as migrants from Central Asia and Africa. Undocumented migrants in Turkey work in agricultural production, construction, textile industries, the domestic sector, street vending, and in sex work.

Notably, this review by the Committee comes at a time in which Turkey has unprecedented political and geographical significance regarding irregular migration. Turkey and the European Union are currently negotiating an agreement to limit the flow of migrants entering the EU, which is foreseen to be adopted at the EU Council Summit meeting, held on 17-18 March 2016. There is serious concern among civil society organisations that the EU is attempting to side-step its obligations under international human rights and refugee law, and using economic enticements to encourage Turkey to crackdown on irregular entry, without seeking any assurances for the humane and dignified treatment of migrants. For this reason, we would urge the committee to carefully address the Turkish governments' record of violations against existing – as well as potential - irregular migrants.

On the international stage, the Turkish government actively promotes its efforts to deter and detect undocumented migrants. Indeed, the website of the Turkish Ministry for Foreign Affairs lists “Turkey’s Fight Against Illegal Migration” as a “main issue”, stating “(g)iven the magnitude of the problem, providing shelter, food, medical treatment as well as bearing the return costs of such high number of illegal immigrants puts heavy financial burden on the already strained resources of Turkey”.<sup>8</sup> While the Ministry’s website<sup>9</sup> highlights ratification of the UN Convention on Organised Crime, no reference is made to Turkey’s ratification of the UN Migrant Workers Convention. In addition, the “Statistical data on illegal migration” presented by the Ministry, is notably limited to the number of “apprehensions”, indicating that this is the main priority of the Turkish government towards undocumented migrants.

As a signatory of the Convention, Turkey has obligations to uphold the rights of undocumented migrant workers and their families to shelter, food, and medical treatment. To meet these ends, Turkey should refrain from using dehumanising and criminalising language to describe irregular migrants and irregular migration, and ensure that its communications about irregular migrants refer to their innate rights, and the international obligations of the Turkish government to respect, protect, and fulfil these rights.

### **III. Undocumented migrant workers: Labour rights and access to justice**

One of the main hurdles faced by migrant workers in Turkey is the absence of access to work permits, a situation which often results in employers taking advantage of their insecure status. Due to their irregular and unregistered status, undocumented migrant workers do not have a course of redress.

#### **1. Access to work permits**

Foreign nationals who seek work in Turkey are required to obtain a work visa and a work permit before taking up employment.<sup>10</sup> Work visas can be obtained from Turkey’s foreign missions, and the work permit is granted by the Turkish Republic’s Ministry of Labour and Social Security in Turkey. Under the Code of Work Permits for Foreigners, work permits are not valid without a work visa. Foreign nationals who have obtained a residence permit valid for at least six months can directly apply for a work permit in Turkey. However, Article 3 of the current Residence Law

provides that working “foreigners” who arrive in Turkey must first obtain a Residence Permit within a month or two as from the date of arrival or before working.<sup>11</sup>

In 2003, the Law On The Work Permit For Foreigners No. 4817<sup>12</sup> was adopted as a way to create a regime that complies with Turkey’s obligation under the Migrant Workers’ Convention; however, a number of laws still exist in the Turkish legislation that unduly prohibit the employment of migrant workers in key sectors. For example - in violation of the non-discrimination clauses of the Convention - Law No. 5683 on Residency and Travel of Foreigners in Turkey<sup>13</sup> states that migrant workers can only hold certain professions not prohibited to them by law. This regulation, in accordance with a large number of laws on professions, make Turkish citizenship a prerequisite for taking up many jobs in Turkey.<sup>14</sup> This law regulates the skilled labour force rather than undeclared work in a way that excludes informal sector jobs that are unregistered, low paid and often not preferred by the local citizens (domestic care services etc.), or in labour intensive sectors such as agriculture, construction and textile.

Turkish labour migration laws fail to provide adequate protection for all categories of migrant workers. Even those with regular status - and required work permits - face many challenges and inadequate redress for abuses as a result of the limitations attached to their work permits.

Additionally, Article 5 of the Law No. 4817 states that fixed-term work permits are given for the specific profession and workplace applied for, and valid only for such purpose.<sup>15</sup> This means that, a migrant worker with a work permit may not change their profession or workplace during the duration of their permit. This creates an opportunity for abuse by tying migrant workers to specific employers. Consequently, migrant workers are reluctant to report abuse and unlawful workplace conditions for fear of losing their jobs since their immigration status is tied to their employer.

The conditions created by the present migration regime in Turkey means that in certain sectors - such as agricultural production, construction, textile industries – contain high concentrations of migrant workers engaged in fragile and insecure employment.

#### ➤ **Access to work permits for Syrian refugees**

It is generally impossible for migrants without residency permits - or at least six months’ refugee status - to obtain a work permit in Turkey. In response to the situation of Syrian refugees in Turkey, Turkish legislation recently evolved and the Circular on Work Permits for Foreigners Who Have Been Extended Temporary Protection (No. 2016/8375) was adopted and entered into force on 15 January 2016.<sup>16</sup> According to this new regulation, work permits can be granted to “refugees under temporary protection” as defined according to Turkish law. However, foreigners under temporary protection cannot work independently or be employed without a legally issued work permit. In any one work place, the number of working refugees under temporary protection cannot exceed 10% of the employed Turkish citizens, unless is it proven by the employer that there is no qualified Turkish citizen in the province who can perform the same job as the foreign worker. Meanwhile, for those with temporary protection seeking seasonal agricultural and stockbreeding jobs, the Provincial Governorate Office sets fixed quotas and handles applications for exemptions. The Ministry for Labour and Social Security may also implement limitations by province and by quota. The Ministry has been working on an instruction manual which will require Syrian migrants to submit job applications via the Provincial Employment Agency (İŞKUR).

Prior to this legislation, Syrian refugees were working as seasonal workers without work permits and generally earning half the salary of Turkish workers. While some organisations hope recent developments will lead to a rise of supply in the number of Syrian refugees to work in seasonal agricultural production in coming years,<sup>17</sup> others fear that the granting of permits will increase unemployment of Syrians in low wage and informal sectors as other, cheaper workers are hired. In this regard, Turkey should consider conducting a more large scale regularisation of migrant workers – enabling the formalisation of entire sectors of its economy - rather than a piecemeal approach to regularising certain workers on the basis of nationality.

## 2. Access to labour rights

Despite undocumented workers' inability to obtain work permits under Turkish labour laws, under the U.N. Convention on Migrant Workers they still merit protection against various workplace abuses. While undocumented workers in Turkey are entitled to many of the same workplace protections as Turkish citizens, in practice, workplace violations against undocumented migrant workers are common. **These types of practices are in breach of Article 11 and Article 21 of the Convention.**<sup>18</sup>

According to Article 25 of the Convention, Turkey is obliged to treat migrant workers no "less favourably than national workers with regard to remuneration, overtime, hours of work, weekly rest, holidays with pay, safety, health, or termination of employment relationships". Under Article 25 (3) "States Parties shall take all appropriate measures to ensure that migrant workers are not deprived of any rights derived from this principle by reason of any irregularity in their stay or employment. In particular, employers shall not be relieved of any legal or contractual obligations, nor shall their obligations be limited in any manner by reason of such irregularity".<sup>19</sup> However, in reality, many undocumented migrant workers in Turkey suffer severe violations of these basic rights. Employers may take advantage of the undocumented migrant workers by making them work long hours, withholding their pay, and subjecting them to unsafe working conditions.

Fear of retaliation, the threat of deportation, and the monetary fine for unregistered work only act to deter unregistered migrant workers from raising problems of abuse.<sup>20</sup> Under Article 21 of the Law on the Work Permit for Foreigners No 4817, migrants who work without a legally issued work permit - as well as their employers - risk administrative and penal fines.<sup>21</sup> The fines range from 881 Turkish Liras (\$301/ €272) to 1 762 Turkish Liras (\$603 / €545) for migrants workers and from 8 848 Turkish Liras (USD \$3028 /EUR €2736) to 17696 Turkish Liras (\$6056 / €5473) for employers.<sup>22</sup>

Wages paid to migrant workers vary across sectors. The wage level is very much determined by the level of competition for jobs. Wage discrimination is also closely linked to social position and perceived hierarchy amongst different nationalities of migrant workers. For instance, in Gaziantep and the Çukurova region where the agricultural labour wage is at its lowest, there is a high concentration of Syrian workers. Increasing numbers of Syrian refugees have taken up work in the livestock sector. Most notably, in the highlands of Malatya, Syrians are being employed as shepherds as they are cheaper than the tradition shepherds from Şanlıurfa and Diyarbakır.<sup>23</sup> In addition, their wages are paid irregularly and it is common that they do not receive any payment on the completion of their work.<sup>24</sup>

The 2014 report "Enhancing the Role of Georgian Emigrants at Home" found that 51% of the Georgians in Turkey entered Turkey without work permits and became undocumented when their tourist visas expired. They generally take up low paid jobs with harsh conditions or in domestic service sectors. The report found that female Georgians specifically engaged in domestic work, and seasonal jobs in the hazelnut or tea plantations, whereas male Georgians worked in construction jobs.<sup>25</sup>

### ➤ **Lack of labour rights for undocumented domestic workers**

According to a survey undertaken by the Human Resource Development Foundation (HRDF) with migrant domestic workers in Turkey, being undocumented leads to insecurity and may render migrant women in particular, vulnerable to exploitation at their work places. Those abuses and exploitation ranged from overtime work without proper compensation and confiscation of their passports by their employers to verbal and a few sexual abuse cases including rape. Furthermore, employers may threaten to denounce undocumented domestic workers for deportation. As one of the testimonies documented by the HRDF describes, "*An 80 year old man employed me to look after his old wife. He asked me to sleep with him. When I said no, he took away my passport. He said if I refused to sleep with him, he would call the police and denounce me to be deported. He did not pay my wage. He called the police and that is why I am here at detention. I was working without work permits. I will be deported*".<sup>26</sup>

### ➤ **Poor working conditions in the agricultural sector**

In the agricultural sector, there are high levels of undeclared work. The majority of the farmers do not sign formal contracts with their workers and less than half make wage payments directly to workers – paying middlemen instead - and only few have workers have records of wage payments. More than half of the farmers who make wage payments to the agricultural middlemen give no information to the workers about this payment, leading workers to be charged additional payments by middlemen. Working days of 12 hours is regarded as “normal working time” by farmers and thus almost all of the workers work longer than 8 hours a day. Almost half of farmers do not make any additional payment for overtime work. Migrant workers also face many barriers to establishing and join workers’ organisations.

## **3. Access to justice**

Upon experiencing situations of abuse or exploitation in the workplace, undocumented migrant workers in Turkey can rarely seek vindication for violations without being punished on grounds of their irregular migration status. Accordingly, undocumented migrant workers are effectively unable to file complaints for worker abuse or exploitation without penalty. This creates a work culture in which a severe power imbalance exists between employer and employee.

There are very few cases in which migrant workers were able to complain about their conditions of employment and receive some sort of compensation. The cases that do exist, related to severe work related injury or even death. According to our understanding there is no recognized mechanism in place to facilitate labour related complaints and while there are provisions under the Turkish legal system to address their labour rights, they are usually dependent on migrant worker’s ability to pay for a lawyer.

## **IV. Access to social rights**

In Turkey, undocumented migrant workers and their families systematically lack access to basic social rights including education and health care, as stipulated in Articles 27, 28 and 30 of the Convention. While Turkey has recently struggled to meet the needs of the increasing number of Syrian refugees arriving to its territory, it has also not fulfilled its obligations since ratification the Convention in 2004 regarding the basic social rights of undocumented migrant workers and their families.

### **1. Right to education**

As provided for in Article 30 of the Convention, “each child of migrant worker shall have the basic right of access to education on the basis of equality of treatment with nationals of the state concerned”. For migrant children with Temporary Protection status, the Ministry of National Education’s circular on foreigners’ access to education (No 2014/21) issued in September 2014, states that they should have access to educational services delivered through schools and temporary education centres overseen by the provincial education directorate in each province.

According to the 2015 Migrant Integration Policy Index (MIPEX)<sup>27</sup>, Turkey obtained the lowest score on education policies out of the 38 countries covered. MIPEX found that access to education is wholly unfavourable for foreign pupils in Turkey. Migrant children face barriers to access general support that exists for disadvantaged or minority students. The children of migrant workers who do attend school often face social adaptation and inclusion problems, as well as learning difficulties stemming from poor living conditions, language barriers and cultural differences. Pre-school enrolment is very low, since many families cannot afford the fees and do not have transportation means.<sup>28</sup> The state does little to implement intercultural education in schools, besides a passing reference in the Citizenship, Democracy and Human Rights courses to diversity and discrimination against migrants.

Notably, the high rates of child labour among migrant workers in Turkey also greatly limit access to education and other social rights under the UN Convention on Migrant Workers. Civil society organisations are concerned that in this context, poorly educated and early school leaving migrant youth became unskilled labourers and this perpetuates generational labour market segmentation.

Among Syrian children in Turkey, school enrolment is at a particularly low level, with many compelled to work to help support their families. Organisations such as Development Workshop noted that even if there were a rise in schooling capacity, the economic hardships facing these families mean that many require their children to work for survival.<sup>29</sup> One child interviewed by Development Workshop worked 60 hours a week and was therefore unable to go to school. In response, the child's faculty supervisor simply stated, "It's not our fault they need to work . . . the state failed to provide for them."

**This situation is a violation of Turkey's obligations under Article 30 of the Convention** (and also violates the Convention on the Rights of the Child).

## 2. Right to health

Turkey does not provide healthcare coverage to undocumented migrants; not even emergency care is covered.

There is a lack of interpreters at state and private health facilities and – as the state have failed to introduce requirements to recruit interpreters – most healthcare professionals speak only Turkish language.<sup>30</sup> Since most of the migrant workers work without contracts, unregistered and irregular, they are not included to the social security system that comprises health insurance and pension rights.

Furthermore, legal sanctions are possible for providers offering care to undocumented migrants.<sup>31</sup> So while practical barriers mean that undocumented migrants are limited to private health care services where they must pay for care, the risk of legal sanctions remains a significant deterrent. As a result, irregular migrants generally avoid healthcare services. They generally either seek the advice from a pharmacy, or only approach health care services in an emergency situation when they are injured or seriously ill.

**This situation is non-compliant with Turkey's obligations under Article 28** – which requires to provide urgent medical care to all migrants, regardless of their immigration status – **and Article 27** which provides eligible migrants under domestic law with the same social security benefits as is provided to its national workers.

## V. Conclusions and recommendations

The Platform for International cooperation on Undocumented Migrants (PICUM), the Development Workshop Cooperative, the Human Resource Development Foundation (HRDF), and the Immigrant Justice Clinic (IJC) at American University Washington College of Law strongly urge the Committee and Turkey as a State Party to focus on the State Party's fulfilment of **Articles 1, 25, 27, 30 and 31** of the Convention by modifying current State Party legislation and enforcement.

As expressed in **Articles 1 and 25** of the Convention, Turkey should afford migrant workers the same rights and protections that it provides to its own nationals.

In accordance with **Article 25**, Turkey should eliminate the monetary fine imposed on undocumented workers under Turkish Law No. 4817. This fine stifles undocumented migrants' ability to bring complaints against their employers for workplace abuses. Instead of aiding migrant workers, this law penalizes them and refuses to recognize their status as victims of exploitation. Turkey should also establish defined complaint procedures and workers' compensation coverage for victims of workplace abuse and exploitation.

In accordance with **Article 27**, Turkey should eliminate discrimination in the application of its health care services for all migrant workers and their families within its territories. Turkey should also eliminate barriers to registration which prevent Syrian refugees from gaining access to health care.

In accordance with **Articles 30 and 31**, Turkey should improve the access to education of children of migrant workers regardless of their immigration status within the country, removing all legal and practical barriers.

## VI. AUTHORS

The **Platform for International Cooperation on Undocumented Migrants (PICUM)** was founded in 2001 as an initiative of grassroots organisations. Now representing a network of about 150 organisations working with undocumented migrants in 31 countries, primarily in Europe as well as in other world regions, PICUM has built a comprehensive evidence base regarding the gap between international human rights law and the policies and practices existing at national level. With over ten years of evidence, experience and expertise on undocumented migrants, PICUM promotes recognition of their fundamental rights, providing an essential link between local realities and the debates at policy level.

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**Human Resource Development Foundation (HRDF)** is a non-profit, non-governmental organisation established in 1988. HRDF, works to empower women, youth and children in particular, through advocacy, training and service provision in areas of population and sustainable development. The mission of the Foundation is "to perform any and all activities in order to contribute to the solution of health, education and employment problems which have a negative impact on the economic, social and cultural development of human resource".

The **Development Workshop Cooperation** is a non-profit cooperative established to support the development of Turkey and to provide contributions to conduct sustainable, reproducible and successful projects of all scales. The Development Workshop develops and implements programs in the field of governance, social development, education, and children and youth for and together with non-governmental organisations and producer unions. Areas of particular interest and strength for the Workshop are local development programs and project development, research and capacity building, promoting the cooperative movement, apiculture, seasonal labour migration and child labour.

The **Immigrant Justice Clinic (IJC) at American University Washington College of Law** provides representation on a broad range of cases and projects involving individual immigrants and migrants, and their communities, both in the D.C. metropolitan area and overseas. Students Attorneys in the IJC regularly appear in court and administrative proceedings. Since migration has a transnational dimension, the IJC also advocates before regional and international bodies.

## VII. END NOTES

- <sup>1</sup> As of the submission of this report, no State Party report has been published on either the Turkish government's Interior Department website or by OHCHR. Accordingly, this report is submitted to assist the Committee in its Rule 31 bis examination as adopted in the Committee's 16th session.
- <sup>2</sup> Information available on OHCHR website: [http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=179&Lang=en](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=179&Lang=en)
- <sup>3</sup> Law on Foreigners and International Protection, No 6458, 2013, available at: [http://www.goc.gov.tr/files/files/eng\\_minikanun\\_5\\_son.pdf](http://www.goc.gov.tr/files/files/eng_minikanun_5_son.pdf)
- <sup>4</sup> International Seasonal Agricultural Migration in Turkey: situation analysis, Policy Recommendation and cooperation with European Union Countries" Project concept Note June 2015 and situation analysis report, June 2015 Development Workshop Cooperative.
- <sup>5</sup> Toksöz G., Erdoğan S. and Kaşka S. (2012) Irregular Labor Migration in Turkey and Situation of Migrant Workers in the Labour Market, IOM, p.46; available at: [http://www.turkey.iom.int/documents/Labour/IOM\\_irregular\\_labour\\_migration\\_eng\\_05062013.pdf](http://www.turkey.iom.int/documents/Labour/IOM_irregular_labour_migration_eng_05062013.pdf)
- <sup>6</sup> Article from Newspaper Hürriyet, Başbakan Yardımcısı Akdoğan Suriyeli mülteci sayısını açıkladı, 10 March 2016 available at: <http://www.hurriyet.com.tr/basbakan-yardimcisi-akdogan-suriyeli-multeci-sayisini-acikladi-40066605>
- <sup>7</sup> Dündar, T. and Ozer, E. (2015) Being a migrant in Turkey, Migrant workers survey 2015. Istanbul, HRDF, p. 63.
- <sup>8</sup> <http://www.mfa.gov.tr/turkey-s-fight-against-illegal-migration.en.mfa>
- <sup>9</sup> Ibid.
- <sup>10</sup> Toksöz G., Erdoğan S. and Kaşka S. (2012) Irregular Labor Migration in Turkey and Situation of Migrant Workers in the Labour Market, IOM, available at: [http://www.turkey.iom.int/documents/Labour/IOM\\_irregular\\_labour\\_migration\\_eng\\_05062013.pdf](http://www.turkey.iom.int/documents/Labour/IOM_irregular_labour_migration_eng_05062013.pdf)
- <sup>11</sup> Kocaoğlu, E. (2012) Laws And Regulations Applicable To Foreigners In Turkey: A Practical Overview Of The Legal Requirements For Visa, Residence, And Work Permit, Ankara, TUBITAK-ULAKBIM database, available at: <http://www.ankarabaru.org.tr/siteler/AnkaraBarReview/tekmakale/2012-2/1.pdf>
- <sup>12</sup> Law on Work Permit for Foreigners, No 4817, 2003, available at: <http://turkishlaborlaw.com/work-permits-in-turkey/work-permit-law>
- <sup>13</sup> Law on Residency and Travel of Foreigners, No 5683, 2003, available at:
- <sup>14</sup> Toksöz G., Erdoğan S. and Kaşka S. (2012) Irregular Labor Migration in Turkey and Situation of Migrant Workers in the Labour Market, IOM, available at: [http://lastradainternational.org/lsidocs/3072-IOM\\_irregular\\_labour\\_migration%20Turkey.pdf](http://lastradainternational.org/lsidocs/3072-IOM_irregular_labour_migration%20Turkey.pdf)
- <sup>15</sup> Laws And Regulations Applicable To Foreigners In Turkey: A Practical Overview Of The Legal Requirements For Visa, Residence, And Work Permit / E. KOCAOĞLU; available at: <http://www.ankarabaru.org.tr/siteler/AnkaraBarReview/tekmakale/2012-2/1.pdf>
- <sup>16</sup> Regulation on Work Permit of Refugees Under Temporary Protection No. 2016/8375, 15 January 2016, available at: <http://turkishlaborlaw.com/news/legal-news/362-turkey-grants-work-permit-for-syrian-refugees>
- <sup>17</sup> Ibid.
- <sup>18</sup> General Comment N. 2 on the rights of migrant workers in an irregular situation and members of their families,(2013), CMW/C/GC/2 para 60.
- <sup>19</sup> UN Convention on Migrant Workers and Members of their Families, Art. 25.
- <sup>20</sup> Law on the Work Permit for Foreigners No. 4817, Article 21, available at: <http://turkishlaborlaw.com/work-permits-in-turkey/work-permit-law>
- <sup>21</sup> Ibid.
- <sup>22</sup> As per international exchange rates on 17 March 2016, rounded up or down to nearest unit.
- <sup>23</sup> From Poverty in Shifts to the Competition of the poor, Present status report on foreign migrant workers in seasonal agricultural production in Turkey, Executive Summary, (2015) Istanbul, Development Workshop.
- <sup>24</sup> Akdeniz, E. (2014) Suriye Savaşının Gölgesinde Mülteci İşçiler
- <sup>25</sup> Enhancing the Role of Georgian Emigrants at Home (ERGEM) Project, Case Studies Background Paper, 2013, Pg.24, available at: [http://www.icmpd.org/fileadmin/ICMPD-Website/ICMPD-Website\\_2011/Capacity\\_building/Migration\\_and\\_Development/ERGEM/Background\\_for\\_Case\\_Studies.pdf](http://www.icmpd.org/fileadmin/ICMPD-Website/ICMPD-Website_2011/Capacity_building/Migration_and_Development/ERGEM/Background_for_Case_Studies.pdf)
- <sup>26</sup> Dündar, T. and Ozer, E. (2015) Being a migrant in Turkey, Migrant workers survey 2015. Istanbul, HRDF, p.42
- <sup>27</sup> MIPEX findings on Turkey available at: <http://www.mipex.eu/turkey>
- <sup>28</sup> From Poverty in Shifts to the Competition of the Poor: Situation Analysis Report on foreign migrant workers in seasonal agricultural production in Turkey, Executive Summary, (2016) Ankara, Development Workshop Cooperation.
- <sup>29</sup> From Poverty in Shifts to the Competition of the poor, Present status report on foreign migrant workers in seasonal agricultural production in Turkey, Executive Summary, (2015) Istanbul, Development Workshop.
- <sup>30</sup> Ibid.
- <sup>31</sup> Ibid.