



Migration Governance Overview: The Republic of Turkey

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In 2015, the International Organization for Migration (IOM) developed a [Migration Governance Framework \(MiGOF\)](#) to help countries define what “well-managed migration policy” might look like at the national level. The MiGOF was welcomed by IOM’s Member States in the same year. The Migration Governance Indicators (MGI)¹ were developed to assist countries operationalize the MiGOF by using a standard set of approximately 90 indicators that could be applied across six key policy domains.

The MGI is a tool based on policy inputs, which offers insights on policy levers that countries can use to develop their migration governance. The MGI is not intended to function as a measurement of outcomes related to migration policies and institutions. Instead, it operates as an input-based benchmarking framework that offers insights on policy measures that countries can use to strengthen migration governance. The MGI is not meant to rank countries in the assessment of the comprehensiveness of their migration policies. The MGI aims to assist countries while advancing the conversation on migration governance by clarifying what “well-governed migration” might look like in the context of the [Sustainable Development Goal Target 10.7](#), “Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies.”

This country snapshot presents a summary of well-governed areas of the Republic of Turkey’s (hereafter referred to as Turkey) migration governance structures, as well as the areas with potential for further development, as assessed by the MGI.

¹ The Migration Governance Indicators (MGI) initiative is a policy-benchmarking programme led by the International Organization for Migration (IOM) and implemented with the support of the Economist Intelligence Unit. Funding is provided by IOM Member States.

The opinions expressed in this report are those of the authors and do not necessarily reflect the views of the International Organization for Migration (IOM). The designations employed and the presentation of material throughout the report do not imply expression of any opinion whatsoever on the part of IOM concerning legal status of any country, territory, city or area, or of its authorities, or concerning its frontiers or boundaries.

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Key findings

1. Adherence to international standards and fulfilment of migrants' rights

International conventions ratified

The table below follows a standard format and looks at the ratification of specific international conventions. The list of conventions covered is by no means exhaustive.

Convention name	Ratified
International Labour Organization (ILO) Migration for Employment Convention (Revised), 1949 (No. 97)	No
United Nations Convention relating to the Status of Refugees, 1951	Yes (1962)
United Nations Convention relating to the Status of Stateless Persons, 1954	Yes (2015)
United Nations Convention on the Reduction of Statelessness, 1961	No**
ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	No
United Nations Convention on the Rights of the Child (CRC), 1989	Yes (1995)
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), 1990	Yes (2004)
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	Yes (2003)
Council of Europe Convention on Action against Trafficking in Human Beings	Yes (2016)

**Although the Convention relating to the Status of Stateless Persons was not signed, it had a number of impacts on Turkish Citizenship Law No. 5901.

Migration Governance: examples of well-developed areas

The Law on International Labour Force No. 6735, introduced in 2016, aims at determining and implementing policies on labour migration and labour market integration, such as the procedures to be followed to grant work permits to foreigners. Within this scope, the Turquoise Card has been introduced and new arrangements have been made to facilitate the employment of foreigners, including international students. Moreover, this law exempts certain categories of foreign workers (such as executive board members of joint stock companies established in Turkey) from work permit procedures and establishes that foreign workers can take on independent work provided that they meet the special conditions specified in other laws. Only foreigners with special expertise can be employed in the public sector on a contractual basis and this is only on a temporary basis.

The Regulation on Work Permit of Foreigners under Temporary Protection was introduced in January 2016. As per Article 60 of the Constitution, everyone has the right to social security. Migrants can access health services under the coverage of General Health Insurance after obtaining a residence permit with condition of a minimum of one year of residence in Turkey and a declaration of legal address. Those who do not lodge their applications to the General Health Insurance or to the Social Security Institutions are required to hold a private health insurance when they request a residence permit. Undocumented migrants can only benefit from emergency health services. Persons under International Protection and stateless Persons are included in the General Health Insurance coverage. Syrian citizens under temporary protection can benefit from the same health services as citizens of the Republic of Turkey.

For what concerns access to education, according to Article 42 of the Constitution, no one can be deprived of the right to education: this includes foreigners independently from their legal status. Turkey also ratified the UN Convention on the Rights of the Child and the ILO Conventions No. 138 and 182.

Family reunification is possible for:

- a) Spouses of foreigners;
- b) Foreign children of sponsors or foreign minor children of the spouse of Turkish citizens; and
- c) Dependent foreign children of the sponsor or dependent foreign children of the spouse of Turkish citizens or of foreigners domiciled in Turkey with any type of residence permit after one year, as well as conditional refugees and subsidiary protection beneficiaries (Art. 34 of Law on Foreigners and International Protection, LFIP).

Besides these groups, Syrians under Temporary Protection status can benefit from family reunification.

Foreigners' access to long-term residence permit is regulated by Art. 42 and 43 of the Law on Foreigners and International Protection (LFIP). These Articles stipulate that foreigners that have continuously and legally resided in Turkey for at least eight years and have not used any kind of social assistance in the past three years can be granted a long-term residence permit provided that they prove to have sufficient means of subsistence, a valid health insurance and that they do not pose any threat to the public order. To apply for Turkish citizenship, migrants must have been residents for five years without interruption. Foreigners under international protection and under temporary protection do not have the right to apply for citizenship.

Areas with potential for further development

Even when migrants have a work permit, there may be some restrictions to labour market access. Certain activities can be performed exclusively by Turkish nationals.

2. Formulates policy using evidence and whole of government approach

Migration Governance: examples of well-developed areas

The Migration Policy Board which was established with Article 105 of the Law on Foreigners and International Protection No 6458/04/04/2013 was abolished with the Decree-Law No 703 due to Turkey's transition to a Presidential System of Governance and was re-established with the Decree-Law No 17 published in the Official Gazette in September 2018 under the name of "Migration Board".

The "Migration Board", under the chairmanship of the Minister of Interior, is responsible for the identification, coordination and application of Turkey's strategies in regard to foreigners and consists of representatives from ministries, institutions and organizations identified by the Ministry of Interior. The Directorate General of Migration Management (DGMM) acts as the secretariat of the Board.

Adopted in 2013, Law No. 6458 on Foreigners and International Protection (LFIP) ²functions as the country's primary immigration law and is translated into several languages.

² The Law is available at www.goc.gov.tr.

International labour force policies are developed taking into consideration international and regional labour mobility patterns, national development programmes, bilateral or multilateral agreements and international covenants to which Turkey is a party as well as public order, public health and public safety considerations.

Under the chairmanship of the Minister of Family, Labour and Social Security Services (MoFLSS), the International Labour Force Policy Advisory Board is composed of the Undersecretary of the Ministry as well as the undersecretaries of the Ministry of Foreign Affairs, the Ministry of Trade, the Ministry of Interior, the Ministry of Culture and Tourism and the Director General of International Labour.

In addition, the Communication Centre for Foreigners (YİMER in Turkish), established under the DGMM, is responsible for answering all questions of foreigners under international protection might have in relation to visa procedures, residence permits, temporary protection, among others and to assist victims of human trafficking.

Article 62 of the Constitution concerns Turkish citizens working abroad and specifies that the state should take the necessary measures to ensure family unity, the education of the children, the cultural needs, and the social security of Turkish citizens working abroad, as well as to safeguard their ties with the home country and help them on their return home. Turkey supports its diaspora population through the Presidency for Turks Abroad and Related Communities (YTB). Moreover, Turkey has diplomatic missions in some 130 countries.

The country is making efforts to enhance horizontal policy coherence by developing a Harmonization Strategy Document and a National Action Plan (NAP), with the support of international organizations such as IOM.

The DGMM collects and publishes data related to entry/exit, residence permits, irregular migration, international and temporary protection, victims of human trafficking, readmission and removal centres administrated by GDMM on its website.

In cooperation with the DGMM, the Turkish Statistical Institute (TurkStat) also collects and publishes data on foreigners. TurkStat, which is the official coordinator of Turkish Statistical System, produces annual information on stock of foreign population, internal migration and place of birth from the Address Based Population Registration System. Historical migration statistics were also produced based on the censuses.

In addition to these institutions, the MoFLSS and the Turkish Employment Agency (İŞKUR) produce statistics on foreigners' participation in the labour market. This data help developing evidence-based labour force policies.

In terms of efforts to enhance vertical policy coherence, the DGMM has 81 provincial organisations that directly work with local governments and in close coordination with municipalities.

The MoFLSS and the Turkish Employment Agency's provincial directorates have the duty to provide services to the foreigners registered by the institution, to conduct labour market investigations at national level, to timely submit the results to the General Management of İŞKUR and to reduce informality by taking actions on notifications and complaints related to foreigners working without permission.

Areas with potential for further development

Turkey has a national migration strategy defined in a programmatic document, but this has not been updated in light of recent large-scale immigration. The 2014-18 National Development Plan (NDP) mentions migration only briefly stating that there is the intention to develop an effective migration management system that supports the economy. Significantly, the Republic of Turkey, Budget and Strategy Presidency has been coordinating preparations for the 11th NDP (2019-2023): specialized expertise committees have been established and one of them is directly dedicated to international migration.

The General Directorate of Civil Registration and Nationality of the Ministry of Interior and Directorate General of Migration Management (DGMM) should keep demographic data up to date for relevant events (such as births, deaths, marriages and divorces) of foreigners who are residing in the country in order to produce accurate statistics on migration and foreigners.

Moreover, the 2005 National Action Plan on Migration and Asylum contains no substantial discussion about the impacts of migration on the local economy.

3. Engages with partners to address migration and related issues

Migration Governance: examples of well-developed areas

Turkey is part of the Regional and Global Migration Dialogues, for instance, the Budapest Process, the Prague Process, the Almaty Process and the Bali Process. The country also participates in bilateral migration negotiations, discussions and consultations, in particular with EU member states. For example, Turkey and the EU have recently launched a dialogue on visas, mobility and migration.

Turkey has a number of formal bilateral agreements with sending/receiving countries. It currently has bilateral social security agreements with 28 countries bilateral labour agreements with 12 countries, including Germany, Austria, Belgium, the Netherlands, France and Sweden.

Turkey and the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex) have a MOU on border management.

In addition, Turkey was chair of the Global Forum on Migration and Development (GFMD) for 2014 - 2015 and hosted the World Humanitarian Summit in 2016. The country is part of the executive committee of UNHCR and a member state of the IOM. The country also engaged in the preparations of a Global Compact on Migration.

Turkey formally involves civil society organizations when dealing with migration-related issues. The same applies to the private sector. For instance, the MoFLSS involves labour and employer organizations in the legislation and decision-making processes related to labour migration.

The country also formally involves members of diaspora in agenda setting and implementation of development policies. Supporting Turkish citizens living abroad and improving their ties with the homeland has been one of the priorities of the 10th National Development Plan (2014-2018).

Areas with potential for further development

The country is not yet part of any regional agreements promoting labour mobility. Turkey and the EU are discussing a visa liberalisation road map. The Black Sea Economic Community promotes similar efforts.

4. Advances the socioeconomic well-being of migrants and society

Migration Governance: examples of well-developed areas

The Turkish Employment Agency (İŞKUR) conducts a labour market needs analysis, which include statistics on open occupations list. The TURKSTAT Household Labour Force Statistics are the main data source for labour market features in terms of supply. Regarding the situation of emigrants, the Directorate General of External Affairs and Services for Workers Abroad under the MoFLSS publishes an annual report on labour force

participation of emigrants. The MoFLSS gives wide coverage to work permit statistics in its “Labour Statistics” yearbook.

The Vocational Qualification Authority, member of the European Qualifications Framework, is responsible for the validation of the vocational skills of migrants who would like to work in Turkey. The Council of Higher Education is the main institution responsible for the accreditation of foreign higher education qualifications.

According to Article 38 of Law no.6458, foreigners who enrol in primary, secondary and higher education institutions are granted a student residence permit. Foreign students attending an associate or undergraduate programme can apply for a work permit after the first year, and they can work on a part time basis as per the Article 41 of Law no. 6458. These restrictions are not applied to graduate or postgraduate students enrolled in programmes providing formal education.

Turkey has formal Bilateral Labour Agreements (BLAs) with Germany, Australia, France, the Netherlands, Cyprus, Libya, Jordan, Azerbaijan, Kuwait, Belgium and Qatar.

Turkey is part of the G20 plan to facilitate remittances flows and is exploring how to increase the efficiency of remittances services.

Areas with potential for further development

At the university level, tuition fees for international students vary depending on the nature of the programme but generally at State Universities foreign nationals pay two to three times the fees of Turkish nationals and there are no quotas on foreign student numbers.

5. Effectively addresses the mobility dimensions of crises

Migration Governance: examples of well-developed areas

Turkey has developed a strong and coherent disaster management system as well as laws and plans that aim at supporting both citizens and migrants, including conditional refugees. These plans were further enhanced in 2013 after the arrival of several thousand Syrians. Turkey’s Disaster and Emergency Management Authority (AFAD) was established in 2009. In addition, since the implementation of the LFIP in April 2014, the DGMM became the sole institution responsible for the entry, the stay and the exit of foreigners as well as for protection and asylum-related issues.

Turkey’s disaster risk reduction strategy includes some provisions that address the displacement impacts of natural disasters. In the AFAD’s Strategic Plan 2013-2017, internal migration or displacement have been identified as a consequence of climate change or of nuclear reactor related accidents. Although the AFAD does not particularly address displacement in its strategic plan, it is responsible for organizing the National Platform for Disaster Risk Reduction and is working on a roadmap for the implementation of the Sendai Framework, which identifies displacement as critical for reducing disaster risk.

Turkey has implemented several plans addressing large-scale population movements in times of crisis. For instance, Turkey’s Disaster and Emergency Management Authority (AFAD), in collaboration with several ministries, developed documents such as the National Earthquake Strategy and Action Plan 2012-2023, the upper catchment flood control action plan 2013-2017, and the mass movement hazard map guidelines. These guidelines have been provided to local authorities and emergency services together with basic literature on mass movement in general and technical information.

The Press and Public Relations Office of Turkey's AFAD maintains active relations with the media to inform the public before, during and after disasters and emergencies. To avoid confusion and misleading information, AFAD is the only source of information used by the media. The public Turkish Radio and Television Corporation (TRT) has a direct channel of communication with AFAD and it is obliged to provide updated information to the public.

The country has measures to make exceptions on the immigration procedures for migrants whose country of origin is experiencing crisis. The LFIP of 2013 outlines exceptions on the immigration procedures on humanitarian grounds. Article 46 of the law outlines that where the best interest of the child is of concern and where foreigners' departure from Turkey is not reasonable or possible and in extraordinary circumstances, a humanitarian residence permit with a maximum duration of one year at a time may be issued.

Areas with potential for further development

Turkey's emergency communication systems do not take into account the specific vulnerabilities of migrants and conditional refugees. Although the public Turkish Radio and Television Corporation (TRT) has the responsibility to provide updated information on the evolving nature of a crisis, there are no legal obligations to diffuse emergency broadcasts in languages other than Turkish. AFAD also works to provide translators to assist in health care provision but has not been able to fully meet the scale of demand since the massive influx of Syrian refugees.

6. Ensures that migration takes place in a safe, orderly and dignified manner

Migration Governance: examples of well-developed areas

Turkey has a system to monitor visa overstays: the electronic visa application system is integrated with the Police Intranet System, PolNet. E-visa and passport information is automatically recorded in the PolNet system allowing officials to monitor and check the visa information as well as entry-exit data from border gates. The DGMM's institutional database GöçNet is connected to the PolNet database and regularly cross check overstays and entry/exit periods while foreigners apply for residence permits, through its E-ikamet (E-residence) system.

Although there is no single dedicated body tasked with integrated border control and security, the General Directorate of Provincial Administration within the Ministry of Interior is responsible for ensuring necessary coordination on border management amongst different public institutions and bodies with separate duties related to border management, whereas the General Directorate of Security is accountable. There are many other actors with different tasks and responsibilities regarding border control: the Land Forces Command, the Turkish National Police and the Gendarmerie General Command are the main national institutions responsible for border protection surveillance and counter migrant smuggling activities. Moreover, the Turkish Coast Guard Command is responsible for the surveillance and counter migrant smuggling operations at maritime borders and the Ministry of Trade performs checks on goods and vehicles at BCPs. The DGMM is responsible for the implementation of policies and strategies related to migration, ensuring coordination between the related agencies and organizations, carrying out the procedures related to foreigners' entry, stay, exit and removal from the country, international protection, temporary protection and protection of victims of human trafficking.

The government has a website outlining visa options. There is a formal mixed online and paper system for applying for specific types of visa prior to arrival: a fully online process for visas for tourism and commerce and a paper-based system for other categories of visa such as for study or internship purposes.

The government has an inter-agency national Commission responsible for countering human trafficking. Currently there is no National Action Plan (NAP) on counter-trafficking but efforts have been made to identify victims of trafficking (including victims of sexual exploitation and labour exploitation) and support them with specialized assistance and protection. In addition, victims of human trafficking are entitled to facilitated procedures to request a work permit. Moreover, Turkey collects and publishes information annually on counter-trafficking activities.

Turkey continues the development of Assisted Voluntary Return and Reintegration (AVRR) programme to support stranded and irregular migrants in returning to their countries of origin and reintegrate sustainably in their home communities. In partnership with relevant national and international counterparts, Turkey has made significant steps forward in strengthening the legislative basis and operational capacity to promote voluntary return as the preferred form of return and provide AVRR assistance in line with international standards.

Areas with potential for further development

A programme for Turkish citizens living abroad that focuses on facilitating migrant reintegration in the home country could be created.

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