Committee on Migration, Refugees and Population

Ad Hoc Sub-Committee on the Large-scale Arrival of Irregular Migrants, Asylum-seekers and Refugees on Europe’s Southern Shores

Syrian refugees on the Turkish border
Report on the visit to Antakya (Turkey)
(26 July 2011)

I. Introduction

1. Since 15 March 2011 a wave of protest has broken out against the current government in Syria. Although little information is coming out of the country, which is closed to foreign media, there is no doubt that the crackdown has been deadly. According to the United Nations, it has already cost the lives of over 4500 people.

2. From late April 2011, when the instability reached the border areas between Syria and Turkey, thousands of Syrians began fleeing their country to seek refuge in the Turkish province of Hatay.

3. At the invitation of the Turkish delegation to the Parliamentary Assembly, the Ad Hoc Sub-Committee of the Committee on Migration, Refugees and Population decided to visit the area to observe the situation, since it is the Ad Hoc Sub-Committee’s purpose to establish constructive dialogue and a

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1 The Ad Hoc Sub-Committee consists of one representative from each of the Assembly’s five political groups.
relationship of trust with the authorities of Council of Europe member states in southern Europe faced with mixed migration flows at their borders.\(^2\)

4. The members of the Ad Hoc Sub-Committee would like to thank the Turkish authorities for their assistance and cooperation in organising the visit. They had an opportunity to meet the persons involved in managing arrivals of Syrians in the Hatay area and talk at length with a number of refugees accommodated in the Altynözü Boynuyogun and Yayladağy camps. However, the members of the Ad Hoc Sub-Committee regret that their visit to the refugee camps was confined to the outskirts, since the Turkish authorities refused the delegation permission to enter the camps, citing the safety and privacy of the camps’ residents.

II. A fast and generous response from Turkey on humanitarian grounds

5. As was pointed out during the meeting between Ad Hoc Sub-Committee members and the deputy governor of Hatay province, Turkey has a long history of receiving refugees and displaced/expelled persons that dates back to the Ottoman Empire.

6. Once again, faced by the arrival of large numbers of people fleeing neighbouring Syria, Turkey has shown its capacity to receive them, offering sanctuary in the province of Hatay to some 20,000 people.

7. As soon as the first refugees started arriving from Syria, Turkey made it clear that its borders would remain open and that it would offer sanctuary to any person wanting it. Although initially describing the events in Syria as simply distressing, the Turkish Prime Minister Recep Tayyip Erdogan subsequently began to take a firmer stance, going so far as to say, in June 2011, that after everything that had happened, Turkey could no longer support Syria.

8. The authorities that the Ad Hoc Sub-Committee members met in Hatay, however stressed that the Syrians had been received on humanitarian grounds and on a provisional basis.

9. It should be pointed out that the Turkish authorities referred to the Syrians as ‘guests’ and never as ‘refugees’. This semantic caution is bound up with certain legal and political considerations which will be dealt with later in this report. The members of the Ad Hoc Sub-Committee have decided not to adopt the Turkish authorities’ terminology, and prefers to refer to the Syrians as ‘refugees’ in this report. Calling them otherwise will not make any difference to the actual situation.

10. Beyond questions of terminology, Turkey has provided the Syrians with an outstanding welcome. Its response has been extremely fast, very generous and of a highest standard. UNHCR has, moreover, congratulated Turkey on its reception of the Syrians.\(^3\)

III. Reception facilities in the Hatay area

11. The governor of Hatay Province has been in charge of coordinating the refugee camps since 29 April 2011. All the local institutions have provided support to ensure that Syrian refugees are received in optimum conditions. The camps are run by the Turkish Red Crescent.

12. When the Ad Hoc Sub-Committee visited, 7,958 people were accommodated in the camps (up to 15,000 persons had been accommodated at the peak, but at the time of the visit, people were already starting to return). According to a press release from the Turkish authorities, as at 30 October 2011 a total


\(^3\) http://www.unhcr.org/4dfb90049.html; UNHCR publicly acknowledged the efficient nature of Turkey’s response to the unfolding crisis which has been marked with an open-door policy and full commitment to the non-refoulement principle. The Ad Hoc Sub-Committee was informed by UNHCR that it considers that the temporary protection regime provides effective protection for Syrian nationals seeking protection in Turkey.
of 19,398 Syrians had found refuge in Turkey, of whom 11,636 had returned to Syria and 7,762 remained in camps in Turkey.

13. The flow of arrivals has been irregular. At the beginning it was a trickle but there have also been large-scale influxes. It has happened that 1,800 people moved into the tents in the course of a single night.

14. A large field was used for a tent camp, and in the space of just three days everything was set up and made secure. When the Ad Hoc Sub-Committee visited, seven tent camps were available to receive refugees (two in Yayladağ, two in Altyözü, one in Reyhanlı, one in Apaydın and one in Karbeyaz Kuyuabağ). 

15. According to the authorities, a committee was established to assess needs in terms of camp infrastructure and facilities. It decided, for instance, that a vaccination campaign was necessary. Steps have also been taken to ensure that members of the same family are not separated. Interpreters (male and female) are available inside the camps.

16. The authorities reported that steps have been taken to ensure that the Syrian refugees have plenty to keep themselves busy. Thus facilities are available for them to watch television or play volleyball and basketball, the women can do needlework or painting on fabric, provision has been made for religious services (with separate places of worship for men and women), there is a call to prayer five times a day, children are taught Arabic, an open-air cinema has been set up, Turkish classes are provided, etc. There is a library with over 2000 books in Arabic, and health-education, first-aid and antenatal courses are provided for those who want them. A wedding ceremony has even been held in one of the camps. As stated above, as the members of the Ad Hoc Sub-Committee were not authorised to enter the camps, they could not see all those facilities by themselves.

17. Some Syrians with family members living in Turkey have been able to visit them (on condition that they return to the camps by evening). The Syrians also have access to telephones and do not have to pay for international calls. Representatives from each camp have also been given permission to go into town to shop.

18. Furthermore, Sub-Committee members observed that the Turkish authorities had been planning ahead, since a huge field had already been prepared and equipped with tents (3,500 places) in the event of a sharp increase in the number of arrivals. During their visit, members of the Ad Hoc Sub-Committee viewed this camp, which was empty at the time but actually ready for use. Other locations (a gymnasium, school dormitories, etc.) had also been identified and were ready to be requisitioned if needed.

19. As to the question of whether the facilities would be adequate if the situation continued throughout the winter, the authorities pointed out that the same tents had been used in Kandahar (Afghanistan), where it could be cold. A Turkish Red Crescent representative confirmed that these tents could be heated and were suitable for winter. Although they hoped that the situation would have improved by then, the Turkish authorities affirmed that they would do whatever was necessary if the refugees had to spend the winter in Turkey. At the time of writing the winter is almost here and roughly 8,000 Syrians are still in the camps. Facilities which have proved adequate for a short period in summer will probably turn out to be unsatisfactory for a longer period in winter.

IV. Profile of Syrian refugees

20. All persons present in the camps have been registered, either on the basis of their identity papers or on the basis of declarations if they have no papers (as in the case of children). This list has never been forwarded to the Syrian authorities.

21. Ninety-nine per cent of the refugees in the camps are families. Sometimes the mother and children arrive first and the father joins them later. They are mainly farmers, shopkeepers, teachers, etc., and 80% are women and children. No unaccompanied minors are registered in the camps.
22. The Turkish authorities told the members of the Ad Hoc Sub-Committee that most of the Syrian refugees came from the same city (Jisr ash-Shugur) and that they had fled after having taken part in a demonstration against the Syrian regime during which Syrian soldiers fired on the crowd.

V. Health checks and food

23. According to the Turkish authorities, an initial health check is carried out at the border itself when the refugees enter Turkey. The sick and wounded are immediately transferred to hospital by ambulance. Weapons are also confiscated for safety reasons.

24. The authorities told members of the Ad-Hoc Sub-Committee that the vaccinations of child refugees and newborns were checked and brought up to date. To this end, the Turkish authorities had asked the Syrian authorities to notify them of the usual vaccination timetable in Syria.

25. The members of the Ad Hoc Sub-Committee were impressed to learn that refugees were provided with three hot meals a day. There were also dieticians to look after the special needs of children and the elderly. This is quite unusual. Furthermore, a special diet had been planned for Ramadan.

26. Psychologists and social workers were available to deal with any trauma.

27. Refuse was collected regularly and pest-control measures were in place. As the members of the Ad Hoc Sub-Committee were able to observe during their visit in late July, the very high temperatures permitted no mistakes in this matter. Washing machines were also available for the refugees.

28. There was running water, including hot water, 24 hours a day (3,000 metres of mains had been laid). The sanitary facilities were as follows: 1 latrine per 20 people; 1 bathroom per 20 people.

29. The authorities also pointed out that a mobile hospital able to accommodate 50 people had been set up. Its staff included paediatricians, gynaecologists and other medical specialists and it had a laboratory equipped to carry out sundry medical tests. The members of the Ad Hoc Sub-Committee have however not visited this mobile hospital and are not in a position to confirm the nature of the facilities in place. Reportedly, patients who could not be treated on the spot were sent to general and university hospitals.

30. Since they refused to abandon their flocks, a number of Syrians (over 1000) had also been put into makeshift tents on the Syrian side of the border. The Turkish Red Crescent, in cooperation with the Syrian Arab Red Crescent, was distributing food and drinking water to them.

VI. Camps not sufficiently open to international observers

31. Although a number of national and international delegations have visited the province of Hatay and gone near to the refugee camps, almost none has been given permission to enter. Interviews with camp residents have been organised in tents set up outside the camps. Representatives of political parties and of diplomatic missions in Turkey, journalists, a delegation from the World Health Organization, representatives of NGOs and the members of the Ad Hoc Sub-Committee were all in the same boat. The authorities cited the refugees’ safety and privacy as the grounds for refusing all the delegations access to the camps.

32. The members of the Ad Hoc Sub-Committee were thus able to talk freely and at length with refugees (men, women and children) and broach a number of questions. However, they would have liked to have been able to go inside the camps to see for themselves the refugees’ material living conditions as well as to feel the atmosphere and speak freely with a greater number of Syrians.
33. As the Syrians have thanked the Turkish authorities for the material conditions inside the camps and made no complaints whatsoever, the members of the Ad Hoc Sub-Committee are at a loss to understand the refusal to let them enter.

34. An impressive number of facilities were listed by the authorities, including prayer tents and television tents. The delegation would have liked to have seen for itself what exemplary refugee camps looked like. Such examples of good practice are worth exporting to other member states of the Council of Europe.

35. The members of the delegation could of course see, even from the outside, a vast number of Turkish Red Crescent tents neatly set up, and they heard statements of gratitude from Syrian refugees who were highly satisfied with the material conditions in the camps. The delegation would, however, have been able to advocate more effectively and be more persuasive ambassadors for what seemed to be exemplary refugee camps if they had been able to witness the specified facilities at close quarters.

36. It is however important to note that UNHCR has been able to enter the camps. As the Ad Hoc Sub-Committee was informed by UNHCR, since the outset of the arrivals from Syria, the Office of UNHCR in Turkey has been in close communication with the national authorities both at the local and central levels. In this framework, UNHCR has undertaken five missions to Hatay with specific focus on the Syrian nationals who have been provided protection in Turkey. These missions have been realised in close coordination with the national authorities. Twice UNHCR had access to the residential area of the camps and could interact with the residents. The first visit of the UNHCR took place in June 2011 to Altinozu Camp. On the second occasion, heads of UN Agencies in Turkey, including UNHCR, were given access to two different camps and they had the opportunity to observe the material conditions and services available at the camps. After the formal establishment of a temporary protection regime for Syrian nationals seeking international protection in Turkey at the end of October 2011, UNHCR was given access to five camps in Hatay.

VII. Safety and durability of returns

37. At the time of the Ad Hoc Sub-Committee’s visit, returns to Syria had already begun. The sub-committee’s members asked the authorities and the refugees about the reasons for and circumstances of these returns.

38. The authorities explained to the members of the Ad Hoc Sub-Committee that it was ignorant of the motives for and circumstances of returns. The authorities had not asked the Syrians why they had come and were not asking them why they were leaving either. They were looked upon as trusted guests. Some returned to Syria and then came back to the camps in Turkey. Nobody had been refused access to Turkey, and, according to the Turkish authorities, anybody wishing to re-enter Turkey after having initially returned to Syria had been able to do so.

39. Some Syrian refugees said that many of those returning to Syria came back to the camps in Turkey. They went to Syria only briefly to see whether the situation had improved. Among the people to whom the members of the Ad Hoc Sub-Committee were able to speak, there were some who had left and then come back.

40. These persons also reported that some had not only returned but had also disappeared. Some alleged that the Syrian authorities were putting pressure on close relatives who had remained in Syria by telephoning them to demand that their family members return to Syria. Individuals who returned as a result of this pressure were said to have been arrested and ill-treated upon their return.

41. The case of Colonel Hussein Harmoush may serve as an example. This officer, who deserted from the Syrian army and took refuge in Turkey, is said to have disappeared from Turkey in early September. He had publicly denounced instructions that he had received to fire on a crowd. He
resurfaced on Damascus state television on 15 September to make a confession refuting his previous accusations against the regime. It is said that this confession was extracted by torture. 

42. The situation on the Syrian side of the border should be monitored more closely for the purpose of ensuring returns on a long-term basis. This could be achieved by a close cooperation and exchange of information between the Turkish Red Crescent and the Syrian Arab Red Crescent.

VIII. Worries voiced by Syrian refugees

43. The Syrian refugees unanimously expressed their gratitude to the Turkish authorities and the Turkish Red Crescent for having received them in such satisfactory conditions. Nobody complained of the material conditions inside the camps – quite the reverse.

44. The Syrian refugees’ concerns were of a different nature. Their worries focused on Syria and they were in despair at having been abandoned by the international community.

45. When the Ad Hoc Sub-Committee visited the outskirts of the Yayladağý camp, the refugees inside the camp held a spontaneous demonstration against the current regime in Syria, chanting anti-Assad slogans. This was not the first time that this had happened, but the demonstration was entirely peaceful.

46. The Syrian refugees all asked the international community to provide assistance to the Syrian people in Syria. They made reference to the coalition’s involvement in Libya, wanting equally firm and immediate intervention against Bashar al-Assad’s regime.

47. They voiced their hunger for democracy, freedom, peace and free elections and their total lack of confidence in Bashar al-Assad. According to the refugees, once he began killing the people, including women and children, Bashar al-Assad lost all legitimacy for Syrians. They urged the international community to give its support to the Syrian people.

48. The Syrian refugees told members of the Ad Hoc Sub-Committee about violent crackdowns, killings in a sugar refinery in their city, and schools turned into barracks and torture centres. Some even showed them graphic videos recorded on their mobile phones.

49. Not only the men but also the women were clear in sending this strong message to members of the Ad Hoc Sub-Committee. They called on Europe to provide unambiguous political assistance to the opposition and the Syrian people. Acknowledgement of Bashar al-Assad’s lack of legitimacy in speeches made by some heads of state was not enough; Syrians expected action. They lamented the United Nations’ procrastination and the failure to take action against the crimes currently being committed in Syria.

50. To ensure that their message would reach a wider audience, the Syrian refugees wanted to have access to the press and, above all, wanted the international press to be able to enter Syria in order to show the world what was actually going on there so that, as one Syrian woman refugee put it, ‘the whole world understands that the time for talking is over’.

51. Some refugees were, however worried about living conditions in the camps in winter and whether their children would be able to attend school if the situation were to continue. The authorities told the members of the delegation that everything was in hand for that circumstance and that the Ministry of Education was looking into access to schooling. At the time of writing it can be stated that the authorities have indeed taken steps to provide schooling for children in the camps. According to a press release

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4 Le Monde, ‘Le sort incertain des Syriens réfugiés en Turquie pour fuir la répression du régime de Bachar Al-Assad’ (‘The uncertain fate of Syrians seeking refuge in Turkey from the crackdown of Bashar al-Assad’s regime’), 4 October 2011.
dated 30 October 2011, 2,448 children had thus been provided with nursery, primary and secondary education. Sixty-seven classrooms were available and 127 streams had been established.

52. Lastly, a certain number of Syrian refugees raised concerns about the Syrian Arab Red Crescent, and their links with the current government. They were particularly concerned by an alleged incident in which Syrian Arab Red Crescent uniforms were said to have been stolen in order to set sometimes fatal traps for the population fleeing Syria. They were also concerned by allegations that the Syrian Arab Red Crescent was said to have encouraged returns to Syria despite the situation there being unsafe.

53. The chairperson of the Ad Hoc Sub-Committee has however also received positive feedback about the Syrian Arab Red Crescent’s dedication to the Syrian people and its excellent cooperation with the International Committee of the Red Cross (ICRC). The Ad Hoc Sub-Committee is also aware of the difficulties and dangers faced by the Syrian Arab Red Crescent, along with the dedication of its workers, and notes that on 7 September 2011 a Syrian Arab Red Crescent ambulance came under fire while taking a wounded person to hospital in Homs. One of the Red Crescent volunteers died of his injuries following the attack.

54. While taking these dangers and difficulties into account, the members of the Ad Hoc Sub-Committee nonetheless consider that the concerns raised about the Syrian Arab Red Crescent need to be considered further in order to clarify if there are, or are not, grounds for these allegations. It is important for the Red Cross movement that clarity is provided on these allegations and the Ad Hoc Sub-Committee has thus brought these matters to the attention of the ICRC.

IX. Information on asylum procedures

55. Although the Turkish authorities have made ample and remarkable provision for material needs, information about and access to asylum procedure is a thornier issue.

56. Members of the Ad Hoc Sub-Committee had to raise this question several times before obtaining any answers, which were rather unsatisfactory in any case.

57. The authorities first stressed that all the Syrians were only waiting there for the situation in Syria to improve and that they wanted to return home. According to the authorities, every arrival was asked whether he or she wanted to apply for asylum, and at the time of the Ad Hoc Sub-Committee’s visit only two people had apparently indicated their intention of doing so, in the first camp visited (Altýnözü). These two applications had been registered by the local authorities and forwarded to the competent authorities in Ankara. A delegation from the Office of the United Nations High Commissioner for Refugees (UNHCR) had also visited the camps and given the Syrians information.

58. The Syrian refugees in the Yayladağy camp turned out to be much more interested in access to asylum procedure than those in the other camp. They brought up this question of their own accord, asking members of the Ad Hoc Sub-Committee what steps they should take to apply officially for asylum and obtain refugee status. According to the refugees interviewed in this camp, over a hundred people were considering applying for asylum. About ten had already communicated this wish to a representative of the Foreign Ministry but had not yet been informed of the response.

59. Turkey is the only member state of the Council of Europe to have maintained a geographical limitation concerning application of the 1951 Convention relating to the Status of Refugees. Thus persons coming from outside of Europe cannot be recognised as refugees by Turkey. This is why, officially, Syrians cannot be considered to be refugees in Turkey – hence the term ‘guests’ used by the Turkish authorities.

60. The Parliamentary Assembly has frequently called upon Turkey to lift this limitation, which blocks access to international protection. Moreover, with Turkey’s application to become a member of the European Union (EU), the government has pledged to harmonise its legislation with that of the EU, including in the field of asylum.
61. At present it is UNHCR which assesses asylum applications from persons from outside of Europe. UNHCR is thus responsible for deciding whether they should have refugee status and is seeking long-term solutions – in particular resettlement – for those who need international protection.

62. However, this solution is far from perfect as finding a resettlement opportunity may require a long additional period (sometimes more than a year).

63. While the temporary protection offered to Syrian refugees by Turkey is satisfactory in the short term, it is certainly not a lasting solution. Although most of the Syrian refugees actually want to go home once the situation in Syria has improved, some of them may not wish, or may not be able, to return. A long-term answer will therefore have to be found and their access to international protection must be guaranteed.

64. UNHCR informed the members of the Ad Hoc Sub-Committee that pursuant to international law, Turkey has recently formally established a temporary protection regime for all Syrians seeking protection in the country. This legal framework adopted by the Turkish State clarifies the regime under which Syrians seeking protection will be treated in Turkey. This formal regime includes, admission to the territory, authorisation to stay, prevention against forcible return, and access to shelter, food, medical care, education and vocational training.

X. Conclusions and recommendations

65. The members of the Ad Hoc Sub-Committee wish to congratulate the Turkish authorities, which have taken prompt and appropriate action to manage the arrival of the Syrian refugees and meet their needs.

66. The work that the delegation was able to observe in the province of Hatay was commendable. Other Council of Europe member states could benefit from examining aspects of Turkey’s management, preparations and responsiveness in dealing with large-scale arrival of refugees. The delegation recommends however the authorities to grant full access to the camps to Council of Europe delegations in order to do their fact-finding and monitoring activities as effective as possible.

67. Turkey is offering Syrians satisfactory temporary humanitarian protection. However, Turkey should lift, as soon as possible, its geographical limitation on the 1951 Convention relating to the Status of Refugees that is preventing non-Europeans from obtaining this status.

68. The members of the Ad Hoc Sub-Committee understood the despair of the Syrian refugees as passive witnesses to the continuing killings in their country, faced with the lack of action by Europe and the international community.

69. The Ad Hoc Sub-Committee’s remit is not solely humanitarian. Its members, in their political capacities as members of both the Parliamentary Assembly and their national parliaments, consider it important to speak out further on the events behind the flow of refugees from Syria.

70. Admittedly, while popular protest shows no signs of abating in Syria, the Syrian opposition is receiving more and more offers of support. Although initially cautious, Turkey is now openly displaying its support for the Syrian opposition. In a message to the Syrian President Bashar al-Assad in late November 2011, Arab League foreign ministers condemned the killing of civilians and called on the government to take steps to protect the civilian population. The Arab League has drawn up a plan calling for an immediate end to the violence.

71. Nevertheless, the international community is far from responding appropriately to the gravity of the situation. In August 2011, the UN Security Council expressed its grave concern at the deteriorating

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5 UNHCR has been officially informed of this information by the Ministry of Foreign Affairs at the end of October 2011.
situation in Syria and called on the Syrian authorities to fully respect human rights, warning those responsible for the violence that they would be held accountable. However, in early October the UN Security Council failed to pass a draft resolution sponsored by France, Germany, Portugal and the United Kingdom condemning the crackdown and human rights violations by the Syrian authorities.

72. On 30 October 2011, Bashar al-Assad warned the West against intervention, announcing that the latter would cause an ‘earthquake’ in the region.

73. The situation in Syria has become intolerable and requires action, including by European governments.

74. In the light of the above observations, the Ad Hoc Sub-Committee calls on the Turkish authorities to:

i. maintain their policy of keeping the borders open for possible refugees and not undertake any forced returns;

ii. improve registration of refugees by recording not only the reasons for their arrival but also the reasons for their return in order to monitor the situation more effectively;

iii. provide Syrian refugees with adequate information on whether or not it is safe for them to return;

iv. endeavour to observe the situation on the Syrian side of the border more closely for the purpose of ensuring returns on a long-term basis and encourage more cooperation between the Turkish Red Crescent and the Syrian Arab Red Crescent to this end;

v. take all necessary steps to ensure that refugees still in Turkey, and any new arrivals, are able to get through the winter in satisfactory conditions with adequate heating;

vi. offer long-term solutions to the remaining people who cannot, or do not wish to, return to Syria, including freedom of movement, more secure and better housing and accommodation, the possibility of earning a living and local integration;

vii. lift the geographical limitation on the 1951 Convention relating to the Status of Refugees as soon as possible;

viii. provide refugees with adequate information on their rights and guarantee them access to international protection and asylum procedure procedures, as necessary and in close cooperation with UNHCR;

ix. grant international organisations and NGOs, in particular specialist Turkish NGOs, regular access to refugee camps in the province of Hatay in the interests of transparency and allow the media to have contact with the refugees.

75. The Ad Hoc Sub-Committee unreservedly condemns the current crackdown and killings in Syria and calls upon member states of the Council of Europe to take all the necessary steps to impose immediate sanctions on the regime of Bashar al-Assad.

76. The Ad Hoc Sub-Committee invites the Turkish authorities, through the Turkish delegation to the Parliamentary Assembly, to keep the Committee on Migration, Refugees and Population informed, at half-yearly intervals, of progress on the above nine issues.
APPENDIX

List of members of the Ad Hoc Sub-Committee

Chairperson
Mr Chope, United Kingdom, EDG
Alternate
Mr Clappison, United Kingdom, EDG

Members
Ms Acketoft, Sweden, ALDE
Alternate
Ms Doris Fiala, Switzerland, ALDE
Ms Groth, Germany, UEL
Mr Santini, Italy, EPP/CD
Ms Strik, Netherlands, SOC
Alternate
Mr Díaz Tejera, Spain, SOC

The names of the members who took part in the visit are indicated in **bold**.