

Date: 4/27/2017

Honorable Recep Tayyip Erdoğan
President of the Republic of Turkey
Cumhurbaşkanlığı Külliyesi, Beştepe /Ankara, Turkey

Subject: Regarding the Employment of Foreigners Covered by Temporary Protection Regulation

Since the outbreak of civil war in 2011, a growing number of Syrian Arab Republic (Syria) citizens have been coming to the Republic of Turkey (Turkey) to seek shelter. Turkey has granted these people “temporary protection”. The rapid increase in human rights violations in Syria since 2012 has led to a substantial increase in the need for humanitarian aid. The “open door” policy pursued by Turkey—which has had strong historic, cultural, and cross-border relations with Syria—towards Syrians and the equal social rights that Turkey (unlike many other countries) has granted them on an equal footing with Turkish citizens, including access to the labour market, is being followed by all international organizations and institutions with appreciation. First and foremost, we would like to express our thanks to Your Excellency for this selfless work.

In this respect, foreigners under temporary protection in Turkey were granted access to the labour market when the decision of the Council of Ministers of the Republic of Turkey (January 11, 2016) was promulgated by its publication in the Official Gazette (January 15, 2016) no 8375 as “Regulation on Work Permits of Foreigners under Temporary Protection”. Among many countries where Syrian asylum-seekers are present, only in Turkey and Jordan is this permit granted. In that regard, we believe that efforts on the following issues would help further the achievement of the intended goals of the work permits and help Turkey gain more recognition for the opportunities it provides to Syrian asylum-seekers in the international arena:

- Work permits shall be valid not only in the city where residency is originally registered, but in all cities, nationwide (Relevant Legislation: Regulation on Temporary Protection, Article 24 and Regulation on Work Permits of Foreigners under Temporary Protection, Article 7);

- Foreigners under temporary protection who have been granted work permits shall be paid all their wages and wage components arising from the relevant law and written business contracts through banks, and they shall be able to open accounts in all public and private banks to prevent off-the-book transactions. (Relevant Legislation: Regulation on Work Permits of Foreigners under Temporary Protection, Article 13/1, and Regulation on Payment of Wages, Premiums, Bonuses and Any Other Remuneration of this Nature through Banks, Article 10/1);
- Effective participation of foreigners under temporary protection in vocational and career development courses offered by İŞKUR shall be ensured in order to enhance their qualifications in all professions in demand by the labour market and to increase their employability, with direct involvement of the Directorate General of İŞKUR. (Relevant Legislation: Regulation on Work Permits of Foreigners under Temporary Protection, Article 12);
- The fee and expenses, in the amount of nearly 600 TL, incurred for the application of a work permit upon initial recruitment and subsequently on an annual basis upon renewal, shall be rescinded. (Relevant Legislation: Law no 492 on Fees and the second paragraph of Article 27 of the Law no 6735 on International Workforce and the amended Law no 210 on Valuable Papers);
- To aid them in their job search, Syrian asylum seekers shall be provided with a vocational qualification evaluation and where a Vocational Qualification Certificate is required for employment, they shall be provided with an official document of similar import. (Relevant Legislation: Article 17 of the Law no 6331 on Occupational Health and Safety and Articles 5 and 6 of the Regulation on Vocational Training for Those to be Employed in Hazardous and Very Hazardous Work);
- In cases where foreigners are employed without a work permit, Syrian asylum seekers shall be exempt from the fine imposed on employees. (Relevant Legislation: Article 23 of the Law no 6735 on International Workforce).

We would like to bring these points to your kind attention as we truly believe that such complementary steps will increase the number of work permits granted, which currently stand at thousands despite all well-intentioned efforts, to tens, and even hundreds of thousands, and will serve to alleviate the suffering endured by these people who had to flee their country under terrible conditions. Thank you.

Sincerely,



Sharon Waxman
President and CEO
Fair Labor Association

Representatives of international workers' rights organizations
and multi-national companies doing business in Turkey:

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