

**The UN Children
Rights Convention and
its Application to the
Integration of Syrian
Refugee Children
in Turkey**

H.N. Keskin

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WRITTEN BY

H.N. Keskin

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AHMET ADNAN SAYGUN STREET NO:83 34347

ULUS, BEŞİKTAŞ

İSTANBUL / TURKEY

TRT WORLD LONDON

200 GRAYS INN ROAD, WC1X 8XZ

LONDON / UNITED KINGDOM

TRT WORLD WASHINGTON D.C.

1819 L STREET NW SUITE, 700 20036

WASHINGTON DC / UNITED STATES

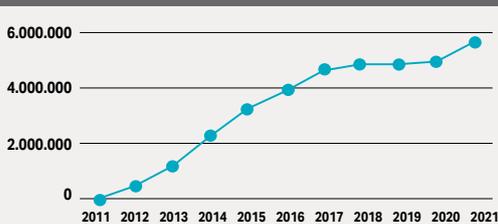
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Introduction

The Syrian civil war has created one of the largest and most complex humanitarian crises of our time. From the start of the civil war in 2011 to September 2015, half of Syria's population of 23 million was displaced, with at least 5.6 million refugees. This makes Syrians the second-largest refugee population in the world. The magnitude and the duration of the war have resulted in one of the most significant refugee crises in recent history. The issues that refugees face have also increased along with the number of refugees. Despite measures to decrease the tensions in Syria, the country is yet to be considered safe enough for repatriation. This entails that the world has to seriously consider the integration of Syrian refugees in the societies in which they have sought refuge.

Number of Syrian Refugees Around the World Over Time



Source: UNHCR

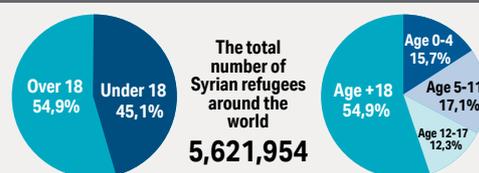
Children are one of the most affected groups, both physically and psychologically, with children making up almost half of the global refugee population. Providing pathways for integration is fundamental for the well-being of the future generation. Refugee children already face significant barriers in receiving adequate nutrition, health care, education, etc. They also face far greater dangers to their safety and well-being than the average child. The sudden and violent outburst of crises, which result in the disruption of families and community structures, and the severe shortage of resources most refugees confront profoundly affect refugee children's physical and psychological wellbeing. Sadly, infants and young children are often the earliest and most frequent victims of violence, disease, and malnutrition that supplement population displacement and refugee outflows. In the aftermath of emergencies and the search for solutions, the separation of families and departure from familiar environments continue to adversely affect refugee children of all ages.

Refugee children are often more vulnerable to child protection risks and violations such as negligence,

violence and abuse, psychological disorders, and discrimination. They are also more likely to be economically exploited and also become victims of trafficking and child marriage. Ultimately, it is the host country's responsibility to protect refugee children from these harms. However, studies have shown that refugees have indicated that children have less difficulty with social integration than adults in the same situation. Thus with the proper support, refugee children have a reasonable chance to healthily integrate into their host societies.

The psychosocial wellbeing of refugee children is just as important as their physical health. The term "psychosocial wellbeing" is used to reflect the relationship between psychological and social factors. Protecting and encouraging the psychosocial wellbeing of refugee children has two primary approaches: a preventive measure and special remedial assistance. Preventive measures refer to enhancing all factors that encourage children's well-being, and special remedial assistance refers to ensuring assistance to children who have been harmed or have special needs for a full recovery.

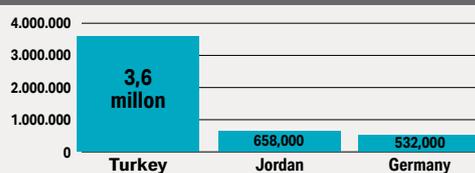
The Age Range of Syrian Refugees



Source: UNHCR

This info pack aims to provide a general background to the current situation of Registered Syrian Refugee Children (hereby referred to as RSRC) in Turkey within the framework of the integration policies of the UN and Convention on the Rights of the Child (Hereby referred to as UNCRC). It will examine the concept of integration and the obstacles it faces in Turkey. The outlook will also provide recommendations on supporting RSRC to efficiently use available resources for an effective integration process.

Number of Registered Syrian Refugees (2021)



Source: UNHCR

The United Nations Convention on the Rights of the Child (UNCRC)

International treaties are fundamental in setting standards for global issues such as the status and protection of refugee children and determining who is responsible.

The United Nations Convention on the Rights of the Child (UNCRC) is a legally binding international agreement setting out every child's civil, political, economic, social, and cultural rights, regardless of race, religion, or ability. The UNCRC consists of 54 articles that set out children's rights and how governments should work together to make them available to all children.

The UN focuses on these in the Convention with the 3 Ps, Protection, Provision, Participation. Each child has the right to provision with a suitable standard of living, health care, education and services, play and recreation. Children have the right to protection from abuse, neglect, exploitation and discrimination. They have the right to participate in communities and have access to programmes and services. These rights apply to every individual under the age of 18 without exception.

Since the United Nations adopted it in November 1989, 196 countries have signed up to the UNCRC, with only the United States still to [ratify](#). All countries that sign the UNCRC are bound by international law to ensure its implementation. Their procedures, implementations and other details are monitored by the Committee on the Rights of the Child.

Definition of a "refugee" according to UNHCR

A refugee is someone who has been forced to flee their country because of persecution, war or violence. A refugee has a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership in a particular social group. Most likely, they cannot return home or are afraid to do so. War and ethnic, tribal and religious violence are leading causes of refugees fleeing their countries.

Fact: 88% of those displaced across borders come from just five countries: Syria, Venezuela, Afghanistan, South Sudan and Myanmar.

Source: <https://www.unrefugees.org/refugee-facts/what-is-a-refugee/>

Definition of a "child" according to UNCRC

According to Article 1 of the Convention, a child "means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier."

Source: United Nations Convention on the Rights of a Child. [2017, May]. Retrieved from <http://www.unhcr.org/EN/ProfessionalInterest/Pages/CR1.aspx>

Article 22 of the UNCRC states that:

1. States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.
2. For this purpose, States Parties shall provide, as they consider appropriate, cooperation in any efforts by the United Nations and other competent inter-governmental organisations or non-governmental organisations co-operating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.

Accordingly, each country is responsible for implementing the articles in order to protect the safety and well-being of refugee children within their borders.

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Requirements for and Obstacles to the Integration of Refugee Children

Integration is a difficult concept to define because it is a [“word used by many but understood differently”](#). According to Castle, “There is no single, generally accepted definition, theory or model of immigrant and refugee integration. [The concept continues to be controversial and hotly debated](#)”.

Integration is a theme that is emphasised in the convention, such as Article 39, which states:

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment that fosters the health, self-respect and dignity of the child.

The most crucial factor for children is that they are dependent beings; in other words, they rely on others to maintain physical needs such as protection from harm, and psychological needs, including the necessary social-psychological support, required for healthy integration. This paves the way for another important factor in integrating children, which is helping families. This is also emphasised in Article 9 of the Convention, which states:

States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.

An essential part of integration is participation. Children's participation in decision-making helps adults make better choices because they are better informed of the children's thoughts, feelings, and needs. However, participation also meets a developmental need. It is through participation that children learn decision-making skills and gain the confidence to use those skills wisely. For children to ef-

fectively participate, they require education, a platform to make their voice heard and express their views, which is also outlined as a fundamental right in the convention in article numbers 13, 14, 15, 28 and 34. When it comes to refugee children, these factors that are taken for granted may become even more difficult with the issues that refugee children face due to the effects of war. These include a lack of resources (study environment in camps, teachers with the necessary skills to address the state of refugee children), language barriers, discrimination, mental health challenges, and legal challenges. In this sense, schools are an indispensable tool to help children overcome language barriers, learn about society, and ease integration. However, schools that enrol refugee children should also be equipped with the requirements that support this integration, such as guidance counsellors, therapists, language support etc.

One of the main obstacles that prevent the integration process is language. Not knowing the language can prevent the individual from communicating with peers, receiving information, accessing services, demanding their rights, etc. Constantly requesting an interpreter may be a short term solution, but it is limited and can be costly.

Another obstacle that prevents integration is discrimination. Unfortunately, media can sometimes be the main cause of this which can be fuelled further via excessive and false information spread through social media. At the same time, depicting children with extreme levels of trauma can also frighten host societies and result in the alienation and discrimination of these children as they can be considered a threat. At the same time, portraying refugees as those who “ran away” or “feeding off” the host country's resources can also increase tensions and internal conflicts that the children.

Integration (Harmonisation) Policies in Turkey

It has been 10 years since the first Syrian refugees entered the Turkish province of Hatay Hatay in April 2011. According to the latest UNHCR's data, the current number of registered refugees in Turkey is 3,688,093.

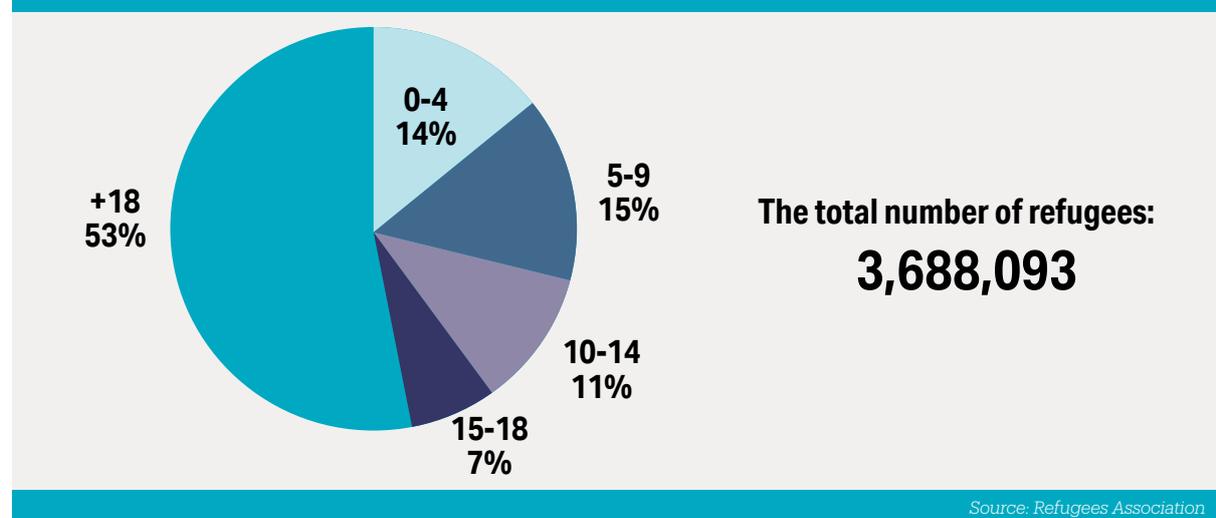
According to the Refugees Association, nearly 47% of these refugees are children. This means that 1,733,403 registered refugee children live within the borders of Turkey and are under the responsibility of the Turkish Government. The concept of integration is relatively new in Turkey simply because they were originally considered short-term visitors. However, the last 10 years have proven that this is no longer a matter of short-term hospitality and actions must be taken targeting integration. Integration is necessary for social harmony, and Turkey's future stability requires practical measures to provide them with better settlement and integration opportunities.

The integration processes of refugees who arrived in Turkey are different from those in EU countries regarding access to rights. Firstly, Turkey prefers to use the word 'harmonisation' (uyum) instead of integration in their [policy document](#). There are several reasons as to why this term is preferred with the first one being that internationally, integration policies have experienced significant impediments and have proven difficult to accomplish.

Furthermore, it is acknowledged that integration implies a politically positioned "social project" that stems from the specific historical, political, social and legal context in which it is [used](#). Thus, Turkey considers it important to avoid the negative implications of 'integration', which generally revolves around the concept being understood as a [unilateral and compulsory process](#). This may be because Turkey was more of a transit country instead of an immigration country during the first periods of the war in Syria. As such, with the 2013 Law on Foreigners and International Protection (LFIP), a concrete formulation of integration policies was not mentioned. The use of the term "integration" is deliberately avoided, and Article 96 of the LFIP deliberately uses the term "harmonisation". This reflects a very cautious approach to integration issues. Even the International Organisation for Migration (IOM) uses the word integration as a method of harmonisation¹ in terms of the definition used by the [Directorate General of Migration Management](#), which is:

"Harmonisation stipulated by Law and in the duties of our Directorate General is neither an assimilation nor an integration. It is rather a voluntary harmonisation resulting from mutual understanding of each other between the migrants and the society."

Age range of registered Syrians under temporary protection in Turkey



¹ IOM defines integration as: (translated) The word "integration" is a term that can be understood differently depending on countries and context, but is often defined as a process of mutual adjustment between the host community and the immigrant. <https://turkey.iom.int/tr/göç-ve-entegrasyon>

Article 96 of Law on Foreigners and International Protection

- 1 The Directorate General may, to the extent that Turkey's economic and financial capacity deems possible, plan for harmonization activities in order to facilitate mutual harmonization between foreigners, applicants and international protection beneficiaries and the society as well as to equip them with the knowledge and skills to be independently active in all areas of social life without the assistance of third persons in Turkey or in the country to which they are resettled or in their own country. For these purposes, the Directorate General may seek the suggestions and contributions of public institutions and agencies, local governments, non-governmental organisations, universities and international organisations.
- 2 Foreigners may attend courses where the basics of political structure, language, legal system, 37 culture and history of Turkey as well as their rights and obligations are explained.
- 3 The Directorate General shall promote the courses related to access to public and private goods and services, access to education and economic activities, social and cultural communications, and access to primary healthcare services and, awareness and information activities through distant learning and similar means in cooperation with public institutions and agencies and nongovernmental organisations,.

Hosting more than three million Syrian refugees, Turkey has taken several steps their harmonisation, as stated in the Directorate General of Migration Management. These include the adoption of the country's first-ever asylum legislation, as well as special measures for Syrian refugees such as the guarantee of non-refoulement, access to essential humanitarian services, health services and work permits. However, despite some successful government programmes initiated with international support, the Refu-

gee Law does not contain any provision stating the general obligation of the state to facilitate the integration of refugees. These obligations have evolved through a historical evaluation of international refugee law. The international refugee law recognises the minimum standards accompanying the refugee status to enable a person to start a new, dignified life in the host country. In other words, these rights are seen as the minimum conditions for integrating refugees in the societies they find sanctuary.

Harmonisation activities required by Law on Foreigners and International Protection (YUKK) According to the Directorate General of Migration Management

To organise some events with a view to facilitating the mutual Harmonization of the foreigners and the applicants or beneficiaries of international protection in our country,

To ensure that they acquire some skills and information enabling them to act independently without needing any third person in every field of social life in our country, in their country of settlement or in the country which they were returned to,

Some courses may be organised where the foreigners are basically informed about the political structure, language, law system, culture and history of the country as well as their rights and obligations.

To organise some courses, distant learning activities and other promotion and information activities through similar systems with regard to benefiting from public and private goods and services, access to economic activities and education, social and cultural communication, receiving basic health-care,

To plan harmonization activities through benefiting from the recommendations and contributions from public institutions and organisations, local government, non-governmental organisations, universities and international organisations.

Harmonization stipulated by Law and in the duties of our Directorate General is neither an assimilation nor an integration. It is rather a voluntary harmonisation resulting from a mutual understanding of each other between the migrants and the society.

Two-way active interaction and voluntary actions are aimed within the scope of harmonisation arrangements and efforts, and a migrant-oriented approach will be embraced. Harmonization and Communication Department under the organisation of our Directorate General is charged with executing the duties and procedures regarding mutual Harmonization of the foreigners with the society.

Source: <https://en.goc.gov.tr/about-harmonisation>.

Turkey has a robust legislative framework designed to prevent and respond to child protection risks and violations, and a wide range of services are offered in this area. In this context, policies aimed at strengthening the protective role of families, increasing economic development and eliminating chronic inequalities have been implemented. In addition, alternative care systems have been gradually developed to end institutional care for children without parental supervision and to switch to family guardianship. Serious steps have been taken to increase the quality of protection services provided within the scope of care services and strengthen social service capacity. In this way, the capacity to prevent and respond to violence against women and children, as well as to support the social integration of RSRC, has been increased.

With the support of international organisations, Turkey has been striving to provide a safe environment for children. For example, the UNHCR supports the Ministry of Family, Labour and Social Services (MOFLSS) by providing personnel and logistical support to 74 social service centres, three child support centres, three Provincial Directorates, and the Directorate General of Family and Community Services. During the COVID-19 crisis, the UNHCR also distributed IT equipment to 26 child support centres in Istanbul and Ankara to facilitate coordination and training in digital format.

Furthermore, the UNHCR funds multiservice, community, women, and child-friendly spaces with specialists to offer support to the RSRC around Turkey. The services include psychosocial support, legal and general counsel-

ling, language and vocational training. These centres aim to reinforce protection networks and support community empowerment by allowing both the host and refugee communities to use the resources available for their needs.

UNICEF also works closely with Turkey to provide for the needs of vulnerable refugee children and deliver critical child protection services. Some of their aims include:

- Easing risks to children's safety and improving their emotional and social wellbeing while encouraging a secure and stable environment for positive development, long-term survival, and resilience.
- Reducing and preventing harm, early identification of abuse, violence and exploitation and referring them to specialised services.
- Strengthening family and community care through available services and local networks that enable children and families to survive, prosper and strengthen their resiliency.
- Establishing initiatives to prevent risks that can jeopardise child protection. To do so, they aim to increase the capacity and awareness of refugee children, families, and host communities to protect themselves by providing legal advice, parenting briefing sessions, community awareness-raising events including rights and entitlements, etc., and distributing relevant information.

The above-mentioned child protection services include psychosocial support, individual and family counselling, legal aid, emergency cash assistance for immediate needs, essential health and nutrition counselling, disability counselling, casework and case management for children identified as at-risk or in need and transfer to specialised services. They also support family tracing and reunification, ensuring that unaccompanied and separated children can be reunited with their families.

UNICEF also provides Turkey with the support to protect RSRC by supporting the establishment of legislation, policy and regulatory frameworks to guide the design and delivery of child protection services. They also aim to expand the social service capacity and strengthen the human resources capacity of relevant child protection agencies to facilitate the inclusion and development of the most vulnerable groups and to facilitate the process. They support the Child Protection component of the Conditional Education Assistance to identify and assess Syrian refugee children at risk of or drop out of school and refer them to support services if necessary.

It is important to note that children who are unable to live a normal childhood, such as being forced to work or marry at a young age, will not be able to reach their full potential and thus will not contribute to the social and economic development of their host societies. Refugee children are more at risk of poverty and do not have the opportunity to utilise social services in the same way as others. As a result, refugee children living in poverty who are unable to receive the social service support or education that can contribute to their healthy development face an increased risk of poverty and other social disadvantages. Moreover, their future capacity to contribute to their host country/environment is significantly reduced. Whereas providing social support, services, as well as education and training to refugee children can help them develop the technical and language skills to help them find a job, integrate into society, and prevent themselves from being exploited.

Education is a fundamental part of integration as it removes many barriers to the integration process, the most important one being language.

Education services for foreigners became particularly significant with the increase of the refugee population in Turkey. Turkish legislation regarding education states that all children, including those with foreign nationality, have the right to benefit from free "basic education." Basic education, which is up to grade 12, is mandatory under Turkish law. Even though the right to education is available for all, Syrian refugees have difficulties enrolling their children into the public school system. There are several reasons for this, with the most crucial one being lack of information or precise regulation about the formal procedures. Language and limited space are also other reasons for this barrier.

In 2016 the Ministry of National Education formed the Department of migration and Emergency Education. Their main objective is to ensure every child within Turkey's borders receives access to education and remove obstacles preventing them from receiving a formal or non-formal education. Some of the responsibilities of this department include:

- Developing, implementing, monitoring and evaluating policies for education in cases of migration and emergency. Conducting, planning, monitoring and reporting activities in education centres temporarily established for crises.
- Developing training programmes and materials for education in cases of migration and emergency. Ensuring coordination between national and international partners to provide education and support programmes in cases of migration and emergency.

- Ensuring coordination between the central and provincial organisations of the Ministry of National Education in cases of migration and emergency. Establishing cooperation with national and international entities regarding education in cases of migration and emergency.

During the first stages, the department formed Temporary Education Centres, which provided education to refugee children from Syria who were in Turkey temporarily. The classes were taught in Arabic; however, there were mandatory Turkish classes as well. The refugee children living in host communities were also allowed to enrol in public or private schools. Those living in the refugee camps were given access to education and training programmes organised by the Temporary Education Centres.

In the second stage, the Ministry of National Education encouraged a transition from Temporary Education Centres towards public or private schools. It made it compulsory for pre-primary, primary and secondary school students to enrol in public schools. To ease their transition and integration into the Turkish education system and thus the society, the Ministry of National Education offered adaptation classes to approximately 115000 children and provided age-appropriate learning materials.

Conclusion and Recommendations

Language barriers remain one of the primary issues preventing the healthy integration of refugee children into host societies. This problem is particularly acute in the Turkish context. Not being able to receive adequate education can make the integration process more challenging and can also leave children vulnerable to exploitation. There have been cases where children have joined extremist groups or returned to Syria because of barriers to accessing education in [Turkey](#). The lack of language abilities, in turn, results in communication barriers. Not being able to communicate means that these children will not be able to fully express their concerns or understand the steps and requirements necessary during their school enrolment, for legal procedures or guidance sessions.

Communication difficulties can also result in discrimination. There have been reports of bullying in schools, and some Turkish schools refusing to enrol refugee children or provide the necessary support for integration or communication. Language barriers and communication issues also increase [frustration](#).

Considering that these children are likely to stay in Turkey for the foreseeable future, they must be provided with additional language support outside of school. Their families should also be included in the language learning process to be able to better assist their children in accessing available services.

Xenophobic media coverage also fuel hatred Turkey's The Syrian refugee demographic has fallen victim to hate crime as a result of their portrayal in the mass media and

politicians' anti-refugee [rhetoric](#). Media channels should focus on the issues that refugee children face as vulnerable human beings in society. Journalists should also strive to refute misinformation spread through all networks, including social media.

Institutions should work towards creating a system that enables Syrian refugee children to access the information they require in their native language, whether through booklets in camps or schools that is appropriate to their understanding. They should be able to know their rights or know whom to turn to in case if they feel threatened or at-risk.

It should not be forgotten that even though children can quickly adapt to their surroundings, they are also quickly affected by it. A hostile, discriminatory environment can create obstacles to the integration process. Schools should provide information about refugees at a suitable, clear, and linear level to educate their peers. This could be done through age-appropriate [short films/documentaries/movies](#) or [storytelling](#). Counselling services should be provided to all children, including those who feel threatened by the refugees, as misinformation or the unknown can cause miscommunication.

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