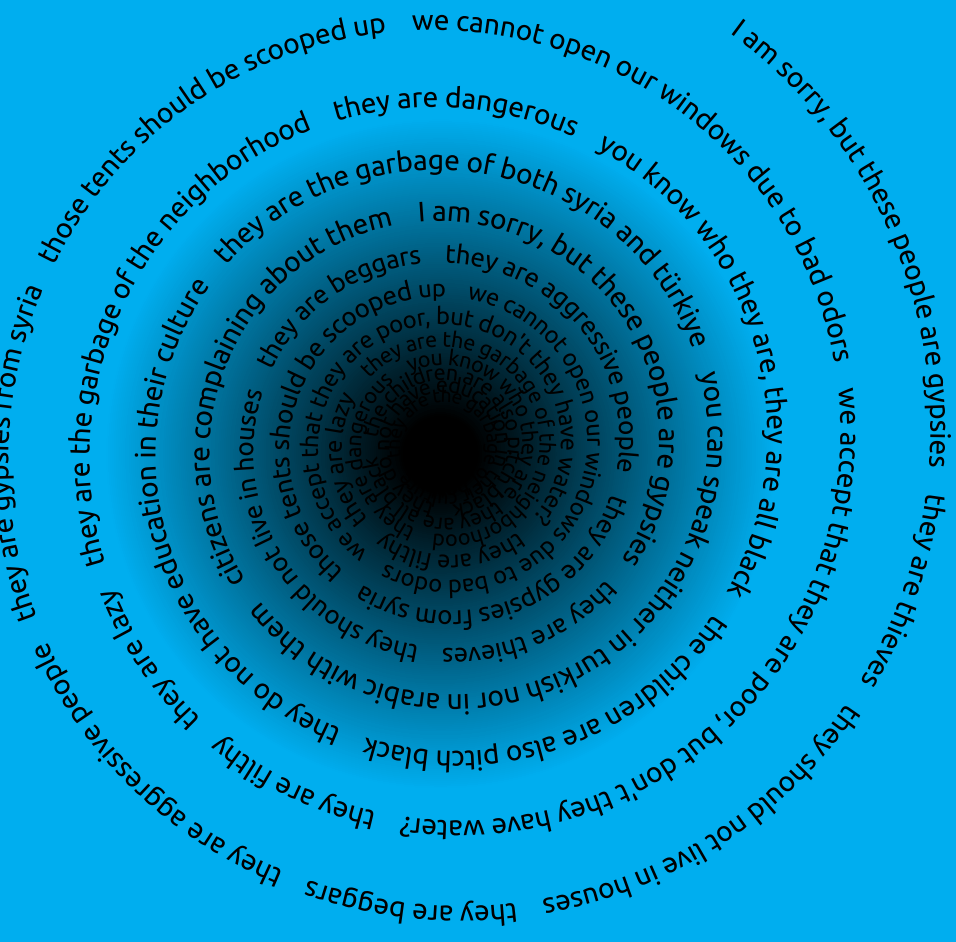
“We have seen it all...”

Examining the Experiences of Syrian Dom and Abdal Refugees in Accessing Fundamental Rights and Services in the Temporary Protection System in the Context of Discrimination



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Abbreviations

EU	European Union
UNHCR	United Nations High Commissioner for Refugees
TP	Temporary Protection
NGO	Non-Governmental Organization
SCS	Social Cohesion Support
SASF	Social Assistance and Solidarity Foundation.
CCTE	Conditional Cash Transfer for Education
LFIP	Law on Foreigners and International Protection

Preface

Since its establishment in 2011, Kırkayak Kültür has been working with disadvantaged communities who are at risk socially and culturally on rights-based activities and continues to work on social cohesion based on living together within the framework of dialogue and solidarity against prejudice and discrimination against these communities. While carrying out these activities, it tries to create "voluntary living spaces" through cultural and artistic activities that consider differences as richness and highlight the cultural accumulation of different socio-economic segments of society and carries out field-based studies and advocacy and advocacy-based protection studies.

Kırkayak Kültür, carries out academic studies on migration, being refugees, disadvantaged social groups and cultures along with humanitarian problems caused by political and social developments in the Middle East, and presents these studies to the public at national and international arenas.

Kırkayak Kültür continues to work institutionally in two different venues in Gaziantep, namely *"Arts Center"* and *"Center for Migration and Cultural Studies"*with programs based on culture, art, migration and living together.

Dom Research Program, which continues its studies within Kırkayak Kültür - Center for Migration and Cultural Studies, aims to improve the human rights situations, primarily, and the socio-economic conditions of Dom communities and other peripatetic groups living in Middle Eastern countries, and works to enable them to access education, shelter, healthcare, employment, discrimination prevention, and public services in their countries of residence. It carries out studies to enable Dom communities to become effective members of the society in their countries of residence, and participate and contribute to the economic, social, cultural, civilian and political life.

The main objective of the program is to prevent the marginalization of these disadvantaged communities who are at risk socially and economically by different segments of the society they live with, and to carry out the integration efforts against prejudice and discrimination against these communities, within the framework of coexistence, dialogue and solidarity, through social, cultural and artistic activities. It aims to develop strategies and action plans, and to carry out cultural studies together with Public and Non-Governmental Organizations in countries, especially where Dom communities and other peripatetic groups live.

In all activities realised by Kırkayak Kültür, the idea of "Coexistence" is taken

as the main reference point. Kırkayak Kültür believes that there is a need for a new understanding in which the immigrants will live together with the residents humanely, where differences are accepted as richness, where no one is left behind in any field, especially within fundamental rights and services, and it works in this field.

The gypsies (1) (Dom, Roman, Lom, Abdal, etc., peripatetic groups) lived together with other peoples in Middle East for centuries. As a peripatetic community, they produced work tools for the peoples they lived with and often became the bearers of their culture. They worked in traditional public health and dentistry, and provided services to them in dozens of different fields. They are living today and will continue to do so in the future in these ancient lands. In order for them to lead a life worthy of human dignity in the countries where they reside, important duties fall on the governments of their residence countries, as well as the UN and EU institutions and Non-Governmental Organizations.

As a Non-Governmental Organization carrying out rights-based studies, Kırkayak Kültür insists on localization of advocacy and strives to create a localized advocacy style that puts the rights, needs and demands of refugees, disadvantaged groups of the society and vulnerable individuals at the center of its programs.

Advocacy efforts in the field of refugees in Türkiye are carried out in an uncertain area far from the local areas, and they are not generally among the priorities of local/national and international actors, and are almost completely isolated from the advocacy work for protection. This report can also be perceived as an example of localization for advocacy studies.

In this crises, during which the Covid-19 pandemic has important effects on different communities, it can be seen that minorities, disadvantaged individuals, marginalized groups suffer discrimination more openly and that such vulnerable communities face the risk of being left outside of emergency measures and being excluded from humanitarian actions. Covid-19 pandemic makes certain communities, such as Roman, Dom, Lom, and Abdal communities, refugees, immigrants, displaced communities, even more vulnerable.

History tells us that we are going through days when we have to defend the rights to live of such communities as the most fundamental human right.

(1) The "Gypsies" term in this report is used in its broadest sense, covering all peripatetic groups living in Türkiye, particularly the Roman, Dom, Lom and Abdals. All of these groups have different cultures and languages (Romanes, Domari and Lomavren).

The report, **"We have seen it all..** *"Assessment of Syrian Dom and Abdal Refugees Experiences of Accessing Fundamental Rights and Services in the Temporary Protection System in the Discrimination Context"* aims to point out the access of Syrian Dom and Abdal refugees to fundamental rights and services in the Temporary Protection System and to show how the members of Syrian Dom and Abdal communities experience these. Therefore, the aim is to contribute to the voice of Syrian Dom and Abdal refugees.

This work is devoted to all Syrian Dom and Abdal refugees who lost their lives due to Covid-19. We would like to thank Dom and Abdal families, women and children, both Syrian and Turkish, who have always welcomed us to their homes and neighborhoods.

We would like to thank Support for Rights Program, and Hafıza Merkezi who supported the project.

Executive Summary

We can say that Dom and Abdal individuals do not think about discriminations due to antiziganism (antigypsyism) showed through the prejudiced words such as *"I am sorry, but these are Gypsies."*, stares, pointed fingers, marginalizing and alienating behaviors that they face everyday, or we can say that not thinking about these has become a strategy.Statements such as *"We don't remember what others think about us"* or *"we don't care"* explain the situation more or less. Situations encountered in all areas of daily life, such as poverty, stigmatization, marginalization, and alienation, destroy the efforts and desires of individuals who are victims of discrimination to claim rights in general and their patience to put up a fight to access fundamental rights and services.

Within the scope of Dom Research Program, Kırkayak Kültür has been making efforts for the last ten years to ensure that Dom and Abdal communities coming from Syria have access to rights and services and lead a life worthy of human dignity in the neighboring countries where they have taken refuge in and have been living for ten years. The studies carried out to give access to rights, which arise due to being human and exist regardless of race, gender, ethnicity, language, religion, and all the other status, guaranteed by the Universal Declaration of Human Rights in 1948 to individuals who belong to Syrian Dom and Abdal communities in Türkiye, and grant fundamental rights such as shelter, education and labor to everyone, show that these families cannot enjoy the protection system to its full extent, and are deprived of the fundamental rights and services by being excluded from the system due to various reasons, discrimination in particular.

Fieldwork data show that understanding the different levels of problems experienced by Syrian Dom and Abdal individuals in access to rights and services provided within the scope of Temporary Protection are important and the solutions for these problems are vital for developing complete social policies. The fieldwork data show that the forms of poverty created by discriminatory policies based on socio-economic status, ethnicity, religious beliefs, gender, age, physical conditions and citizenship, economic and social applications deprive the refugees, especially certain disadvantaged groups of the fundamental rights and services.

In this report, the vulnerabilities and disadvantaged situations of the Dom and Abdal Communities within the mainstream refugee community have been tried to be critically examined through field interviews and practices,

by going beyond the legal and official definition of protection, through the processes and practices of inclusion in protection practice.

It looks like the current system creates gray areas in which some social groups cannot access services in practice. One of the reasons for this, of course, is the increasing vulnerabilities of the mainstream refugee community. However, it requires a critical re-examination of the protection practice, which has been implemented for nearly ten years, together with the difficulties encountered in the field, especially the dysfunctional situation during the pandemic period.

Especially a country like Türkiye, where more than four million displaced people are living, and which faces a mass influx while lacking a strong experience of migration in the modern sense, needs to create a comprehensive protection system that includes extensive solutions to the complex needs of newcomers. This protection system should have an objective that fulfills the requirements of international conventions, guarantees human rights and not leave anyone behind, with a holistic approach.

At this point, this report is about discussing the discriminatory treatment of Syrian Dom and Abdal refugees, who are under Temporary Protection status or live in certain cities of Türkiye without any legal status, in accessing basic rights and services within the scope of the Temporary Protection system. Therefore, the report focuses on the experiences of individuals regarding the current situations in terms of accessing/not being able to access the fundamental rights and services such as access to official documents, employment, housing, healthcare, social assistance and services, and education.

The study aims to show the situation of Syrian Dom and Abdal Refugees in the Temporary Protection system in terms of accessing/not being able to access the fundamental rights and services and the experiences of Syrian Dom and Abdal Refugees.

The Kırkayak Kültür team has a long-established trusting relationship with Turkish and Syrian Dom and Abdal individuals and families. In this fieldwork, interviews were carried out with people selected among Syrian Dom and Abdal refugees, based on the trusting relationships. The interviews were carried out with acquaintances to facilitate the discussion and to delve deeper into the different dimensions of discrimination, which is a sensitive topic. In addition, the experiences and dialogues experienced by the Kırkayak Kültür team with the service providers in the field for many years will be discussed anonymously in the data analysis.

Interviews were conducted with Syrian Dom and Abdal refugees in Gaziantep, Şanlıurfa Mardin and İstanbul (Okmeydanı/Örnektepe, Bahçelievler/ Şirinevler) in January and April 2021.

These families, who experience poverty deeply, have reached to a point where they cannot access to the basic needs, namely food, shelter, healthcare and clean water, due to the economic and social insecurity created by the Covid-19 pandemic.

UNESCO defines disadvantaged groups as people who are less likely to integrate socially and economically because of their economic situation, gender, ethnic and linguistic background, religion or political status. These groups do not always have access to land or income-generating activities and are often deprived of basic services such as healthcare, housing and education. There may be differences between countries, as the definition of disadvantaged groups in terms of their ethnic, linguistic or political status is based on the national context.(2)

These definitions about vulnerable and disadvantaged groups refer to the primary subject of the study, namely the Syrian Dom and Abdal communities. Therefore, the study discusses the different dimensions of Syrian Dom and Abdal individuals in terms of accessing/not being able to access the fundamental rights and services provided in the Temporary Protection system based on the definitions of vulnerable and disadvantaged groups. Vulnerability is discussed in relation to discrimination throughout the report.

In this sense, our field experience in the last ten years show that:

It is understood that the protection program and actions taken for Dom and Abdal groups who took refuge in neighboring countries (Türkiye, Lebanon and Jordan) from Syria, and the protection actions and approaches of international humanitarian organizations miss the fundamental reason for the discrimination, exclusion, and vulnerabilities faced by the communities throughout the history, and the humanitarian aid-based protection system leaves those persons behind by ignoring this fact. Both the interviews with the communities and our ten years of institutional experience have shown us that the current protection practice has entered a cycle that makes victimization chronic, and it has started to deepen gradually, especially with the effect of the pandemic.

Access to the rights and services provided by the protection system has

(2) Yıldırım Aykurt, Aylin(2020), "21.Yüzyılda Sosyal Sorunlar ve Dezavantajlı Gruplar", Journal of Awareness,Cilt/volume 5, Sayı 3. https://www.researchgate.net/publication/343895498_21YUZYIL'DA_SOSYAL_SORUNLAR_VE_DEZAVANTAJLI_GRUPLAR (accessed on: 10.06.2021).

created competition among the refugees. This competition has naturally given advantage to those in the networks of educated, technology-using, political, cultural and protection actors and has resulted in the formation of a small group, which we can also call professional beneficiaries. These professional beneficiaries, who monitor all kinds of services and assistance on a day-to-day basis, form an insurmountable barrier around the permanent service providers. This barrier, which is getting even more insurmountable every day, makes it difficult for vulnerable individuals and disadvantaged groups and segments of society to access the services and rights and causes them to be left behind. This makes it almost impossible for Gypsies, who are one of the historically marginalized and disadvantaged communities, to access the services provided by the protection system.

Strategies and programs should be developed especially together with the local administrations, Non-Governmental Organizations and other service providers to include these families in the areas where the Syrian Dom and Abdal individuals/families live. It is important that these programs are free from discrimination and prejudices and that they are designed according to the local areas/neighborhood as much as possible. The neighborhood-based program should cover every individual in need and should include social harmony aiming to live together without discriminating between refugees or locals.

the Temporary Protection system should be transformed to fulfill the requirements of international conventions, guarantee human rights, and not leave anyone behind with a holistic approach. Everyone should be equal in rights and services. Access to these rights and services must be ensured through procedures that include disadvantaged segments of society, vulnerable individuals, and historically marginalized communities. A safe and effective area should be created in accordance with the universal meaning of protection, where the fundamental rights are registered, the right to life, the right to not to be tortured or discriminated against, the right to respect human dignity and the protection of families, and at the same time, to benefit from all other rights, until temporary solutions come to an end and permanent solutions are reached.

INTRODUCTION

Within the scope of Dom Research Program, Kırkayak Kültür has been making efforts for the last ten years to ensure that Dom and Abdal communities coming from Syria have access to rights and services and lead a life worthy of human dignity in the neighboring countries where they have taken refuge in and have been living for ten years. The access of Syrian Dom and Abdal individuals who have been living in Türkiye for more than ten years, to the rights existing regardless of race, gender, ethnicity, language, religion and all other statuses, and that stem from being human, and guaranteed by the Universal Declaration of Human Rights since 1948, and the works carried out for everyone to have fundamental rights such as the right to life, shelter, freedom, travel, education and work in the context of these rights, shows that these families cannot benefit enough from the protection system, they are excluded from the system for many reasons, especially discrimination, and that they are deprived of access to fundamental rights and services.

Fieldwork data show that understanding the different levels of problems experienced by Syrian Dom and Abdal individuals in access to rights and services provided within the scope of Temporary Protection are important and the solutions for these problems are vital for developing complete social policies. The fieldwork data show that the forms of poverty created by discriminatory policies based on socio-economic status, ethnicity, religious beliefs, gender, age, physical conditions and citizenship, economic and social applications deprive the refugees, especially certain disadvantaged groups of the fundamental rights and services.

This report is about the discriminatory treatment of Syrian Dom and Abdal refugees, who are under Temporary Protection status or live in certain cities of Türkiye without any legal status, in accessing basic rights and services within the scope of the Temporary Protection system. The report focuses on the experiences of individuals regarding the current situations in terms of accessing/not being able to access the fundamental rights and services such as access to official documents, employment, housing, healthcare, social assistance and services, and education.

Therefore, the study aims to show the situation of Syrian Dom and Abdal Refugees in the Temporary Protection system in terms of accessing/not being able to access the fundamental rights and services and the perceptions of Syrian Dom and Abdal Refugees regarding these situations.

The data obtained to evaluate the experiences of Syrian Dom and Abdal refugees about accessing fundamental rights and services within the scope of Temporary Protection system, will be assesed in two main areas. One area is the legal status of these individuals, and whether they can access/not

access the fundamental rights and services and their experiences, the other area is to contribute to the review of the system through the experiences of individuals regarding the visible and invisible discriminatory practices of the Temporary Protection system, which causes access/inaccessibility.

A pandemic is a crisis and an emergency. It is an unbearable process especially for families with low socio-economic status. The basic vital needs of Syrian refugee Dom and Abdal individuals and their families, which we will focus on in this report, such as daily livelihoods, inadequate shelter and nutrition conditions, and access to clean water, have become even more difficult and insecure with the pandemic. Immediate responses by Humanitarian Organizations and Non-Governmental Organizations in emergency crisis situations such as pandemics are of vital importance. The Non-Governmental Organizations should adapt their contingency plans to pandemic conditions, and should prepare action plans by taking all necessary measures without risking their employees' lives. (3) It was understood in the interviews that the individuals who belong to the groups defined as vulnerable/disadvantaged groups by the Temporary Protection system, were excessively affected by the lockdowns and limitations applied throughout the country due to the pandemic, could not meet their fundamental needs and that current procedures and practices are failing to access these groups, leaving them vulnerable by pushing them into precarious areas.

The report aims to create an environment to discuss and reflect on the 1951 convention, to which Türkiye is a party in international protection, and the 1967 Protocol regarding the status of refugees, their implementation methods in the protection practice and the gaps that arise, and how these gaps affect individuals living in current statuses.

The report tried to analyze the perceptions and experiences of the individuals from disadvantaged and vulnerable communities, and the micro-level individuals who are under protection, regarding the current practices and implementations within the main framework of the International Protection System and Temporary Protection System, the service process of macro level actors (Public Institutions, Non-Governmental Institutions, Humanitarian Aid Organizations and other service providers), and the access to the system and receiving services.

(3) "Dom/Abdal Communities and Displaced Syrian Dom/Abdal Communities are at Covid-19 Pandemic Risk" http://www.kirkayak.org/wp-content/uploads/2020/04/KK-Dom-Toplumu-Corona-Raporu-1.pdf (Access date: 08.05.2021)

The experiences and perceptions of Syrian Dom and Abdal individuals who are one of the most vulnerable groups and who have to struggle with multiple disadvantages on an inter-sectional basis within the community, regarding the access to fundamental rights and services, and the fact that they are pushed outside of the protection system, and that they are left behind will be discussed through the reflections of discriminative actions due to the current protection system and will be presented to the public.

The face-to-face interviews with Syrian Dom and Abdal individuals were conducted in Gaziantep, Şanlıurfa, Mardin and Istanbul during difficult times imposed by Covid-19, using semi-structured questions. The analysis of field data is carried out on specified codes, and the data obtained from the subjects with a rights-based framework to show how Syrian Dom and Abdal individuals who have and do not have Temporary Protection status, experience discrimination, and their experiences of discrimination based on their access to fundamental rights and services. With these codes, the deep inequalities and deep poverty situations that the pandemic created were made visible, and the inadequacies of the Temporary Protection system in reaching the most vulnerable groups and providing protection support were showed through both the structural criticism of the protection system and the experiences of these people in need of protection.

The report, based on the perceptions and experiences of individuals in the current protection system, is very important for policy practitioners and macro-level actors providing these services to see the effects of the services they provide and the procedures they implement, and to solve systemic problems.

In addition, the report also reveals the necessity of an ascending order approach model in protection. The pandemic showed that once national and international protection actors leave the field, the experiences of institutions who are on the field, such as Kırkayak Kültür, deems it necessary to carry out localization and have a model based on ascending order approach.

BASIC CONCEPTS AND BACKGROUND

DISCRIMINATION, PREJUDICES, STEREOTYPES

Fundamental concepts such as discrimination, prejudice and stereotype are often confused as well as being used interchangeably. But in the last instance, these concepts are an important problem of violation of rights that each of us is exposed to or witnessed in daily life, which determines how and in what dimensions the relations between people emerge. And both civil society and the academy is trying to define and tackle this problem using law, justice, and equality.

Discrimination: It is an integrated social phenomenon and it is extremely important to evaluate it as structures that complement each other in terms of personal, social and legal aspects. There are common definitions on the concept of discrimination, which emerges in many different areas and is a violation of rights.

One of these definitions is: "The systematic unjust treatment of certain individuals or groups in social life, through laws, because of their gender, sexual orientation, nationality, religious belief, ethnic origin, race and similar features" (4).

Another definition points to the characteristics of the group in which the individual belongs and the mental background of the discrimination:

"Discrimination is a process related to all negative attitudes and behaviors fed by prejudices against a group or group members. Prejudices, and thus discrimination, lead to attitudes that include negative thoughts towards a group or group members, as well as negative emotions ranging from dislike, contempt, avoidance, and hatred. Prejudices refer to an attitude and negative, dogmatic convictions that evaluate other people based on their group affiliation, not their individual existence. Although discriminatory behaviors resulting from prejudices are directed at individuals one by one, what distinguishes discrimination from 'adverse' and 'bad' behaviors such as dislike and staying away in interpersonal relations is the following: Persons to whom discrimination is directed are the target of this behavior not because of their personal characteristics, but because of the characteristics of the group they belong to." (5)

(4) Cevizci, Ahmet (2005), Felsefe Sözlüğü, Paradigma Publishing.,İstanbul, p: 182.

(5) Göregenli, Melek, (2018), "Temel Kavramlar: Önyargı, Kalıpyargı ve Ayrımcılık", in the book Ayrımcılık: Çok Boyutlu Yaklaşımlar, Qtd: Kenan Çayır, Müge Ayan, İstanbul Bilgi University Publishing, İstanbul, p.21.

Direct Discrimination: Direct discrimination exists when a person is treated, has been, or is likely to be treated less favorably than another person in a comparable situation, based on racial or ethnic origin (6).

Indirect Discrimination: Indirect Discrimination refers to regulations, criteria or practices that constitutes discrimination by putting persons of a racial or ethnic origin at a particular disadvantage compared to others, unless the regulation, criteria or practice is justified by a legitimate aim and the means used to achieve that aim are appropriate and necessary. (7)

Systematic Discrimination: In particular, discrimination against certain groups is pervasive and persistent and deeply permeates social behavior and organisation.(8)

Multiple Discrimination: The exposure of certain individuals or groups of individuals belonging to an ethnic or religious minority to vulnerability and marginalization through discrimination on multiple grounds where discrimination is prohibited. (9)

Prejudice: They are generally preconceived judgments as thoughts, and discrimination occurs when these thoughts turn into behaviors. (10) Prejudices cause us to put at least physical or social distance between us and the people or groups we approach with prejudice, and these are attitudes closely related to discrimination. (11) In addition, the discrimination literature does not mention positive prejudices. Because, possible negative consequences such as exposure to social stigma, decrease in psychological well-being such as self-worth, self-esteem, feeling of being unsuccessful and disadvantaged, experiencing failure in interpreting some situations, violence and genocide

(6) European Union Council Directive 2000/43/EC. Charter of Fundamental Rights, European Union Directives in the Field of Equality and Discrimination. https://www.tihek.gov.tr/upload/file_editor/2019/03/1551818880.pdf (accessed on: 31.05.2021).

(7) European Union Council Directive 2000/43/EC. Charter of Fundamental Rights, European Union Directives in the Field of Equality and Discrimination. https://www.tihek.gov.tr/upload/file_editor/2019/03/1551818880.pdf (accessed on: 31.05.2021). Editor: Alp, Seda, Taştan Nejat (2011), "Türkiye'de Irk ve Etnik Köken Temelinde Ayrımcılığın İzlenmesi Raporu", Bilgi University. https://insanhaklarimerkezi.bilgi.edu.tr/tr/publication/12-turkiyede-irk-veya-etnik-koken-temelinde-ayrmclgn-izlenmesi-raporu/ (accessed on: 31.05.2021).

(8) Committee on Economic, Social and Cultural Rights (2009), General Comment No. 20 http://ihop.org.tr/wp-content/uploads/2007/12/ESKHKGY20.pdf (accessed on: 31.05.2021).

(9) Ibid (2009) Committee on Economic, Social and Cultural Rights (2009), General Comment No. 20.

(10) İnceoğlu, Yasemin, (2012), Nefret Söylemi ve/veya Nefret Suçları, Ayrıntı Publishing, İstanbul.

(11) Göregenli, Melek, (2018), "Temel Kavramlar: Önyargı, Kalıpyargı ve Ayrımcılık", in the book Ayrımcılık: Çok Boyutlu Yaklaşımlar, Qtd: Kenan Çayır, Müge Ayan, İstanbul Bilgi University Publishing, İstanbul, p.22.

arelisted.(12)

Stereotypes: They are used as concepts that are different from prejudices but complement each other. Stereotypes are images formed in the mind as a set of pre-formed impressions and references that fill the knowledge gap regarding a particular object or group and thus facilitate decision-making about"them".(13)

Although attitudes and behaviors that consist of prejudice, stereotyping and discrimination that have adverse effects on people often surface simultaneously, they can also form as individual, social and legal violations of rights. The historical discrimination experiences of the Gypsy communities will be re-explained through the facts such as prejudices, stereotypes and systematic discrimination, the anti-Gypsy experiences of Syrian Dom and Abdal individuals, who are the primary rights subjects of our study. How Syrian Dom and Abdal individuals perceive their access status to basic rights and services within the Temporary Protection system will be shared through individuals' own experiences.

BACKGROUND OF FIGHTING AGAINST DISCRIMINATION: National and International Legislation

Many international conventions were ratified to protect the human rights and freedoms, and to guarantee the validity in law of the fact that humans are equal in rights and dignified life:

*Universal Declaration of Human Rights (1948):

Article 2: Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

*European Convention on Human Rights (1950):

Article 14: Prohibition of discrimination: "The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status."

(12) Allport, G.W. (1958), The Nature of Prejudice, ABD:Anchor Books, Qtd: Aslı Yayık (2017), Investigating the Relationship Between Immigrants' Perception of Discrimination and Identification Levels, Journal of Turkish Social Research, December 2017. https://dergipark.org.tr/tr/pub/tsadergisi/issue/33038/348972 (accessed on: 23.05.2021).

(13) Göregenli, Melek (2018). Ibid. p: 23.

*Convention on the Elimination of All Forms of Racial Discrimination (1965):

"In this Convention, the term "racial discrimination" shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life."

*International Covenant on Civil and Political Rights (1966)

* International Covenant on Economic, Social and Cultural Rights (1966)

* Convention on the Elimination of All Forms of Discrimination Against Women (1979)

* Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984)

* Convention on the Rights of the Child (1989)

* International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)

* Convention on the Rights of Persons with Disabilities (2006) (14)

Whether or not the concept of discrimination is included in all of these international human rights conventions, to which Türkiye is a party, one of the main emphases is the prohibition of discrimination. Therefore, a state should act in accordance with the provisions of the convention when a state becomes a party to an international convention. Every state party to a convention that prohibits discrimination, should prohibit discrimination in its national legislation at least to the same extent as the convention to which it isaparty.(15)

Instead of emphasizing the prohibition of discrimination under the title of "equality before the law" in Article 10 of the Constitution, it is stated that everyone is equal before law. In addition, the Article 122 of the Turkish Penal Code defines certain discriminatory behaviors as crimes. However, although there are certain reservations in both national legislation, both emphasize the prohibition of discrimination.

Article 10 of the Constitution: Everyone is equal before the law, regardless of language, race, color, gender, political opinion, philosophical belief, religion, sect and similar reasons.

(14) Gül, İdil Işıl (2018), "Hukukta Ayrımcılık Yasağı", in the book Ayrımcılık: Çok Boyutlu Yaklaşımlar, Qtd: Kenan Çayır, Müge Ayan, İstanbul Bilgi University Publishing, İstanbul, p.119.

(15) Ibid. Gül, İdil Işıl (2018), p.122.

Similarly, *Article 122 of Turkish Penal Code: Some actions that create discrimination between people based on language, race, color, gender, political thought, philosophical belief, religion, sect and similar reasons are prohibited.*

Article 7 of the Civil Servants Law No. 657, which again emphasizes discrimination at the legal level and is in force in the context of "the right to benefit from public services", prohibits discrimination against those who receive public services. It is forbidden for civil servants to discriminate based on language, race, gender, political opinion, philosophical belief, religion and sect while performing their duties, and civil servants cannot display behaviors targeting the benefit or harm of those who will receive service.(16)

Despite all these laws and regulations, the fundamental rights and services are encountered in daily life in a marginalizing and stigmatizing manner, and with indirect or direct discriminatory practices, especially in different fields and relations with its discursive dimension. At this point, we see that not only the state but also the individuals lead to widespread human rights violations and discriminatory practices. In addition, when making an assessment as to whether or not a different treatment constitutes discrimination, it is not important at this point whether the person doing the treatment has any intention to discriminate. It is possible for a person to discriminate because of a behavior even if they do not have an intention to discriminate. (17)

The fact that some service provider employees do not understand that a behavior or a word they say can cause discrimination, which we have witnessed in the field, shows how "normalized and ordinary" the phenomenon of discrimination is. Therefore, as Kırkayak Kültür employees, we often do a multi-faceted advocacy on the field. We use a rights-based strategic language with service providers to enable individuals to access rights and services, and we try not to make Syrian Dom and Abdal individuals/families feel the discriminatory discourses and behaviors they may experience when meeting the service providers. Syrian Dom and Abdal individuals tell us the following often: *"They wouldn't do it, if you are not here"* or *"They wouldn't let us in, if you are not here"* or *"They wouldn't give it to us, if you are not here."* These kinds of situations increase the responsibilities of Kırkayak Kültür team, and constantly reminds us of the importance of advocacy work.

(16) Karan, Ulaş (2018), "Eşitlik İlkesi ve Ayrımcılık Yasağı: Hukuksal Çerçeve", in the book Ayrımcılık: Çok Boyutlu Yaklaşımlar, Qtd: Kenan Çayır, Müge Ayan, İstanbul Bilgi University Publishing,İstanbul, p: 143. See also: https://www.mevzuat.gov.tr/MevzuatMetin/1.5.657.pdf (accessed on: 01.05.2021)

(17) Ibid. P. 140-141.

An example from the field:

"We are at an art workshop that an NGO carrying out activities in the field of International Humanitarian Aid will hold with Syrian Dom and Abdal children. We informed the trainer of the workshop about the community, and their socio-economic status before going to be with the families. We especially told that the main income source of the families is collecting scrap-waste. We thought that we established a certain level of relationship with the trainer. However, as soon as we got off the bus the trainer said "It smells awful here, how are we going to work?". In fact, it was clear from the very beginning, what we will experience until the end of the workshop. Next, tents were tried to be arranged for the workshop to be held with the children, and the tent that the NGO brought could not be used. At the end, the decision was to use one of the tents of the families. The families said "Don't lay the play mats on the ground, they will get dirty." to the trainer of the workshop, after the trainer hesitated to lay the colorful play mats brought for the workshop. As Kırkayak Kültür team, we said "No, they are brought for this, and they should be laid down." The workshop started with the excitement of children and mothers and the surprise of NGO employees. The children started coloring with excitement and happiness. Photographs were constantly taken during and after the workshop, so much so that the trainer gave the phone to the children to take selfie. After the workshop, the trainer forgot that he was holding his phone under his arm, and in a panic he asked "Where is my phone?" to the children and women who were sending us off. Everyone was looking at each other, and he realized he was holding his phone under his arm. There was a brief silence and we left….."

Sociology on Perceptions of Discrimination Against Gypsies

The subject here is how the phenomena such as discrimination, disadvantage, inequality of opportunity, stigma, prejudice have evolved from the past to the present, have increased and decreased depending on social processes. It would not be wrong to state that when the dimension of discrimination in Türkiye, especially between social groups, is considered from a sociological perspective, most examples are given from Gypsy communities. The theoretical implications regarding the sociology of discrimination in Türkiye can be listed as follows:(18)

(18) Çayır, Kenan, (2018), "Gruplararası İlişkiler Bağlamında Ayrımcılık", in the book Ayrımcılık: Çok Boyutlu Yaklaşımlar, Qtd: Kenan Çayır, Müge Ayan, İstanbul Bilgi University Publishing, İstanbul, p.11.

1. In modern societies where intergroup inequality prevails, some groups are more dominant, and powerful than other groups. These dominant groups can stigmatize, identify and label weak groups that can be called minority, and subordinate.
2. Dominant groups develop stereotypes about subordinate groups with stigmatization.
3. Some of these stereotypes can be "partly true." However, stereotypes homogenize all members of a group, abstracting people from their individual qualities and making them members of a stigmatized group.
4. There may be people with negative traits within both non-homogeneous dominant and subordinate groups. But while the dominant group identifies and homogenizes the subordinate group with the worst member of that group, it defines itself with the characteristics of its best members.
5. When the stigmatized groups behave in conformity with their stereotypes, discrimination does not become a community issue. However, when they do not conform with the stereotypes, problems arise.
6. People can belong to multiple groups. In this respect, the relations between dominant and subordinate groups are not one-dimensional. In other words, someone who is dominant in one group may be in a subordinate position against another group.
7. Subordinate groups have strategies againsts stigmatization. These strategies can change whether the stigma can be noticed or not. Where the stigma is not visible, minority groups may have to hide and live a dual life. However, sometimes the stigma is visible: (19)

The above articles, which theoretically deal with the sociology of discrimination in the social structure in Türkiye, include personal, social and legal examples of discrimination experiences and practices that Gypsy communities have historically continued to experience.

This report is about the discriminatory treatment of Syrian Dom and Abdal refugee families, who are under Temporary Protection status or live in certain cities of Türkiye without any legal status, in accessing basic rights and services within the scope of the Temporary Protection system. The report focuses on the perceptions of individuals regarding the current situations in terms of accessing/not being able to access the fundamental rights and services such as access to official documents, employment, housing, healthcare, social

(19) Ibid. Çayır, Kenan, (2018), p.11-13.

assistance and services, and education. As Kırkayak Kültür has experienced in its work, Dom and Abdal families face discrimination in every field. However, detecting, monitoring and documenting cases of discrimination is a very difficult process. The fact that people who experience discrimination often do not define the events they experience as discrimination, do not want to share their experiences with anyone, do not trust the people or institutions that can support them, or their lack of information (20) on where to apply often points to discrimination in a multidimensional way and creates violations in the rights of disadvantaged groups to access fundamental rights and services.

"I am sorry, but these people are Gypsies..."

The majority of the studies on discrimination in Türkiye work on the discrimination faced by Gypsy communities such as Rom, Dom, Lom, Abdal and include these communities in the examples given. Among these, in the report (21) "Monitoring discrimination on the basis of race or ethnicity in Türkiye", monitoring of discrimination cases of different ethnic and racial origins, including the Romans, was carried out through access to employment, healthcare, education, housing, goods and services. In addition, the studies conducted about the education of children highlighted that the children's absenteeism is due to the discrimination that they face at school. (22) In their study Akkan et al., (23) "The Social Exclusion Faced by Romans", described the multidimensional processes of poverty and social exclusion experienced by Roman and Dom in relation to space. Most of the studies edited by Çayır, Kenan and Ayan, Müge (2018) and found in the book called "Discrimination: Multifaceted Approaches", make the discrimination faced by Gypsy communities (24) and it is possible to see other studies about

(20) Alp, Seda.,Taştan, Nejat (2011), Türkiye'de Irk veya Etnik Köken Temelinde Ayrımcılığın İzlenmesi Raporu, İstanbul Bilgi University. https://insanhaklarimerkezi.bilgi.edu.tr/tr/publication/12-turkiyede-irk-veya-etnik-koken-temelinde-ayrmclgn-izlenmesi-raporu/ (access date: 24.05.2021).

(21) Ibid. Alp, Seda.,Taştan, Nejat (2011)

(22) Kaya, N. (2012) Türkiye'nin Eğitim Sisteminde Azınlıklar ve Ayrımcılık: Kavramsal Çerçeve ve Temel Sorunlar. Kenan, Ç. and Müge, A. C. (ed.), Ayrımcılık Çok Boyutlu Yaklaşımlar. İstanbul: İstanbul Bilgi University Publishing.

(23) Akkan, B. E., Deniz, M. B. and Ertan, M. (2011) Sosyal Dışlanmanın Roman Halleri. Istanbul: EDROM, Boğaziçi University Social Policy Forum and Anadolu Kültür.

(24) In the book Ayrımcılık: Çok Boyutlu Yaklaşımlar, Qtd: Kenan Çayır, Müge Ayan, İstanbul Bilgi University Publishing, İstanbul.

the discrimination against Gypsy communities. (25)

This report aims to contribute to the literature and be the voice of the unheard voices by looking at the discrimination and rights violations experienced by the Syrian Dom and Abdal communities and disadvantaged groups within the framework of the Temporary Protection system. Advocacy work will be carried out to develop a more comprehensive protection system in public structure through policy recommendations to be formed in line with these purposes.

Various service providers within the Temporary Protection system, intentionally or unintentionally, discriminate the groups they define as vulnerable/disadvantaged in access to services, due to the deficiencies of the protection system and by being carriers of normalized personal discrimination codes. We, as an institution, constantly witness discriminative words, behaviors and practices while providing support and consultations so that Syrian Dom and Abdal individuals access service provided within the Temporary Protection system.

""You cannot talk with them neither in Turkish, nor in Arabic!" (a protection employee in an international NGO)

"You make them lazy when you give them Turkish Red Crescent Card, then they don't work"(a protection employee in an international NGO)

"I am sorry, but they are Gypsies, it is difficult to distribute these food" (International NGO, driver)

"It is difficult to work with them, may God help you. I mean, they are dirty, don't they have water in this era?" (civil servant)

"Ok, they are poor but they are no clean" (civil servant)

(25) Ataman, H. (2008) Education Right and Human Rights Training. İzmir: Human Rights Agenda Association. (online) https://bit.ly/2YJub3R (access date: 19.05.2021).
Önen, S. (2011) Türkiye'deki Çingenelerin Vatandaşlık Hakları: Roman ve Dom Topluluklarının Çalışmaları, Unpublished PhD Dissertation, Ankara.
Önen, S. (2011) Türkiye'deki Çingenelerin Vatandaşlık Hakları: Roman ve Dom Topluluklarının Çalışmaları. Unpublished PhD Dissertation, Ankara.
We are Here! Türkiye'de Romanlar, Ayrımcı Uygulamalar ve Hak Mücadelesi, (2008), Editors; Ebru Ezpeder, Sevalina Danova, Sevgi Özçelik, Sinan Gökçen. https://hyd.org.tr/tr/yayinlar/30-biz-buradayiz-turkiye-de-romanlar (access date: 24.05.2021)
Yıldız, R., Nazenin, Ü., Özcan, O., Altaş, M., Doğan, A., Çöl, H., Güney, G. and Özkan, Ü. (2015) Kırşehir Abdallarının Eğitim Hakkının Önündeki Engeller. Eğitim Bilim Toplum, 13(49), 100-126.

" I know them. I hope they will leave as soon as their procedures finish" (civil servant)

We can say that it is natural that these people who have experienced all kinds of discriminations due to antiziganism through words, looks, finger pointing, and practices while asking for service to not ponder about this issue, or we can say that not pondering is a life strategy. Statements such as *"We don't remember what others think about us"* or *"we don't care"* can explain the situation. Situations encountered in all areas of daily life, such as poverty, stigmatization, marginalization, and alienation, destroy the efforts and desires of individuals who are victims of discrimination to claim rights in general and their patience to put up a fight to access fundamental rights and services.

Syrian Dom and Abdal refugees, who are perceived as victims or threats in general, are struggling to survive with new vulnerabilities by being excluded from the Temporary Protection system. They are being marginalized and alienated by being excluded from the system while trying to hold on to life in the poorest neighborhoods. While the Temporary Protection system, whose success is described in numbers, pushes the most disadvantaged groups into precarious areas and leaves them behind, and it often makes the their access process to fundamental rights and services difficult and discriminatory.

NATIONAL and INTERNATIONAL PROTECTION SYSTEM

The United Nations High Commissioner for Refugees (UNHCR) defines international protection as the ability of people seeking asylum in other countries to reach safety, not be sent to dangerous places and enjoy their fundamental human rights in cases where states cannot fulfill their obligations to protect their own citizens (26).

The legal status of refugees has been tried to be guaranteed globally with the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, and other additional protocols.

The states that signed the 1951 Convention Relating to the Legal Status of Refugees are legally obliged to protect refugees in accordance with the

(26) UNHCR's definition of international protection for refugees can be found at the following address.https://www.unhcr.org/tr/unhcr-ve-multeciler-icin-uluslararasi-koruma (access date: 24.05.2021)

provisions of the convention, that is, the protection of refugees is primarily the responsibility of the states. This obligation also applies to countries that are not party to the convention. Under this convention, governments must abide by the basic principles of protection, regardless of race, religion or country of origin, including the fundamental principles of protection such as non-refoulement. According to the Convention, every refugee has the right to seek asylum. They should not only have physical security, but at least have the same rights and protection support as other foreigners residing in the country of asylum. These rights include education, work, housing, social security, welfare, health, freedom of belief and other civil and human rights.

The "Global Compact for Safe, Orderly and Regular Migration", ratified by the United Nations General Assembly on 19 December 2018, addresses all dimensions of international migration in a holistic and comprehensive manner, based on international human rights law and defends the principles of non-refoulement and non-discrimination. The implementation of the Global Compact guarantees effective harmonization, protection and exercise of immigrants' human rights at all stages of the migration cycle, regardless of their immigration status, as well as the elimination of all forms of discrimination, including racism, xenophobia and intolerance towards immigrants and their families. (27) In addition it was decided that fact-based public discourse should be supported to eliminate all forms of discrimination and shape the perception of migration.

Protecting migrants and refugees is at the core of migration management today. The focal point of UNHCR's charter is protection. Protection, in its simplest form, is the responsibility to restore the most fundamental rights of affected people: the right to life, the freedom from torture or discrimination, the respect for human dignity and the protection of families. Protection is also creating an effective environment for the reasonable enjoyment of these and other rights, while awaiting permanent solutions to the problems in question.

Based on our field experiences and protection practices in the last ten years, it can be said that the heterogeneous and multi-layered structure of new immigrants, the expectations of those needing protection, the variability of their vulnerability, discriminatory practices, national migration policies and many other reasons show that the problems within the current protection system are increasing everyday.

(27) Global Compact for Safe, Orderly and Regular Migration https://www.goc.gov.tr/kuresel-goc-mutabakati-hakkinda-basin-aciklamasi
(access date: 27.05.2021)

Although Türkiye is a country that hosts immigrants due to its geographical location and past historical heritage, it is a country that could not be integrated into the international protection system in the modern sense until 2014, and its national protection system is quite inadequate and has great deficiencies. The protection policies have been readjusted due to needs and requirements with the mass migration Türkiye experienced in the last 10 years. The pressure of international protection obligations that must be followed due to the signed agreements and protocols, and the need for protection of more than 5 million asylum seekers, refugees and migrants in daily life has created a need for new legislation and policies in this field, thus fundamental changes have been introduced to international protection, including Temporary Protection.

The "Law on Foreigners and International Protection (LFIP)", which came into force in April 2013, introduced new regulations to determine and implement more effective policies on migration in Türkiye. The Law on Foreigners and International Protection aimed to ensure the rights of immigrants and those seeking international protection by placing an effective asylum and migration management on a solid legal basis, and Provincial Directorates of Migration were established in 81 provinces (28).

Temporary, but until when?

Temporary Protection is a form of temporary protection developed to find urgent solutions to large-scale asylum-seeking cases, created to protect basic human rights, primarily the principle of non-refoulement, which is applied from time to time to ensure that the refugees who come with mass migration have immediate access to a safe environment. (29)

The Temporary Protection system was implemented by European states in the early 1990s for refugees fleeing conflicts in the disintegrated Yugoslavia and taking shelter in neighboring countries, and later, the European Council adopted a directive on 20 July 2001 "On minimum standards for providing Temporary Protection in the event of a mass influx of displaced persons and measures to encourage a balance between member states' efforts to accept such persons and suffer the consequences" (30). This directive states that "Temporary Protection means an exceptional procedure to provide

(28) Yabancılar ve Uluslararası Koruma Kanunu: http://www.mevzuat.gov.tr/MevzuatMetin/1.5.6458.pdf (access date: 24.05.2021)

(29) Ministry of Internal Affairs, Directorate of Migration Management: https://www.goc.gov.tr/genel-bilgi45 (access date: 24.05.2021)

(30) Temporary Protection Regulation: https://www.goc.gov.tr/kurumlar/goc.gov.tr/evraklar/mevzuat/Gecici-Koruma.pdf (access date: 24.05.2021)

immediate and Temporary Protection to displaced persons from third countries who are unable to return to their country of origin in the event of a mass influx." The duration of this exceptional Temporary Protection procedure covers a period of one year, although it can be extended in short periods of 6 months. This directive considers international refugee law and human rights, in particular the principle of non-refoulement, above itself and a procedure is established within that framework.

Accordingly, it was emphasized that it would not interfere with the recognition of refugee status in accordance with the Geneva Convention Relating to the Status of Refugees dated 28 July 1951, amended by the New York Protocol dated 31 January 1967, which is in line with the Member States' international obligations regarding refugees and, in particular, ratified by all Member States. In addition, the obligations regarding the establishment, implementation and termination of Temporary Protection will be subject to regular consultations with the United Nations High Commissioner for Refugees (UNHCR) and other relevant international organisations, and that the Member States will apply Temporary Protection with due regard to human rights, fundamental freedoms and their obligations to non-refoulement were ratified.

The Directive details the services to be provided to individuals under Temporary Protection status, also decides on the services to be provided by the member states to individuals who took refuge in the countries in question through mass migration and their families in this context. Accordingly, it accepts that the Member States shall ensure that persons benefiting from Temporary Protection have appropriate accommodation or, if necessary, shelter, if they do not have sufficient resources, receive the necessary assistance in terms of social welfare and livelihoods and healthcare, and to take into account their ability to meet their own needs if they are employed or engaged in self-employed activities. Member States shall also provide the necessary medical or other assistance to beneficiaries of Temporary Protection with special needs, such as unaccompanied minors or persons who have been subjected to torture, rape or other forms of serious psychological, physical or sexual violence. It puts forward that it will reunite family members who need protection in cases where families are already present in the country of origin and have been separated due to the conditions that created the mass migration.

In addition, it puts forward that the right to apply for asylum at any time and the right to grant the refugee status to any person is granted to the people benefiting from Temporary protection, and the necessary measures

will be taken within the scope of the provisions that define the voluntary return, ease the returns, and ensure the return of persons whose Temporary Protection has expired and who are not eligible for admission to the country with respect to human dignity.

Türkiye, which has been receiving mass asylum-seeker influx as a result of popular uprising and conflicts that started in 2011, implemented an open-door policy, and started placing the asylum-seekers who crossed borders to camps near borders. The mass migration started on April 29, 2011, and by the end of 2012, the capacities of the camps built were found insufficient against the increasing number of refugees, and asylum-seekers began to settle in cities, especially in border provinces. Between 2013 and 2016, the number of asylum-seekers approached 4 million.

After this period, when those who took refuge in Türkiye massively moved to western countries, the open door policy was abandoned and a wall was started to be built along the border. In this period of intensified mass migration, the Directive No. 62 on the "Adoption and Accommodation of Syrian Arab Republic Citizens and Stateless Persons Residing in Türkiye for Collective Asylum" was put into effect by the Ministry of Interior on 30.03.2012, and millions of refugees were hosted as guests for approximately four years without attaining a legal status. Syrian asylum-seekers gained a legal status with the "Temporary Protection Regulation" published as the Article 91 of the Foreigners and International Protection Law No. 6458, which entered into force on April 11, 2014. Syrian refugees living in Türkiye have legal status in accordance with the relevant provision of the Law on Foreigners and International Protection and are allowed to access various services provided by the state, such as healthcare, education, access to the job market/work permit, social services, and benefits (31).

Temporary protection status was granted to the citizens of the Syrian Arab Republic, stateless persons and refugees who came to or crossed our borders from the Syrian Arab Republic en masse or individually as of 28/04/2011with the Temporary Protection Regulation, which came into force by being published in the Official Gazette dated 22.10.2014 and numbered 29153, in Türkiye, and within the framework of this regulation, the provision of services to foreigners such as education, access to the labor market, social support and services, interpreting and similar services, especially healthcare services is regulated in detail. In addition, the work and procedures to be

(31) Temporary Protection Regulation: https://www.goc.gov.tr/kurumlar/goc.gov.tr/evraklar/mevzuat/Gecici-Koruma.pdf (access date: 24.05.2021)

carried out for asylum seekers have been defined and supported by new laws and regulations as needed.

"Vulnerabilities" Created by Discrimination

Although it is not certain, in the definition of the concept of vulnerability, general situations such as "vulnerability", "victimization", "disadvantageousness" can be seen. In terms of the subject and limitations of this report, the concept of "vulnerability" will be used to express certain groups within the framework of human rights, and the discrimination experienced by members of groups, and people being especially against Gypsies. The vulnerability on which people to be defined within vulnerable groups may be solely due to physical and internal or socio-economic factors. Children with mental disabilities can be given as examples of physical and internal vulnerabilities, and asylum-seekers, refugees or Roma people can be given as examples of vulnerabilities due to socio-economic factors. (32) The concept of vulnerable groups has been included in the literature through the practice of human rights law, and situations such as age, gender, ethnicity and minority, health status and deprivation of liberty are listed as situations that can be associated with vulnerability in terms of international human rightslaw.(33)

Despite all these definitions, texts on international law do not define and list vulnerable groups. On the other hand, it is observed that the European Court of Human Rights has been recently discussing the vulnerability concept. The first example of a decision in which the concept of the "Vulnerable Group" appeared in court decisions is the case of Charman v. the United Kingdom: Even though the applicant did not get a ruling in favor of her in the case regarding the applicant's evacuation due to the areas where the applicant parks the caravan, due to the applicant's nomadic lifestyle, did not comply with the city planning, the applicant claimed that that Article 8 (34)on private life and the prohibition of discrimination were violated and the court used the vulnerable group concept in a court decision. The answer to the question of why the Roman are a vulnerable minority group is explained by the fact

(32) Çelik, Elif (2020), "İnsan Hakları Bakımından Kırılgan Kavramına Giriş ve Kavramın AİHM Kararlarındaki Görünürlüğü", Dokuz Eylül University Journal of Faculty of Law, Volume: 22, No: 1, P: 57-77.https://dergipark.org.tr/tr/download/article-file/1009167 (access date: 09.06.2021).

(33) Morawa, Alexander H.E.:"Vulnerability as a concept of International Human Rights Law" Journal of International Relations and Development, 6 (2), 2003, p.140. Ed: Çelik, Elif (2020), "İnsan Hakları Bakımından Kırılgan Kavramına Giriş ve Kavramın AİHM Kararlarındaki Görünürlüğü", Dokuz Eylül University Journal of Faculty of Law, Volume: 22,

(34) European Convention on Human Rights, https://www.echr.coe.int/documents/convention_tur.pdf (access date: 10.06.2021).

that they have lived as nomads throughout history and therefore have different needs from the general population. (35) Another criterion on which the court decides regarding being a vulnerable minority group is historically ongoing exclusion, discrimination and stigma towards the group in question. Similarly, in the Czech Republic Case, which concerns the Roman minority, the Grand Chamber has designated the Roman as a particularly disadvantaged and vulnerable group because of their turbulent historical background and displacement. (36) As Çelik (2020) highlighted, based on the example court decisions given above, the relations between human rights and vulnerability should not be solely considered as a physical vulnerability, and it is important to contextualize vulnerability with its historical and socio-political realities and often with its relation to discrimination.

They fail to reach the "beneficiaries", (37) whom they define as "vulnerable groups", both technically and in terms of the providers in the Temporary Protection system, which we have discussed in the context of the subject and limitations of this report. Depending on the different variables of the protection system, it causes multidimensional social problems by causing some people and families in need of protection to be left out of the system. Because the people who are left out are the disadvantaged vulnerable groups due to their economic status, gender, ethnic and religious backgrounds or political status. (38) The fundamental rights and services within the protection system are provided based on certain criteria, but on the other hand, there are also definitions of "vulnerable groups" and "disadvantaged groups" for those outside of these criteria within the Temporary Protection system:

"Vulnerability is generally defined as the decrease in the capacity of individuals or groups to anticipate, cope, resist and recover in case of hazards created by natural or human factors. Vulnerability also varies depending on external factors, as individuals or groups feel excluded, insecure and vulnerable at the

(35) Charpman v. UK.,27238/95 (2001), Qtd: Çelik, Elif (2020), "İnsan Hakları Bakımından Kırılgan Kavramına Giriş ve Kavramın AİHM Kararlarındaki Görünürlüğü", Dokuz Eylül University Journal of Faculty of Law, Volume: 22, P: 69.

(36) D.H.and other v. the Czech Republic 57325/00 (2007), Qtd: Ibid., Çelik, Elif (2020).

(37) Definitions such as "beneficiaries" are mostly used for individuals who receive services within the Temporary Protection system. We, as Kırkayak Kültür, use the definition of "advisee" for all Syrians and especially for Syrian Dom and Abdals, who are the subjects of our research, instead of beneficiaries, with a rights-based perspective, for the construction of social cohesion and coexistence.

(38) Yıldırım Aykurt, Aylin (2020), "21.Yüzyılda Sosyal Sorunlar ve Dezavantajlı Gruplar", Journal of Awareness, Volume 5, No 3. https://www.researchgate.net/publication/343895498_21YUZYIL'DA_SOSYAL_SORUNLAR_VE_DEZAVANTAJLI_GRUPLAR (access date: 10.06.2021)

time of risk, shock and stress. (39) *In addition, the concept of vulnerability within the scope of the Social Cohesion Program (SCP) is based on the data of the Post-Assistance Monitoring and Evaluation (PAME) questionnaires, and defined by indicators such as food consumption score of households, food consumption diversity, food expenditure percentage, basic coping strategies, high risk coping strategies and borrowing.* (40)

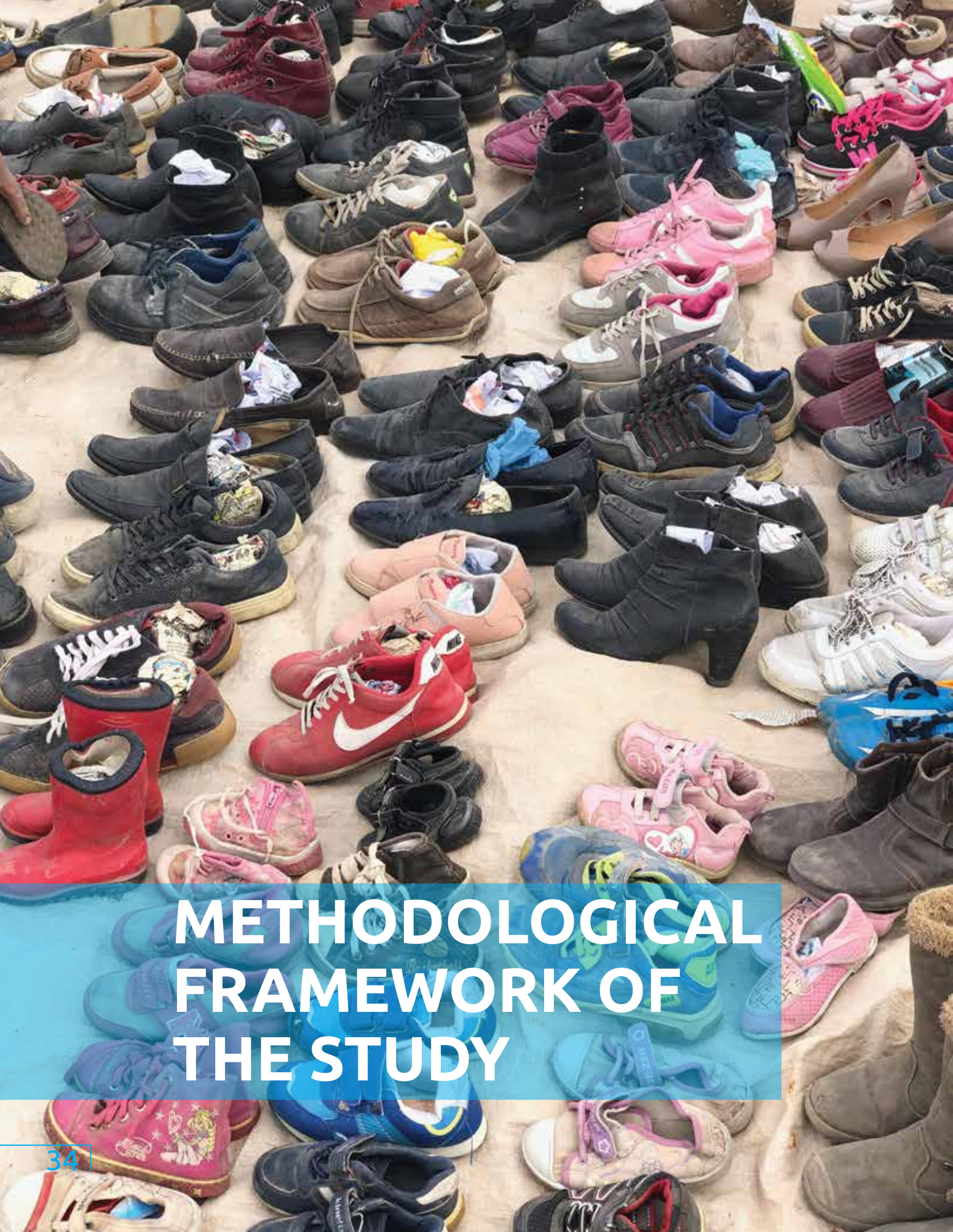
UNESCO defines disadvantaged groups as people who are less likely to integrate socially and economically because of their economic situation, gender, ethnic and linguistic background, religion or political status. These groups do not always have access to land or income-generating activities and are often deprived of basic services such as healthcare, housing and education. There may be differences between countries, as the definition of disadvantaged groups in terms of their ethnic, linguistic or political status is based on the national context. (41)

These definitions of vulnerable and disadvantaged groups point to the Syrian Dom and Abdal communities, which are the primary subjects of the study. Therefore, the study discusses the different dimensions of Syrian Dom and Abdal individuals in terms of accessing/not being able to access the fundamental rights and services provided in the Temporary Protection system based on the definitions of vulnerable and disadvantaged groups. The vulnerability is discussed through its relation with discrimination throughout the report.

(39) International Federation of Red Cross and Red Crescent Societies, "What is Vulnerability?" https://www.ifrc.org/en/what-we-do/disaster-management/about-disasters/what-is-a-disaster/what-is-vulnerability/ Qtd: Sosyal Uyum Yardımı Programı Teknik Analiz Raporu (2019), "Kırılganlık Analizi". https://platform.kizilaykart.org/tr/Doc/rapor/SUY%20Program%C4%B1%20Teknik%20Analiz%20Raporu.pdf (access date: 10.06.2021).

(40) Ibid. Social Cohesion Support Program Technical Analysis Report (2019)

(41) Yıldırım Aykurt, Aylin (2020), "21.Yüzyılda Sosyal Sorunlar ve Dezavantajlı Gruplar", Journal of Awareness, Volume 5, No 3. https://www.researchgate.net/publication/343895498_21YUZYIL'DA_SOSYAL_SORUNLAR_VE_DEZAVANTAJLI_GRUPLAR (access date: 10.06.2021).



METHODOLOGICAL FRAMEWORK OF THE STUDY

A qualitative research was designed to show how Syrian Dom and Abdal refugees can and cannot benefit from the fundamental rights and services provided to Syrian refugees within the existing Temporary Protection system, how they perceive this situation and how it is interpreted in daily life, through the individuals' own perspectives. The fact that qualitative research allows the study to be dynamic and flexible, has also enabled a discussion in the design of the field, based on processes such as field access and analysis of field data during the Covid-19 pandemic.

Semi-Nomadic and Settled Syrian Dom and Abdal Refugee Communities

Nomadic craftsman (Peripatetic/Gypsy (42)) communities, with their own internal denominations, Roman, Dom, Abdal and Lom communities lived together with other communities for centuries. They manufactured work tools such as plows, hoes, and sieves for the settled communities to cultivate the land and process the products they bear, they played music at weddings and gatherings, and they were often the carriers of culture. They performed traditional public medicine and dentistry. They offered services and crafted different tools in horse breeding, harness crafting, ironworking, and tinsmithing. Communities led a nomadic or semi-nomadic life, divided into groups to be able to practice their craft and to meet the needs of villages, towns and other nomadic communities and to serve them. Each artisan group consisted of large families. Learning the professions they had in the past, such as blacksmithing, tinsmithing, basketry, dentistry, performing circumcisions, as a group from childhood, being able to perform these special crafts, especially the production of work tools, allowed the nomadic artisan communities to live introverted without communicating with the outside, other than providing services to other communities.

Throughout history, peripatetic communities were often known with generic terms such as *Karaçi, Aşiret, Qurbet, Mıtrıp, Poşa, Gewende, Çingene, Nawar, Gajar,* given to them by other communities instead of their own names. These generic names contain stigmatization and alienation adjectives that includes prejudices and marginalize nomadic artisanal communities. These communities name themselves internally as Rom/Roma, Lom, Dom and Abdal (43). Although these names, which are the original names of the

(42) In this report, the word "Gypsy" includes all of the Rom/Roma, Lom, Dom and other Peripatetic subgroups.

(43) Yılgür, E. (2018) Balkanlar, Anadolu ve Mezopotamya'da Zanaat Göçebeleri (Peripatetik Topluluklar) Üzerine Bir Deneme. (online) https://www.academia.edu/36789281/Balkanlar_Anadolu_ve_Mezopotamyada_Zanaat_G%C3%B6%C3%A7ebeleri (access date: 05.05.2020).

communities derived from their spoken languages, were preserved within the community as their own internal nomenclature, and they were not used very often until recently (44).

The widespread use of the concept of the peripatetic concept (45) in the social science literature mainly began in the second half of the 20th century. The concept may be translated to Turkish as artisan nomads (zanaat göçebeleri). These crafts include but not limited to ironworking, tinsmithing, copper working, tumbling, musician, jeweler, dentistry, public medicine, and performing circumcisions are only some of these crafts. They may perform different professions in different regions based on the demands from client communities, the knowledge and skills employed by artisan nomads and the distinctness of the geography (46).

These communities that were using peripatetic production methods, lived a nomadic life through diverse geographies for centuries to provide services to settled agriculture communities and other nomadic communities dealing in animal breeding activities and delivering what they produce to such communities. The need to frequently move to sell their produce and perform their crafts also developed the mobility levels of nomadic artisan communities. As the groups continued their nomadic lives due to their relations based on productions, they got to almost all corners of the world as a result of this system that persisted for hundreds of years. However, as the relations based on productions and their forms changed, and as industry and technology developed, their craft lost its significance. This also reduced the mobility levels of nomadic artisanal communities, as everything they produced was produced in factories and workshops and quickly sent to the villages even on the mountaintops. Traditional crafts of public medicine, dentistry, circumcision have become professions learned in schools and universities. Only music performance remained as a profession of such groups that is somewhat valid in our day to perform at gatherings and weddings.

(44) Based on its previous studies, the Kırkayak Kültür Association believes that the internal naming of the groups is the most accurate definition for the concepts and names used, thus uses these names. Many peripatetic groups, such as Dom, Rom/Roma, Lom, Teber/Abdal who are called after their Gypsy names live today. These denominations are the communities' own denominations, which are the generic terms used by non-Gypsies. "Çingene" in Turkish used as the equivalent of Gypsy, which is an umbrella term.

(45) Preserving the peripatetic naming in its current state within the academic literature will be more appropriate.

(46) Yılgür, E. (2018) Balkanlar, Anadolu ve Mezopotamya'da Zanaat Göçebeleri (Peripatetik Topluluklar) Üzerine Bir Deneme. (online) https://www.academia.edu/36789281/Balkanlar_Anadolu_ve_Mezopotamyada_Zanaat_G%C3%B6%C3%A7ebeleri (access date: 05.05.2020).

They became unable to compete with their small scale production and traditional crafts against the new production system. In time, they steered towards different professions, settled at the peripheries of cities to perform them, and thus became part of the cities.

As the crafts they performed in the past began to disappear, they steered towards new professions and works. The decline of the crafts they performed all together for centuries, and the market they offer services not needing them anymore caused each individual in nomadic artisan groups to become unqualified workers. The marginalization and discrimination they faced was one of the most important obstacles for them to work in the countries they live in. Although they attempted to steer to new professions to not lose their historical markets and to supply the new demands of the market, this strategy has been unsuccessful for the most part. The reason was that the new circumstances included not only the failure to provide services but also social exclusion and discrimination. The ancient crafts they provided in the past were somewhat indispensable for the buyers of services. The fear of the settled people against the nomadic - vagrant people was a fear that was always kept fresh. Settled people receiving services from nomadic people did not mean they embraced the latter, on the contrary, it meant they lock their doors tighter and take stronger measures to keep an eye on all their properties. As a result, their crafts losing their significance caused them to also lose the statute granted by such crafts to the nomadic artisan communities due to relations based on production back in the time, and thus be pushed to lower statute and layers by the other side in time. Nomadic and semi-nomadic lifestyles and the strong anti-Gypsy sentiments within states and societies significantly blocked these communities' access to public services.

In our day, most of the community members work in daily labor and as seasonal agricultural workers or they collect scrap-waste, purchase and sale second-hand goods, packets, carpets, or curtains as small scale commercial activities that yet again require high mobility. Recently, particularly young individuals started to work with no qualifications at the bottommost jobs at shoemaking, plastics, knitting, and textile workshops within the informal labor market.

The peripatetic communities of the past have begun to be called "Late-Peripatetic" communities by social scientists with the transformation of changing livelihood strategies in terms of production relations, along with capitalism, urbanization and modernization. Late Peripatetic era also indicates the era where the communities are at their weakest in terms of

their livelihood strategies. A new craft could not be put in place of the lost crafts, and the serial production at factories and workshops replaced individual production. This period can also be defined as the period in which "Antiziganism", discrimination and intolerance towards the others increase the most, as well as the fact that the communities are nomadic and do not have land, animals and any economic capital that they can turn into capital. Antiziganism and discrimination still strongly exist as a type of discrimination that goes back centuries, as the fear of the other, and the homeless, and it does not change and it spreads to societies all over the world. Past experience shows that discrimination and violence against these communities decreased during periods when human rights, universal law and the anti-discrimination movement gained strength, but discrimination and violence increase, especially during war and conflict.

The 21st century also marked the beginning of a new process, triggered by many causes such as wars, conflicts, violence and climate change, and in which migration changed form. This new era, in which the spiral of poverty and alienation becomes increasingly evident for immigrants, and they are stigmatized as the "others" of the new age, poses more risks for the disadvantaged and vulnerable groups among immigrants. Dom and Abdal communities coming from Syria are being alienated and discriminated against for being "Gypsies" along with the other difficulties, poverty stomps them out everyday, and they are forced to live in deep poverty.

The report points out the situations of Syrian Dom and Abdal refugees regarding accessing/not being able to access to fundamental rights and services in the Temporary Protection System and to show how the members of Syrian Dom and Abdal communities experience these situations in daily life. Syrian Dom and Abdal individuals mostly live in the neighborhoods where Turkish Rom, Dom and Abdals live. The reason why people who are being discriminated against and alienated prefer the same neighborhoods as the people who are like them, is that they prefer the neighborhoods where they will feel the least spatial discrimination. During 10 years, the communities have been intertwined as they live in the same neighborhoods and streets and use the same spaces and often live in the same courtyard. However, we can say that the social cohesion and support activities carried out for these families caused polarisation between them and the Dom and Abdal families from Türkiye.

Field Method

Kırkayak Kültür team has a trusting relationship with both Turkish and Syrian Dom and Abdal individuals and families. In this fieldwork, interviews were carried out with people selected among Syrian Dom and Abdal refugees, based on the trusting relationships. The interviews were carried out with acquaintances to facilitate the discussion and to delve deeper into the different dimensions of discrimination, which is a sensitive topic. In addition, the experiences and dialogues experienced by the Kırkayak Kültür team with the service providers in the field for many years will be discussed anonymously in the data analysis.

Interviews were conducted with Syrian Dom and Abdal individuals in Gaziantep, Şanlıurfa Mardin and İstanbul (Okmeydanı/Örnektepe, Bahçelievler/Şirinevler) in January and April 2021.

Since 2011, when the migration from Syria first started, Dom and Abdal communities, who crossed the borders and took shelter in Türkiye, started living in the cities they migrated in the first years, in the neighborhoods or in the tents they set up on the peripheries of the cities. These areas were mostly the houses, shops and ruins they rented in the Roma, Dom, Lom or Abdal neighborhoods of those cities, or the tents they set up on vacant lots in the neighborhood. Some of the communities lived in informal tent camps that they set up in these neighborhoods, or in houses that were evacuated or half-destroyed in areas where urban transformation was taking place. Newly arrived nomadic, and semi-nomadic groups were staying in the ancient migration sites of communities in Türkiye. Even though the registration of refugees and limitations on movement made it imperative for communities to reside in these neighborhoods permanently, the mobility in communities is still high. Even though the strict measures taken by the law enforcement for the settlement of communities, and the residence registration being required as the first condition for having the Turkish Red Crescent Card and accessing other supports, make it imperative for Dom individuals and their families to settle, they are still semi-nomadic to a large extent.

Both multiple snowball and random sampling was used as and semi-nomadic families were reached on the migration routes. Face-to-face interviews were conducted through conversational semi-structured questions. However, we did not call these interviews semi-structured interviews nor focus group interviews. It would be more accurate and comprehensible to discuss our interviews with individuals using the "fluid interviews" (47) method that

(47) Education is not taken for granted: Educational Status of Dom/Abdal Children in Türkiye:

we described in our previous report. This time, while the people in the conversation did not change during the meetings held at houses due to the pandemic, the topics were changing rapidly. We held dynamic interviews by focusing on what they wanted to share with us without being fixated on our questions in our interviews, which we held in one room together with women, men and children due to the impossibilities of the houses. However, the person, location and subject fluidity were determinants during the interviews held in tents. People who are involved in conversation were changing during the interviews we held standing or sitting in front of the tents caused the interview content to change constantly.

While field studies were carried out at various paces between January and April 2021, phone calls were made with families since March 2020, when the restrictions started in Türkiye due to the Covid-19 pandemic. We interviewed 25 women, 20 men and 5 children at 3 different settlements in Gaziantep for the field work of the report. We interviewed 7 women, 8 men and 3 children in Şanlıurfa at 2 settlements, and 2 men, 1 woman and 1 child in Mardin Kızıltepe. We carried out interviews in 3 different districts in Istanbul. Interviews were conducted with 3 men, 2 women and 4 children in Okmeydanı/Örnektepe neighborhood, 6 men, 4 women and 2 children in Bahçelievler/Şirinevler neighborhood, and 3 men and 2 women in Sultanbeyli district. 41 were women, 42 were men, and 15 were children of the 98 interviewees. In addition, 130 families were reached during the pandemic, and their access to services were tried to be provided over the phone. Families are still trying to contact us via phone.

Being on the Field during the COVID-19 Pandemic

Since March 2020, when the first Covid-19 cases were seen in Türkiye, the Kırkayak Kültür team kept the Center for Migration and Cultural Studies open, except for the mandatory lockdown days, and continued to provide voluntary support to the needs of refugees, especially the Dom and Abdal families, either by phone or by going to the field. The team tries to support the Dom and Abdal individuals in every way for their access to fundamental rights and services. This support includes obtaining a temporary protection ID, ID renewal, making an appointment for address registration, along with

Examples from Gaziantep, and Şanlıurfa"
http://www.kirkayak.org/download/turkiyedeki-dom-ve-abdal-cocuklarin-egitim-durumu-gaziantep-ve-sanliurfa-ornekleri/ (access date: 08.05.2021).

various protection support such as obtaining temporary protection ID for newborns, making an appointment for pregnant women at a public hospital, making appointments for families whose Turkish Red Crescent Cards were canceled to update their addresses. Information regarding Covid-19 pandemic is also provided to the communities considering their living conditions, and support is provided to the people who need HES codes. In addition, families are being supported to benefit from cash and food support by contacting the relevant institutions that provide such support. We have been contacted by more Dom and Abdal individuals during the pandemic and it showed us that the adverse effects of the pandemic on society are felt most in the disadvantaged segments of society. Many people continue to contact us with different problems through their own communication network. We have been receiving phone calls from not only Gaziantep, but also from cities such as Kayseri, İstanbul, Şanlıurfa, Konya, and İzmit where Syrian Dom and Abdal families mainly live.

While the curfews that introduced due the pandemic made the lives of families who make a living through daily labor more difficult, they all commonly said "Our children are hungry, we can't buy food, diapers, we can't go out to collect scrap-waste, sell rosary, collect support, what will we eat?". They also stated that it became more difficult for them to find a job during the days without restrictions because they were exposed to discriminatory statements saying that these families spread the Covid-19 since they were "dirty".

> *"They do not let us work, they are afraid of us, they are saying that we cannot take you anywhere. I argued with the man, I said you will make it transmit to us"(Songül, 33, Syrian Abdal, Gaziantep).* (48)

Each time we were on the field, the families were grumbling at the fact that we were wearing masks by saying "You won't catch anything from us". We were trying to explain the pandemic to them by saying "It's not just you, you may catch something from us, we meet different people" and they were expressing their disbelief about Covid-19 by saying, "Nothing will transmit from you to us, God is Almighty".

These families, who experience poverty in its deepest form, were unable to to access their most fundamental needs of food, shelter, healthcare and clean water due to the economic and social insecurity created by the Covid-19 pandemic, more than before the pandemic. Pandemic rules such as wearing masks, hand hygiene and social distance are rather meaningless when the living conditions of these families are considered.

(48) The names used in all quotations from field data are anonymous.

Pandemic is a crisis and an emergency. It is an unbearable process especially for families with low socio-economic status. The reasons that we will list in this report, such as the daily livelihoods of Syrian Dom and Abdal individuals holding a Temporary Protection status, inadequate shelter conditions, access to clean water, and malnutrition, have become even more precarious with the pandemic. On the one hand, as the conditions became more difficult everyday, families showed their desperation with angry expressions such as *"If you don't visit us now, don't come later"*, and on the other hand, they were showing solidarity by saying *"we know you can't do much, but to whom should we tell our troubles?"*.

The immediate support to be provided by Non-Governmental Organizations in crises situations such as a pandemic, is vital. The Non-Governmental Organizations should adapt their contingency plans to pandemic conditions, and should prepare action plans by taking all necessary measures without risking their employees' lives. (49) A 17-day lockdown was imposed in May 2021 due to the increasing Covid-19 cases across Türkiye. Non-Governmental Organizations, which have reduced the number of staff working in offices and started to work at home since the beginning of the pandemic, continued to work in a similar way during this 17-day lockdown. In particular, communities and individuals with high vulnerability cannot meet their fundamental needs during these long lockdowns and are left behind in accessing the rights and services offered by the protection system.

After the Fieldwork

After the fieldwork, we had voice recordings from the interviews, notes from the field, and problems of Syrian Dom and Abdal inviduals waiting solution. Although the problems we encountered in Gaziantep, Şanlıurfa and Mardin were similar to those we encountered in Istanbul, Istanbul had different problems as well. The way of clinging to life of Syrian Dom and Abdal individuals and families and their living strategies in metropolis and Anatolian cities started to differ rapidly.

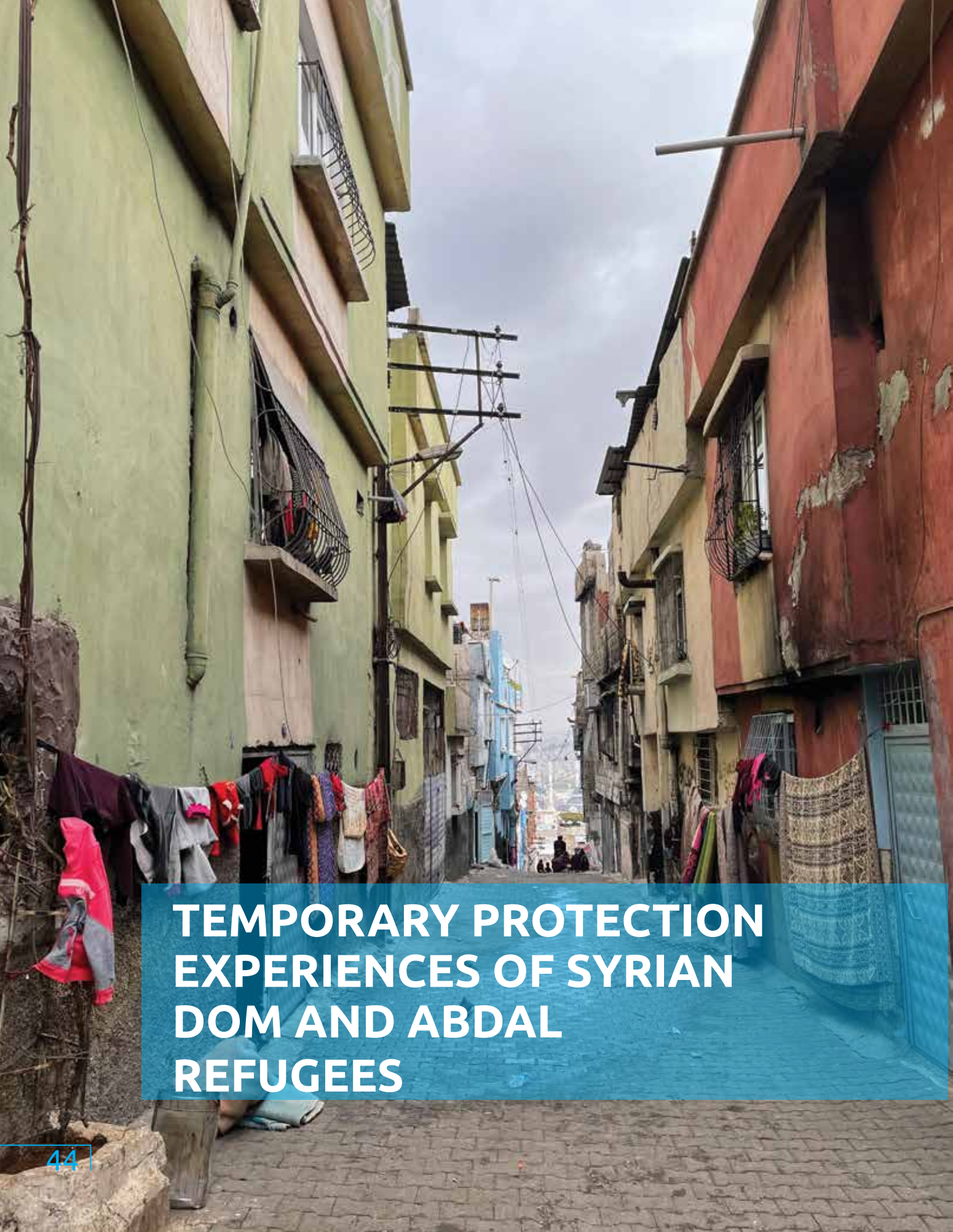
For this reason, while analyzing the field data, as the research team we frequently discussed, with the concern of voicing the experiences of these people and *"being the voice of those whose voices are not heard"*, and which

(49) Dom and Abdal Communities and Displaced Syrian Dom and Abdal Communities are at Risk of Covid-19 Pandemic
http://www.kirkayak.org/wp-content/uploads/2020/04/KK-Dom-Toplumu-Corona-Raporu-1.pdf (Access date: 08.05.2021)

data should be visible, and which issues should be presented as priorities. Because seeing them all as equals, and establishing dialogues about what they need through their differences was one of our priorities.

We paid attention to which words each individual used to describe their own experience, what kind of analogies or situations were related to the topic they told, and what was emphasized more by the individuals to create the codes in the analysis of field data.

We analyzed the field data through certain codes to show the discrimination experiences of Syrian Dom and Abdal individuals with or without Temporary Protection status and how it is perceived, based on their access to fundamental rights and services. With these codes, the deep inequalities and deep poverty that the pandemic created were made visible, and the inadequacies of the Temporary Protection system in reaching the most vulnerable groups and providing protection support were showed through both the structural criticism of the protection system and the experiences of these people in need of protection.



TEMPORARY PROTECTION EXPERIENCES OF SYRIAN DOM AND ABDAL REFUGEES

The report aims to show the situations of Syrian Dom and Abdal refugees regarding accessing/not being able to access to fundamental rights and services and the perception of families. The fieldwork will be analyzed in two dimensions, through the data we obtained from the subjects of the study based on a rights-based framework.

The first dimension is the current legal status of individuals and families, their access/inability to access fundamental rights and services due to this status, and their experiences. The other dimension is considering Syrian Dom and Abdal individuals as an example of who the Temporary Protection system excludes and creates new vulnerabilities beyond who it includes/encompasses in the claim of "individual protection" as the very reason for its existence. These dimensions will be often regarded as intersecting while analyzing field data. It is aimed to make the legal, economic, social and different daily lives and barriers of access visible through the experiences of Syrian Dom and Abdal individuals and families in access to fundamental rights and services such as registration process, shelter, healthcare, education, social assistance and employment rights in the Temporary Protection system.

Barriers of the Protection System

When the Temporary Protection system is defined as a network, it is necessary to meet the criteria to be included in this network and to be able to hold on to this network.

Knowing the priorities of the protection system, who is visible in the system and who is not, and what the needs of the refugees to be included in the system are, can be procedural indications that the protection system works well. However, homogenizing the experiences and needs of refugees and determining how to meet these needs that are identified and homogenized through a centralised management approach causes to determine the protection system's success by numbers. The fact that the projects and programs carried out by the actors in the protection field are ultimately evaluated through numbers, carries the risk of transforming the refugees from being a subject into the object of the project, and it creates ambiguity about who the numerical data includes and how. The past ten years, and the pandemic, which is an extraordinary event, caused a group that can be called "professional beneficiaries" to be formed in the refugee community and enabled these people to surround the organizations in this field and to block the access of vulnerable groups and individuals to the protection system. As stated above, in most of the projects, the limited number of beneficiaries, and the inability to access protection due to the professional beneficiaries

coming to the institutions without the field workers going to the field, caused an informal area to be formed outside the system, and vulnerable groups and individuals were left behind.

One of the groups who have the right to access the services in the Temporary Protection system, but cannot benefit from the protection services to the required extent due to different vulnerability reasons is the Syrian Dom and Abdal individuals. These groups face discriminatory actions, attitudes and behaviors by both Syrian refugees in general and the rest of the society in the places where they live, due to antiziganism. The discriminatory perception against Gypsies in society causes Dom and Abdal individuals to be left behind in accessing fundamental rights and services, both by service providers and by the protection system's own discriminatory technical practices within the Temporary Protection system.

The "Temporary Protection" status itself provides limited protection in many aspects. It creates precarious areas and perception of insecurity with temporary protection rather than long-term protection. While structures within the protection system keep the same system standing by reproducing insecurity, victimization, and vulnerabilities, new precarious areas are added to the already existing precarious lives of Syrian Dom and Abdal individuals and families, one of the disadvantaged vulnerable groups who are marginalized by society.

People living in poverty experience very serious physical, economic, cultural and social barriers to accessing their rights. These people face many interrelated and mutually reinforcing deprivations that prevent these people from achieving their rights, and which cause them to continue living in poverty. Examples of these deprivations can be listed as dangerous working conditions, unsafe housing conditions, deprivation of nutritious food, unequal access to justice, lack of political power and limited access to healthcare services. People who lead their lives in deep poverty live in a vicious circle of mutually reinforcing problems of being powerless, stigma, discrimination, exclusion and economic deprivation. (50) Now, the Covid-19 pandemic is added on top of these adversities. While the Covid-19 pandemic has sharpened the inequalities in the society, it has made the desperation of certain social groups visible about how they will cope with this crisis. The uncertainties created by the crisis situations caused by the

(50) Unofficial Turkish translation of Guiding Principles on Extreme Poverty and Human Rights (2021) https://derinyoksullukagi.org/wp-content/uploads/2021/05/Guiding-Principles-on-Extreme-Poverty-and-Human-Rights-TR.pdf (access date: 14.06.2021).

pandemic have become unbearable, especially for our target group, Syrian Dom and Abdal refugee individuals/families. The families who are trying to make a living with day labor, cannot meet their fundamental needs due to lockdowns. The services offered by the Temporary Protection system are vital for these families who have already been fighting poverty before the pandemic. However, due to very few families accessing the services offered, we encountered situations of deep poverty that are difficult to describe, especially in the pandemic conditions where we conducted the fieldwork.

During the fieldwork, we listened to the stories from Syrian Dom and Abdal individuals/families who are settled, semi-nomadic, or settled in tents, with whom Kırkayak Kültür has been in contact for 10 years, about passing through the borders, and how they were living without being registered, and not having temporary protection IDs for a long time in camps or in neighborhoods where Turkish Dom and Abdal individuals/families live or in tents that they set up in these neighborhoods. This state of "being unregistered" revealed the discourse of "fear" in part of all interviews.

"Fear" is being afraid of the state, all the state institutions, hospitals, education, neighbors, penalties, police, law enforcement, mukhtar, NGO employees, having their photos taken, the question "Do you have an ID?", and it is also being afraid of people noticing that they are Gypsies, saying where they live and where they come from, and these fears led to the discrimination, marginalization and stigmatization caused by people being against Gypsies.

"We are very afraid since we came from Syria. We were afraid in Syria, we were afraid on the road, I mean, we lived through a lot. Thank god. We are afraid of the police, the state, everything. Why? We lived through a lot, we have seen everything. That's why we are afraid." (Zeynep, 28, is registered in Gaziantep but we met in Şanlıurfa, semi-nomadic, Syrian Abdal).

I am sorry, we are afraid of the state. Since we are Abdal and a tribe, we are poor, we don't have anyone. When we hear about the state, we get afraid. We don't have anything. We don't have anyone. That's why we love the state, we are afraid of it, the state is our parent. We don't have anyone but God. We don't mess with the state. We don't like to. We are trying to live." (Mustafa, 57, Istanbul, settled, Syrian Abdal).

When we list the problems that Syrian Dom and Abdal individuals experience, problems such as obtaining/renewing Temporary ID, obtaining an ID for the newborns, getting registered by finding a house, making an appointment to update the address, making an appointment from the hospital or asking what to do once at the hospital, getting registered for Turkish Red Crescent Card, the salary card as the families say, renew the Turkish Red Crescent Card that were canceled due to the system, face penalties due to day labor, and try to pay these penalties, trying to obtain a Temporary ID while living without an ID and being registered after coming back to Türkiye after going to Syria by signing the voluntary return document are being encountered everyday.

Obtaining Temporary Protection Identity, Registration Process
"Holding on Temporarily!.."

The crisis caused by the civil war and conflict in Syria has been going on for more than ten years. During the mass migration, in which people were displaced in large numbers and dragged to insecure areas, "Temporary Protection Status" was given to individuals who took refuge in Türkiye after coming from Syria.

We see that Syrian Dom and Abdal individuals and families, with whom we are in contact, generally receive the ID given to new arrivals within the scope of Temporary Protection status, too late, and at this point, the registration process for the Temporary Protection system and their access to fundamental rights and services are delayed. Getting a Temporary Protection ID was not their priority when they first came to Türkiye. Because the fear and uncertainty they experienced translated into an effort to find a safe space, causing them to choose to be invisible. In addition, it is evident that Syrian Dom and Abdal individuals lack information about the fundamental rights and services provided within the scope of Temporary Protection. However, this inaccessibility cannot be explained only by the lack of knowledge of individuals. Because Syrian Dom and Abdal individuals are defined as marginalized, inaccessible and incomprehensible groups in the society, and as a result, their access to fundamental rights and services within the protection system is violated through hidden or open discriminatory practices.

> *"If a person's place is destroyed, their home is destroyed, and one falls into a downward spiral. Until you get yourself together and get to know people, it will be difficult to make a living. When we first came, we didn't know anyone, we didn't know what to do or where to go. We were in foreign lands. The state (Türkiye) provided us with opportunities. I received our IDs and our Turkish Red Crescent Cards very late, I did not have any other chance. We don't know anything, we don't have any luck, we don't have any chance other than the God but the God did not mercy us." (Hasan, 43, Mardin, settled, Syrian Dom).*

When I got my ID, I told a relative, Ali, to go and get his ID together. He said that he has to go to work. He is afraid. He is not brave. Why? Because he escaped from Syria and he is afraid that they will send us back. Why are we afraid? Because they made us afraid. We have seen it all. (Mustafa, 57, Istanbul, Settled, Over the

past years, we have been providing support to thousands of Dom and Abdal individuals to either have new IDs or update their IDs, and today we are still dealing with the IDs of newborn children, identity transfer procedures of the people from the province where they were registered due to marriage, or who have never received an identity card until now or to people who have started the process to have IDs, but did not complete the process. In addition, we also support families who voluntarily went back to Syria and came back to Türkiye due to security issues, to have new IDs.

Different applications occur in different provinces. The individuals generally have difficulties in understanding this. Because the exposure of two people experiencing the same process to different practices causes the protection system to become an area where discrimination will be applied structurally since both the technical deficiencies of the protection system and the protection procedures are left to the hands of the service providers.

While we support the access of Syrian Dom and Abdal individuals who say "we don't have any patience left" to fundamental rights and services, and who experience discrimination created by the protection system, we also try to keep the motivation of families high. Waiting often leads to hopelessness, disbelief, and insecurity. Because history shows similar adversities by statements such as "they will not give it to us", "they will not do anything for us".

An example from the field:

5-Year-Old Kenan Receiving a Temporary Protection ID: We are at the relevant branch of the Migration Management to obtain Temporary Protection IDs for approximately 50 Syrian Dom and Abdal women, men, and children. It is not easy, everybody has been looking at us since our entry. There are institution employees on one side and on the other, Syrian refugees who are not Syrian Dom and Abdal. We are always trying to advocate. On the one hand, we try to realize both a strategic and a rights-based discourse by telling the employees of the institution about the cultures and lives of the Dom and Abdal families. And most of the time, the way the listeners empathize is by pitying, sadness, or showing that they believe in stereotypes and prejudices. The personnel tries to share whatever chewing gum or candy they have in their bags or get upset that it is cold, and the children do not have shoes. On the other hand, there are also personnel who try to keep a distance and who say "yes, there is poverty, but does that mean there is no water?", "I hope they will leave as soon as their process finishes", "children make a lot of noise", and "I know them". In addition, there are other Syrian refugees, who are not Dom and Abdal,

and the personnel who do not make any comments, but who stares in a discriminatory and marginalizing manner.
In another advocacy we carry out during this process, we explain the order of official actions to be taken for Syrian Dom and Abdal individuals, and we stand by and chat with them all the time so that they will not feel insecure and realize all the discriminatory and marginalizing looks. The fact that they wanted us to be with them at every stage of all the procedures to be carried out in public institutions helped them feel safe.
While the procedures of all families were about to be completed, the ID procedures of one of our families took a little longer. It was Kenan's family. This situation demoralized all the family members and they started saying "they will not give it to us", and "they will not do it for us". Kenan, 5, shared the same thoughts as his 32-year-old mother. Although we said there was a small technical problem and it will be resolved, the discrimination and marginalization practices they had historically experienced and internalized made these words meaningless for them. Ultimately, 5-year-old Kenan and his family received their IDs. Kenan didn't want to give his ID to anyone, not even to his mother. He hid the ID inside his outfit and said with a childhood joy, "I'll show it right away when the police ask."

Residing at the City Where You are Registered

"That is Türkiye, and is this France?"

We can say that Syrian Dom and Abdal individuals are migrating seasonally to find livelihood in today's conditions. This causes them to reside in a different city than their registered city on their Temporary Protection ID, thus, they cannot access the fundamental rights and services provided by the protection system. Several people among the ones we interviewed complained about not being able to benefit from the healthcare services due to ID issues, and others were saying *"Thank God, we don't get sick"* or were trying to find solutions to their problems by explaining *"We go to a Syrian doctor or a private hospital if we get sick"*. In addition, families stated that they buy medicine from pharmacies instead of going to hospitals unless they really need it.

"You are in touch with the state, and you talk with the authorities, tell me, Urfa is in Türkiye, but is Antep in France? Why the doctors there don't examine us? Why don't they examine us? You gave me this ID, this should

be valid everywhere. Am I doing something wrong? Tell me, am i doing something wrong? The state should do anything to the ones who are doing wrong. This is not law, this is not justice. These kinds of things should not happen, this is all Türkiye. I have an ID, I should live anywhere and buy medicine from anywhere. My spouse gets sick sometimes. We go to the hospital, they ask for 50 lira because we are from Antep. It is 50 lira to go to the ER. If we don't give the money, they do not examine us. I went to a hospital the other day, they asked me whether I was crazy and said that it was full. This was in Urfa and I am registered in Antep. I said "Is Antep in France, not in Türkiye?" (Hasan, 42, we met in Şanlıurfa, he is registered in Gaziantep, semi-nomadic, Syrian Abdal).

"I am 25 years old. I have two children. I went to the public hospital for my delivery, but they did not accept me. They told me to go to Malatya, where I am registered. We were in Muş. I had to go to a private hospital." (Zehra, 25, we met in Şanlıurfa, she is registered in Malatya, semi-nomadic, Syrian Dom).

Most of the Syrian Dom and Abdal individuals we interviewed in Istanbul, Şanlıurfa and Gaziantep do not (cannot) live in the cities where they are registered. After coming to Türkiye, they went to whichever city they had relatives or acquaintances in. They got their IDs either from the cities they first went to or from the cities they went to find their livelihoods. However, the registration of Syrian Dom and Abdal individuals in the Temporary Protection system got delayed, both due to the lack of information and reservations of families in contacting government institutions, and the prejudice and discriminatory attitudes of service providers in registering these groups.

They say that these people do not deserve the rights and services provided by the protection system by saying *"You know how these people are"* and they are being pushed into precarious areas by having their rights violated through expressions such as *"they are Gypsies anyway"* or *"they did not have IDs in Syria too"*. This shows us that a human rights-based approach is not the priority in the protection system, instead, the refugees are being victimized through a help/need-based approach, rather than being considered as entitled subjects.

Many Syrian Dom and Abdal individuals whom we interviewed, migrate to access livelihoods through the networks of relatives or acquaintances or have to migrate due to being discriminated against and exposed to hate speech by being stigmatized as Syrians or Syria Gypsy in the places where they live. They cannot access the rights and services in the Temporary Protection system since the place where they are registered and where they live are often different.

"You have no idea how our day goes. Sometimes we sleep on the ground, but we still thank God. If we can afford rent, we stay in a house, if not, we stay in tents. It is difficult now. We don't have a salary. They cannot go to collect scrap waste, and cardboard, and they cannot sell rosary. What can they do, they migrate upwards (Kayseri, Aksaray, Mersin). I was in Kayseri for 5 months, I just came back." (Nazlı, 27, Syrian Abdal, Şanlıurfa).

"We are astonished. We had to come to Kayseri. We had an argument with the landlord in the neighborhood we live in Antep. The whole neighborhood quarreled with us, saying that we are Syrian Gypsies. This neighborhood is theirs (she's talking about her Turkish neighbors). We had to come to Kayseri. We can collect scrap waste here, and we work on the field. But we got our Turkish Red Crescent card from Antep. It has been 2 months and we have not received our money. I don't know what happened. Has our address been deleted? We will stay in Kayseri until winter, we are working here. We don't have jobs in Antep, even if we go there, and rents are high." (Elif, 45, is registered in Gaziantep, and lives in Kayseri, semi-nomadic, Syrian Abdal).

As it can be understood from the experience stated, access to support such as the Turkish Red Crescent card is vital for individuals and families experiencing poverty and discrimination because of their multiple disadvantaged situations. However, the legal procedures that Syrian Dom and Abdal individuals cannot follow cause the rights and services that have been accessed with difficulty to be lost again.

These community members, who experience poverty and discrimination together at every stage of their daily lives, have only been able to be a little part of the protection system. As a result, Syrian Dom and Abdal individuals do not have access to most of the fundamental rights and services provided by the protection system that secures them, apart from their Temporary Protection identity.

Social Cohesion Support (SCS) Program

Social Cohesion Support is economic support provided to foreigners under International Protection or Temporary Protection who reside outside of Temporary Shelter Centers and meet at least one of the poverty and demographic criteria. Supports are being sent through the Turkish Red Crescent Card to the people who benefit from the program carried out in collaboration with International Federation of Red Cross and Crescent Societies (IFRC), Turkish Red Crescent and the Ministry of Family and Social Services. The SCS Program is mainly planned to ensure that the vulnerable people meet their fundamental needs such as food, shelter and clothing within the framework of their own choice.

Social Cohesion Support Criteria

Sosyal Uyum Yardım Programı için uyum sağlanması gereken bazı kriterler olduğundan söz etmiştik. Yardıma başvuru yapacak kişilerin belirlenen kriterlerden en az bir tanesini sağlaması gereklidir. Bu kriterler şu şekilde sıralanabilir;

We explained that there are several criteria to be complied with for the Social Cohesion Support Program. Persons who will apply for the support should meet at least one criterion. These criteria can be listed as below:

1. Households with a person aged 60 or over and where no other adult in the household between the ages of 18-59 live,
2. Households with only one woman and no one else,
3. 3rd Households with a minimum of one person with 40% disability (the disability must be documented with a hospital report.)
4. Households with minimum 4 children under the age of 18,
5. Households with only one person between the ages of 18-59, and at least one person who is not above the age of 18, and if the household also has a person who is aged 60 or over, that person will also be included.
6. Families with individuals such as the elderly, children, and people with disabilities in the household and under the responsibility of one person (According to the criterion, this will be determined by the ratio, which should be 1.5 or more dependants per one person.) (51)

While carrying out the Vulnerability Analysis to determine the vulnerability levels of the people benefiting from the program, and apart from the above items, the disadvantageous and vulnerable situations of the Dom and Abdal Communities should be taken into account, and it should be ensured that they benefit from the system.

In exceptional circumstances in the SCS program (52), individuals who are not eligible for support due to demographic criteria, have the possibility to become beneficiaries due to changes in the following circumstances:

(51) Social Cohesion Support (SCS) Program. https://kizilaykart.org/suy/tr/degerlendirme.html

(52) Technical Analysis Report of Social Cohesion Support Program 2019 https://platform.kizilaykart.org/tr/Doc/rapor/SUY%20Program%C4%B1%20Teknik%20Analiz%20Raporu.pdf

- Within the scope of the program, in which eligibility is determined according to the demographic structure of the household, the change in the demographic structure of the households may be high.
- Those who do not meet the criteria can be beneficiaries according to their vulnerabilities with discretionary power.
- The applicants create the SCS pool regardless of their eligibility.

A good example from the field:

We have a good example of the criteria set for benefiting from social cohesion support (SCS) and the Turkish Red Crescent Card, which is given to individuals who are defined as vulnerable groups by using the Social Assistance Foundation's discretion for the people who fall stay outside these criteria:

17 Syrian Abdal families have transitioned to a settled life in tents after coming from Syria. Several families among these families were eligible for the Turkish Red Crescent Card, and others were not. The Kırkayak Kültür team carried out advocacy work for families who could not get a Red Crescent Card because they did not meet the criteria, and this will always be like this. As a good example of this advocacy, several families, who have been living in tents for 10 years, got the right to receive a Turkish Red Crescent Card, despite being excluded from the criteria, as SYDV used its discretionary power for vulnerable groups.

As seen in the example above, in the vulnerability analysis of vulnerable individuals and families who do not meet the social cohesion support criteria within the scope of the program, special advocacy efforts are required for the use of the "Discretionary Power".

Economic Situations of the Families

"We don't know what to do." "...we are down-and-out."

The fieldwork resulted in two different conclusions about Syrian Dom and Abdal individuals/families. One of the most important determinants of this difference is urban space practices at varying scales.

While some of the families in Gaziantep, Şanlıurfa, and Mardin continue to lead a settled life, the majority are semi-nomadic, and the families in Istanbul generally lead a settled life. One of the important factors that enable the families to be settled is the fact that girls and boys who are out of education work in the textile industry. These children, who work informally for low wages, have been an important part of the transition of families to settled life. In Istanbul, besides working weekly/monthly in the textile industry, they do daily labor such as shipping and carrying cargo, selling rosaries, and handkerchiefs on the streets, collecting scrap waste and selling second-hand goods. In addition, Syrian Dom and Abdal individuals who speak Turkish and Arabic do daily labor such as interpreting at much cheaper prices than professional translators during shopping or city tours of tourists coming from the Middle East. On the other hand, in Gaziantep, Şanlıurfa, and Mardin, people also earn their living by working in daily jobs such as collecting scrap waste, being porters, selling rosary, and handkerchiefs, and agricultural labor.

"We are living in a house just because we are in Istanbul. If we move to another city, we would also live in tents. If we go to Nizip, Kilis, we would also live in tents. It is not like that in Istanbul. Living is difficult if you are renting in Istanbul and no one is working."(Ferit, 38, Syrian Abdal, Istanbul).

"The children are working, but it is difficult. Antep is a bit cheaper. It is for the poor. The prices are high here. We have the Turkish Red Crescent Card. At least that Turkish Red Crescent Card is helpful. For electricity, and water bills. Electricity and water bills are too high. We are drinking tap water in Antep. We buy water here. The prices are too high. We have to be here because of our IDs, if not, we would have lived in Antep. The children would also work in Antep, in sweater shops. We have to be here because of our IDs."(Zehra, 32, Syrian Abdal, Istanbul).

These families living in the poorest neighborhoods of Anatolian cities such as Gaziantep, Şanlıurfa and Mardin, share the houses they rented by room in winter and they stay in tents again as the weather warms up when they have difficulties in paying the rent.

> *"You have no idea how our day goes. Sometimes we sleep on the ground, but we still thank God. If we can afford rent, we stay in a house, if not, we stay in tents. It does not matter to us. It is like this in Syria, as well. We had houses, but we preferred tents. It is difficult now. We don't have a salary. They cannot go to collect scrap waste, and cardboard, and they cannot sell rosary. What can they do?" (Nazlı, 27, Syrian Abdal, Şanlıurfa).*

"They made a complaint about us for setting up tents here. We don't receive any monetary support. What can we do? Is this living? We became one with the earth. We don't have anything to eat. The children are dirty. And the police does not leave us to be. They want us to leave. They do not want us to settle in empty lands. This is desert. Where should we go? We don't have any place to go" (Semra, 50, Syrian Abdal, Gaziantep).

The tents set up in the peripheries of the cities are removed by the local governments and law enforcement officers, and the families are prevented from living in the tents by penal actions with the tightening of the controls during the pandemic.

"Even if we remove these tents, they will go somewhere else. This is just misleading. I will make them leave, but they will come back at night. The citizens complain about these people."(police officer).

> *"We are responsible from beggars. These people are beggars. We know where they live. When we force them to migrate, we force them to commit crimes. They should be sent off to far from city, and their opportunities to beg should be reduced. Public solutions should be found. I cannot help people who are living in houses, let alone the people living in tents " (Police Officer).*

This situation further increases the spatial mobility of families. The fieldwork shows that such practices will not be a deterrent unless the migration reasons of families are resolved. Because not paying rent, electricity, and water bills even for a few months, is a part of the livelihood strategy of families.

Although the semi-nomadic lifestyle is an obstacle for families to reach fundamental needs such as food, shelter and clean water, families often lead a semi-nomadic life out of necessity. Especially the lockdowns and restrictions during Covid-19 leave families helpless.

"What can these people do? They cannot collect scrap waste, sell rosary and handkerchief, and should not beg for help. What can we do? What can we eat? Then they are talking about fines. If police officers catch you, they fine you 500 liras. Where can we find such money? If I don't have 500 liras, should I sell my child? What can I give you, tell me. I have an old car, should I sell it and give the money? Tell me what to do. Should I commit suicide, tell me." (Mustafa, 32, is registered in Gaziantep but we met in Şanlıurfa, semi-nomadic, Syrian Abdal).

During the fieldwork, especially semi-nomadic families sometimes got angry, sometimes reproached, then calmed down immediately and complained about their problems. They expressed their disbelief and despair due to not being able to register for the Turkish Red Crescent Card, the salary card as the families say, which hold an important place in the protection system while being angry towards life for all the obstacles, and towards the people who think that they lie and forge their documents.

"We have been like this for more than 10 years. We are staying in a different tent everyday. We go to work, but the police chase us, they fine us just as we are about to hit the road. Are we lying? What can we give? Nobody is receiving any monetary support. I have been involved in this (obtaining a Turkish Red Crescent card) for 4 years, since the birth of this child. I can neither get registered nor they put us in a tent. We go to Nizip, we settle in the desert, we settle in empty places along the Suruç Aligör road, but the police do not leave us alone. Where can we go? We cannot afford to pay 600/700 lira for rent. (Mustafa, 32, is registered in Gaziantep but we met in Şanlıurfa, semi-nomadic, Syrian Abdal).

Accommodation Conditions "It is very difficult, we have no place to go."

Syrian Dom and Abdal refugees generally settle in neighborhoods where Turkish Dom and Abdal families live. These neighborhoods are the poorest parts, and are often stigmatized as "Gypsy Neighborhood". As we have explained in the method section, the Syrian Dom and Abdal families cannot/do not rent houses in other neighborhoods. There are many reasons for this, but basically, the reason is rents being higher in other neighborhoods, but primarily these communities experience difficulties in finding houses to rent due to the discrimination against Gypsies. Because as it can be seen from the field, Syrian or Turkish Dom and Abdals are generally called Gypsies in

the society, and they are stigmatized by the rest of the community through codes including discrimination and prejudices due to antiziganism.

Although the right to acquire housing was not the only right taken into account when defining the right to housing within the scope of social rights in the 1951 Geneva Convention, it should not be forgotten that the right to housing is one of the most fundamental rights of people and this need must be met without reducing it below certain standards for a life in accordance with human dignity. Inclusive housing policies should be developed within a rights-based housing approach, and there should be housing areas with rights of use and legal security, that offer accessible services, and cultural diversity, and that are affordable and accessible in terms of location. The right to shelter is one of the most basic rights necessary for these individuals struggling with poverty to live in a way that is worthy of human dignity.

"We want a house, but they won't give it to us. We are telling them to just give the house to us for registration and we will not live in the house, but they don't. They make us happy but then they quit on us. We are afraid, we cannot do or say anything. (Şenay, 34, Gaziantep, is settled in a tent, Syrian Abdal).

"We are collecting scrap waste. That's why the people living in the neighborhood don't give houses to us. They say that scrap waste smells. Staying in a tent is better than staying in a house for us."(Metin, 32, Gaziantep, is settled in a tent, Syrian Abdal).

"We don't know anywhere else. Others were here before us, we heard from them and came. People were coming before the war. We don't know anywhere else. We can only afford to stay here."(Zehra, 27, Gaziantep, Syrian Abdal).

"We came here without knowing anything. We got on a bus in Antep, and asked about the places with cheap rent at the bus station. They told us the name of the place, and we came here. We were living in slums because it was cheap. Now we know. We cannot live anywhere else than Örnektepe, even if we left. This is like Syria for us. We came here after going around." (Ferit, 38, Syrian Abdal settled in Istanbul).

One of the most important criteria of being included in the Temporary Protection system is to be registered at an address. Just like the other refugees, if Syrian Dom and Abdal individuals and families are not registered at an address, it is difficult for them to benefit from the fundamental rights and services of the protection system. Syrian Dom and Abdal individuals and families' barriers to not being able to register at a particular address are due to multiple inter-sectional reasons. As it can be seen from the example above, marginalizing, and alienating behaviors, treatments, and applications due to direct or indirect antiziganism are among these reasons.

"We got our IDs from Malatya. "They told us that we were visitors while giving our IDs. We got our money card (Turkish Red Crescent Card) from Malatya recently, it's been two years. Now we are here (Urfa), we are doing everything, every job. Our people pick chickpeas, mattock earth, and clean around the trees. They will do any job. We are going to Kayseri. They call us to say that there are jobs, and we go there. We rent a house during winter and stay in tents during summer. This is how we live, we don't have any other support." (Hatice, 60, is registered in Malatya but we met in Şanlıurfa, semi-nomadic, Syrian Dom)

"We couldn't find a house for rent in this neighborhood. We found one in another place, we transferred our registry there. We are now living in a tent but I still pay rent for that house. If not, the landlord will have our record deleted. We will lose our money card (Turkish Red Crescent Card). (Halil, 35, Gaziantep, Syrian Abdal).

Just as in these examples, some of the Syrian Dom and Abdal families who have the Red Crescent Card continue to migrate to certain provinces seasonally due to their livelihoods. They live together with their relatives in the houses that they rent or they continue to pay rent just so that their records are not deleted and that they do not lose their Red Crescent Cards.

In addition, we have seen at the field that many families who are semi-nomadic or settled are not registered at an address; hence, they cannot benefit from many rights and services in the protection system. Most of the families we interviewed live together in houses with poor and unsanitary conditions to minimize their rental costs.

Another problem that we encounter frequently regarding housing is that it is often difficult to find a rental house in accordance with legal procedures in these neighborhoods, which are stigmatized as Gypsy Neighborhood by the society. In the context of ownership problems, problems such as houses without a deed or mixed property relations between the landlord and the people defined as the main owner of the house are important obstacles for those who want to rent the house and register their address.

An example from the field:

A Syrian Abdal woman who lost her husband to cancer and who said "I'm tired of begging" wanted to get an ID for her 2-years old child, and a Turkish Red Crescent Card. This semi-nomadic family lives in a tent in summer and winter as they have no income, and when they can afford to pay rent, they rent a house for a few months. The Turkish Red Crescent Card provided by the protection system was very important for the family. The woman, who has to take care of her 4 children, could not register her address due to the lack of a suitable house in the neighborhood, and therefore her Turkish Red Crescent Card application could not be carried out. On the other hand, there is a house for rent, but another family is registered on the house, or the house is empty but the real owner is nowhere to be seen. The absence of the title deed owner or their power of attorney causes the required documents to be incomplete during the registration process. Apart from the difficulty of finding a house in other neighborhoods, it is already very difficult due to high rents and more importantly, antiziganism. The protection system gave only Temporary Protection Identity cards to the woman, whom the protection system defined as vulnerable. This family who is living in another province than their registered one, cannot access rights and services in terms of healthcare, education, housing, and social support. Having no income other than begging on the streets, the family is struggling for life due to the insecurity of access to shelter, food, and clean water with their 3 daughters and 1 son under the age of 18. The fact that this mother who says "I am tired of begging", and her children being registered to the system with certain criteria and procedures increases the vulnerabilities of these individuals in every sense and pushes the family into insecurities.

"We couldn't afford rent, so we are staying in a tent. Sometimes we sleep while we are hungry, sometimes we set up our tent in the garbage. They will kick us out from here. They want an address for the Turkish Red Crescent card, they want a water bill, they want many other things that I don't know. They do not give us a house, they do not register us. We are aware of everything, the God is Almighty." (Seren, 35, Gaziantep, Syrian Abdal).

"We don't know the other places in Antep, we are staying here. We set up our tent in Ünaldı, Taşlıca, and Sanayi. But the police do not let us. We don't have anywhere else to go, and sometimes we don't have enough money for rent. We pay the electricity bill and rent. It is difficult. We have children but we don't have money. Sometimes you don't have the necessary means. Winter is difficult, you need wood and coal. You need to eat, the children need milk, they are hungry and they need diapers." (Türkan, 27 Gaziantep, Syrian Abdal).

The lack of stable income for Syrian Dom and Abdal individuals and families creates difficulties in paying bills such as house rent and electricity and water. On the other hand, the fact that some families have Turkish Red Crescent Cards proved to be a very important support for their livelihood. In this community, those who have a Turkish Red Crescent Card, among the people who never had a stable income in their lives, pay some of their rent, and bills such as water and electricity with the card, and try to meet their other needs with the money they earn daily. This is the best of the worst. There are always families who are poorer among these families who are already poor.

"The rent is expensive here. That's why I try to save 10-15 lira when I can. My husband earns money. Now we get money from the Turkish Red Crescent but we don't know whether to spend it on food or rent. The rent is expensive, we don't know whether to move or stay. But we stay, we don't go anywhere. We rented a house in Antep. Now we are in Urfa with my father. We rented this store for one month for 550 liras. Setting up tents is forbidden, the police says it is. It is better than Antep here. The children can go to work freely. They sell rosary, collect scrap waste, and go to the bazaar to work as porters. Nizip is good, as well. Antep is like this whether there is corona or not. We have been experiencing corona since last year but Antep was always like this. Everything is forbidden." (Aslı, 32, we met in Şanlıurfa, she rented one-room store for one month and she is a Syrian Abdal registered in Gaziantep).

"It's been 4 years since we got this card. I was working at bazaars, I wasn't without a job. It is still easy to get it, I had a job, I was working at bazaars. When I could not find a job, I went to the Turkish Red Crescent, got registered and got my card. 14 people are registered on one card, my family, my son's family, and my daughter's family, we are 14 people. The children are working in the textile industry. "We pay the rent with the card, and we live by the money we earn." (Mehmet, 65, Istanbul, Syrian Abdal).

I am not registered here, I am registered in Izmit. I got everything in Izmit, I got registered. A person, one of us, lives in the house in Izmit. My name is registered

for the water bill. Now we are waiting for the message from the Turkish Red Crescent. I sent all of our IDs, we are waiting. I went to see the district governor, we applied for the Turkish Red Crescent Card. I updated it now. The building was demolished in that neighborhood, the record was deleted. A child, my little son, died. We are registered as 5 people. I applied recently, 3 children, I don't know if it is possible or not." (Kenan, 27, is registered in Kocaeli but lives in Istanbul, Syrian Abdal).

Syrian Dom and Abdal individuals and families, who are semi-nomads or who are settled, generally know the legal procedures of the protection system, but the constant obstacles, prolonged procedures, long waiting periods and often inconclusive processes make them lose motivation and belief. The Temporary Protection system is a wearing and tiring process for Dom and Abdal individuals and families.

"I know how to do it, believe me (nervously and in a slightly mocking voice) it is as if we are trying to boil the ocean. Find the address for the water bill. My hair turned gray. I have been dealing with this for 4 years. So help me god, I've given 500 liras, 600 liras, but after 2-3 days my records are deleted. It's always in vain, I go to the other house, there goes my money, it's always in vain. Am I rich? The hosts are a tribe in Türkiye. They took my money 4 times. I am going there to see that my records were deleted. I have been dealing with these for 4 years, since the birth of this child. I can neither get registered nor they put us in a tent. We live in the desert, we live in empty places, and again, the police come. Where can we go? We cannot afford to pay 600/700 liras for rent. It is all in vain, we always have to move from place to place, and the police are not leaving us alone. God willing, we will go to Aleppo. It was not like this in Syria, we did not have to move. We used to put up tents in the middle of the market. We used to work for one day to spend the money for 3 days. It was not like here. We work for 10 days, but it is not enough." (Mustafa, 32, is registered in Gaziantep but we met in Şanlıurfa, Syrian Abdal).

Access to Healthcare
"God is Almighty, do not think about the rest..."

According to the Temporary Protection Regulation, individuals who have IDs can access the healthcare services provided by public hospitals and other public health institutions. The legal condition for benefiting from healthcare

services within the Temporary Protection System is to have a Temporary Protection ID and to be registered at an address in the province where the ID is registered.

Among the problems that Syrian Dom and Abdal individuals and families encounter in terms of not being able to access health services are, not being registered at an address or being registered at a different province while living in another. In addition, while they try to access healthcare services, they face attitudes and behaviors by hearing words such as "You know how they are" from the healthcare workers, hospital staff and other patients due to them being against Gypsies. In addition, Dom and Abdal individuals who face multiple exclusion and discrimination in their own communities and the host communities, face many obstacles while accessing healthcare services. While it is said that (53)many rights and services are legally recognized in terms of health policies, differences in the level of practice and disruptions show themselves while sharing experiences from the field.

How should we interpret the expression *"The doctor messed up my phone, didn't listen to me, didn't look at me"* shared as an experience of a Syrian Abdal woman, who is not registered at any address in the province where she is registered, at the Family Health Center where she went to benefit from primary health care services? A Syrian Abdal woman could not access health services as her Temporary Protection ID could not be read due to excessive wear and she could not tell her ID registered on her phone to the health worker because she was illiterate and the health worker did not want to examine her. Similarly, Syrian Dom and Abdal individuals and families, who were excluded and discriminated against by healthcare workers, healthcare personnel, or Syrian refugees who are not Dom and Abdal in Migrant Health Centers (54), due to antiziganism, found different alternatives, and went to private hospitals, pharmacies, or began to prefer the private practice of Syrian doctors that facilitate access to healthcare services. They stated that they had to do this, even though this is an economically challenging situation.

"We don't go there (Family Care Center) often, we went once or twice and they said that we are not registered there. They said that they cannot register us now due to corona. We went there before when my daughter was younger, and I did

(53) Göçmenlerin İstanbul'daki Sağlık Hizmetlerine Erişimlerinin Önündeki Engeller ve Kolaylaştırıcılar/Saha Raporu. https://gocarastirmalaridernegi.org/attachments/article/182/GAR_MSF_saglik.pdf (access date: 27.06.2021).

(54) Migrant Health Centers have been established to provide free health services for Syrians since the beginning of 2016, with the financial support provided by the EU.

not go again, and our records were deleted. After that, we did not go again. Sometimes we go to the pharmacies with our own money, and they administer shots and give cough syrup. Like this." (Zeliha, 28, Gaziantep, Syrian Abdal).

> *I was afraid, so I did not go (to Public Hospital). There are many Syrians, some said they are being tortured, I swear I couldn't go because I was afraid. Their words scare us. Some say that they do not examine us. Some say that there are no doctors, and scare us. That's why we don't go there. We go to private practices. I birthed one of my in a public hospital, at first she was healthy but then she wasn't. There are midwives and big hospitals in Syria. We used to get examined with money. There was a free one but we did not go there. It was a big one, but we still didn't. We are spending our own money now, too. The doctors who were there, are now here. They examine us. Syrian doctors have practices and we go there. It is not expensive." (Derya, Gaziantep, Syrian Abdal).*

The fact that they prefer private hospitals despite their severe economic situation shows that they do not go to the hospital unless they are in a very difficult situation. In addition, the flexibility of private health institutions in adhering to the legal procedures causes individuals and families to apply to

these institutions for healthcare services. In Gaziantep and Şanlıurfa, Syrian Dom and Abdal women usually deliver at private hospitals. One reason for this is the rapidly spreading fear and insecurity towards public hospitals in their own social networks, and on the other hand, the problems experienced due to not being registered at an address. Another reason is that the treatment they face while accessing health services or during that process is directly or indirectly marginalizing and discriminating aspect.

" Why do we pay? We were afraid before. When I came here, I did not have any children, once I had a stomach ache. I went to a public hospital. I am sorry but I was feeling like I was dead and being resurrected. I waited too long. They did not care about me. We waited for 2-3 hours, they did not examine us even when my situation was urgent. Everyone was telling me to wait. They did not care about us, we don't go there anymore. We cannot tolerate the process. That's why we don't go there. Mr. Hüseyin from Syria examines us for 40 lira, we go to him." (Zeliha, 28, Gaziantep, Syrian Abdal).

While Zeliha was explaining these, an International NGO employee working in the field of humanitarian aid explained this situation as follows:

"There are complaints about discrimination due to cultural differences and perceptions. They think that they are discriminated against especially in queuing in hospitals. There may be a perception that the system in Syria and the system in Türkiye are like this, due to differences in practice. We are explaining this to the beneficiaries."(International NGO employee)

The expression *"we have no patience"* used by Syrian Dom and Abdal individuals and families, and the situation that service providers describe as *"cultural differences"* describes a large section of people in the protection system that cannot access health services due to discrimination. Zeliha's words, *"they do not care about us, we are not going there"* point to an area where the place and boundaries of Syrian Dom and Abdal individuals and families in the public structure are determined and sociological, historical, economic, cultural mechanisms do not protect or favor them.

Access to Education

"Do we even have a chance to be educated?"

The number of children who go to school is very few among the children of settled or semi-nomadic Syrian Dom and Abdal families. Education has never been a priority for families who do not have a stable income. The harsh living conditions became even more difficult with the Covid-19 pandemic.

Syrian Dom and Abdal families cannot access priority fundamental rights and services such as nutrition, shelter, healthcare, and employment, so their wishes and efforts for children's access to the right to education remain secondary. Families stated in the interviews that children cannot go to school due to not being able to access all these rights.

> *"Look at how we live. How can we go to school? We are going to other provinces to work, can we even go to school?"(Mülkiye, 25, is registered in Malatya but we met in Şanlıurfa, Syrian Dom).*

"How can I enroll my children in school? You need notebooks and pencils, and lots of money to go to school. We need to be patient. They did not enroll my children because they were young. And now, I did not let them go due to corona."(Zeliha, 28, Gaziantep, Syrian Abdal).

One of the barriers to children's access to education is the fact that families not/cannot be registered at an address or live in the provinces where they are registered.

In one of the examples we encountered on the field, a Syrian Abdal family with school-aged children went back to Syria voluntarily. However, they came back to Türkiye due to security reasons, and their children cannot go to school since they cannot get an ID for the second time.

"The children are working in the textile industry. my children want to go to school, but they don't have IDs. They have to work"(Cemal, 37, went back to Syria voluntarily, but came back to Türkiye, lives in Istanbul without a Temporary Protection ID).

> *"The children are going to a house in the neighborhood. I got HES codes for them, they go there everyday. There is a school down there, a public school, but they don't accept them. Because I am registered in Izmit. A small place opened here, they go there. They go there at 1 pm, until 4 pm. They stay there for 3 hours." (Kenan, 27, is registered in Kocaeli and lives in Istanbul, Syrian Abdal).*

One of the debates frequently encountered in the literature regarding access to groups marginalized by different segments of society is that these communities are considered as *"hard to reach"* groups (55). This point

(55) Bhopal, K. (2010) Gender, Identity and Experience: Researching Marginalised Groups. Women's Studies International Forum, 33:3, 188–195.Brown, P., and Scullion, L. (2010) "Doing research" with Gypsy–Travellers in England: Reflections on experience and practice doing. Community Development Journal, 45, 169–185.Myers, M. (2015) Researching Gypsies and Their Neighbours: The Utility of the

of view block Syrian and Abdal individuals and families from accessing the fundamental rights and services in the protection system. The statements of service providers in the protection system such as *"It is difficult to communicate with them"*, *"They are closed communities"*, *"They are inaccessible marginalized communities"* or directly or indirectly stigmatizing and discriminating statements such as *"These are Gypsies, education does not have a place in their culture"*, *"You cannot communicate with them neither in Turkish nor in Arabic"*, " *They did not have IDs in Syria, anyway, "They did not have an education in Syria"*, *"the neighborhoods they live in are not safe"* cause discrimination based on antiziganism and cause children to be stripped off of their primary protection rights, which is the right to education, and these children to be excluded from the *child protection* system.

Access to Social Benefits

"We are questioning why when one receives and the other does not, because we are the same."

Humanitarian aid is one of the activity fields of international NGOs. Nutrition, clothing, blankets, hygiene items, and cash aid during the Covid-19 pandemic period are included in these supports. It is evident that only a limited number of refugees can be reached through support-based approaches, and these supports are not sustainable and they will cease after a while. It is important to act with a rights-based perspective and an egalitarian perspective without discrimination while carrying out activities in the field of humanitarian aid. But this can be a utopian desire on the field. While access to vulnerable, disadvantaged groups and supporting their well-being are among the objectives of the protection system, it is often not possible to see this in practice on the field.

The problems we encounter on the field in terms of Syrian Dom and Abdal individuals and families' access/inability to access humanitarian aid, often increase the sensitivity of these vulnerable and disadvantaged community members and increase the risk of being pushed into unsafe areas by breaking the solidarity networks within the community. Because, in general, the daily life, houses and tents, jobs of Syrian Dom and Abdal individuals and families,

Stranger. Ross, D. and Kalwant, B. (ed.) Researching Marginalized Groups. New York and London: Routledge.

and their problems encountered in accessing the fundamental rights and services are similar. Therefore, when we refer these families to organizations that work in humanitarian aid for support, there is a justified reaction of the perception and feeling of discrimination when these organizations support some, but do not support the other. This increases the risk of damaging the cooperation in the community, and they want answers to the question *"Why didn't they give it to us?"* from us as the referring institution (because it is almost impossible to reach other institutions and people most of the time).

The answers of service providers in the protection system are generally justified by having a scoring system of the vulnerabilities of the beneficiaries. But we know from the field that the vulnerabilities of those in this community are inter-sectional examples of many of the vulnerabilities identified by the protection system. Here, we would like to point out that the service providers in the protection system implement discriminatory practices intentionally or unintentionally. Just like in the example of an NGO employee who said *You can neither talk in Turkish nor in Arabic with them" "These are like Gypsies".* Because their illiteracy, inability to understand the concepts spoken in the sectoral language and the desired things at once should not be tied to the cultural codes of these people, and both technical and institutional self-evaluations of why NGOs cannot reach these communities should be questioned.

" We have seen it all, nobody is helping us. Because I neither believe in anyone nor give anything to anyone. I don't believe in such things anymore. Why? Because they take our IDs, and we expect help to come. We don't know whether they take the money for themselves or if they even know us. They visited the tents the other day, and signed everyone. I was there as well. In the tent in Antep. Everyone was giving their IDs and signing their names. They were expecting things in return. Then I saw a girl and a young man aged 30-35. They asked whether I signed my name, and I said that I didn't. He said give me your ID so I can sign your name, I said no, I don't want it. Why? He asked. I said give whatever you are giving now. He told me to wait. I asked how long will I wait, and said I will give it if it is tomorrow. Give me the address of the association so that I can come tomorrow to collect. But you have to wait one or two months. They signed every one, but gave support to nearly 10 people out of 100." (Mustafa, 32, he is registered in Gaziantep but we met in Şanlıurfa, Syrian Abdal).

I was 5 months pregnant when I got registered for support, I am 8 months pregnant now but I didn't receive any support. Giving hope is not important anymore, but when you give to one and not the other, we ask why, because we are the same."(Aliya, 27, Şanlıurfa, Syrian Abdal).

Supports such as food, blankets and cash provided to families by NGOs operating in the field of humanitarian aid are given to families with a certain scoring system and to families who meet certain criteria. Families who are given inter-institutional referrals share information to the desired extent and wait for prolonged times. While a woman named *Aliya* explains her wait and duration to receive cash support with the months of her pregnancy (starting at 3 months and now she is 7-months pregnant), Hasan explains using the passing seasons. The fact that the system cannot act quickly and find solutions to the problems in times of crisis shows that the protection system has technical and structural application problems.

"We don't receive any social support, I do not have an address. If i had one, I swear they would have provided support, but I don't have an address. I don't have money to pay rent, I am a disgrace. I am old, I don't have money to pay rent. (Hatice, 55, Syrian Dom, Şanlıurfa, tent resident).

Right to Work and Working Conditions "I swear it is difficult, is it easy to earn money?"

Syrian Dom and Abdal refugees generally earn their living by working in day labor. They work in temporary, insecure and low-income jobs. All of these informal jobs, such as collecting scrap waste, and paper, doing seasonal agricultural work, selling rosary, or collecting donations on the streets, are everyday jobs dominated by irregular working hours and irregular incomes. It is also an indication that these individuals, who are constantly struggling with unemployment as a result of all these negative conditions, are excluded from safe and stable job markets.

"What can these people do? They should not collect scrap waste, sell rosary and handkerchief, and should not beg for help. What can we do? What can we eat? What can we do?" (Sedat, 38, Syrian Abdal, Şanlıurfa)

> *"We sell handkerchiefs they seize us, we collect cardboard, they seize us, we sell rosaries, it is forbidden, everything is forbidden to us. We have fallen from the God's grace. What can we do, tell me, what can we do? We have fallen from the God's grace, what can we do? This is not living, praise the God." (Ali, 13-14 years old, Syrian Abdal, we met in Gaziantep, Şanlıurfa, the province where he is registered)*

"Ali and me, his father and Ayşe were collecting scrap waste. We used to bring 25 papers, and my husband would bring 40. Now we don't have anything. It has been difficult since corona. Ali (the son who is 13 years old) is afraid to go to collect scrap metal thinking that the police will seize him and fine him. Therefore we go to the garbage dump." (Şenay, 34, Gaziantep, Tent resident, Syrian Abdal).

In addition, every day we see families without Temporary Protection IDs. Syrian Dom and Abdal individuals and families went back to Syria with the "going back voluntarily" implementation during the going back voluntarily period, due to a crime they committed, the desire to see their families in Syria, or to try to live in Syria once again, but came back to Türkiye due to the insecure living conditions in Syria. These individuals and families who do not have Temporary Protection IDs cannot enjoy any fundamental rights and services, and cannot access the fundamental resources to live. For example, 25-year-old Murat's wife is pregnant and he has 1 child. None of them have an ID. He states that they had to come back because of the difficult living conditions in Syria, but they do not know how to live here as well. He can't even go to the porter job he found through the support of his own social circle. Because the HES code is required to get on the bus due to the pandemic, and since Murat does not have an ID, he cannot even get a HES code.

We met boys and girls who are working in the textile industry along with working as porters, begging on the streets, selling handkerchiefs, and rosaries, and collecting scrap waste in Istanbul, in similar work conditions. These children aged 12, 13, and 14 who are paid weekly, provide the living of the household. As the field team, we were happy that the children were away from the streets, even though they worked in the textile industry for low wages, long hours, and without security. On the other hand, Syrian Dom and Abdal individuals aged 19 and 20 stated that they cannot find a job by saying *"we are too old to work in the textile industry"*. They are being excluded from the job market even though they are just of an age to work. Therefore, they try to make a living either by collecting scrap waste, selling rosaries, handkerchiefs, or as porters.

"We were collecting scrap waste, but we cannot anymore due to corona. Now, working in the textile industry is more comfortable. We don't have to carry it on our backs, at least. But when you collect scrap waste, you sell it to earn money, you can earn 50-60 lira. If you can sell scrap waste twice, then you can earn 100-150 lira. When you work in the textile industry, you earn 30-35 lira per day. But working in the textile industry is comfortable. I

am learning how to iron. I operated the machines for a while, I am familiar with them. I transferred to ironing since I had back pains while operating the machines. I iron slowly. It is hard to become a master here. How? You ask. You work tirelessly, and then when it comes to money, they say that you didn't do anything, even if you did. They give us our money, but it is not much. It is lowball." (Kadir, 18, Syrian Abdal, İstanbul).

In the Temporary Protection system, vocational courses are provided for the socio-economic empowerment of both Turkish and Syrian refugees. However, it is often impossible to direct Dom and Abdal individuals, both Turkish and Syrian, due to the criteria sought. Because instead of evaluating the capacities, the system evaluates what they don't have, and disregards the people who don't have equal opportunities. Even though this is perceived as normal, it excludes the disadvantaged people from the system. Discrimination becomes part of the institutions and systems. These community members, who could not access educational opportunities, cannot access employment rights because they are illiterate.

The families do not like the idea when the vocational courses are mentioned. When asked why, they say *"we can't do those jobs"* or *"we are immigrants, we can't do those jobs"* and show that they do not actually belong to the public sphere and that this non-belonging situation is a result of antiziganism, as they have experienced historically.

RESULTS AND RECOMMENDATIONS

This research report reveals that the negative perceptions and attitudes towards Syrian Dom and Abdal individuals and families, and discriminatory practices cannot be attributed to a single cause, and should be seen as a multi-layered issue with political, cultural, economic, and social dimensions. Based on the data of the fieldwork, the inability of Syrian Dom and Abdal individuals to access rights and services within the Temporary Protection system emerges as a result of discriminatory practices created by multiple inter-sectional reasons.

The reason why we are working on this subject is that, in the last ten years, in addition to the increasing problems of the mainstream refugee communities living in Türkiye in the Temporary Protection system, the problems deepened and become more complex and chronic for the Syrian Dom and Abdal communities. From the point of view of the communities, the main source of the problem is the historically ongoing discrimination, prejudices and racism based on antiziganism This is a human rights violation regarding access to rights and services. In this period, during which anger mixed with racism and being anti-refugee and anti-immigrant and harsh competition among poor due to the economic crisis, we see frequently in the migration and refugee literature that the communal anger is directed towards the "others" among refugees. In addition, the mainstream refugees direct the anger directed towards them and attribute the adverse behaviors attributed to the refugees to the "others" among them and say things such as *"They are different from us, they are Gypsies, they were begging in Syria as well", "They are dirty, we aren't"*. We have seen that there are many people who are against Gypsies in Non-Governmental Organizations employees and other employees of service provider organizations. As a result of this, we can say that the problems of Syrian Dom and Abdal individuals with whom we are in contact, regarding not being able to access fundamental rights and services in the Temporary Protection system continue exponentially, and that they constantly consult us on these issues. This situation of not being able to access fundamental rights and services is linked to the legal procedures and the discriminative behaviors and attitudes of employees of non-governmental organizations and public institutions consisting of multiple prejudices. The visibility of this issue especially by the service providers and individuals in the protection field, and therefore naming the dimensions of discrimination, defining its content, and making the voices of Syrian Dom and Abdal individuals heard is a part of the rights-based perspective. The report aims to point out the situations of Syrian Dom and Abdal refugees regarding accessing/not being able to access fundamental rights and services in the Temporary Protection System and to show how the members of Syrian Dom and Abdal communities experience these situations in daily life.

The fieldwork was analyzed in two main dimensions, using the data we obtained from the subjects of the study with a rights-based framework. The first dimension is the current legal status of individuals and families, their access/inability to access fundamental rights and services due to this status, and their experiences. The other dimension is that Syrian Dom and Abdal individuals are considered as an example of who the Temporary Protection system excludes and creates new vulnerabilities beyond who it includes/encompasses in the claim of "individual protection" as the very reason for its existence. Because discrimination is being normalized by being a part of the institutions directly or indirectly, and both the discriminating party and the party who is being discriminated against are internalizing this situation.

Syrian refugees from different backgrounds are being homogenized in terms of their experiences and needs within the Temporary Protection system. The methods by which these needs and experiences will be met are also determined depending on a centralized management approach. Thus, as in the example of Syrian Dom and Abdal refugees, certain refugee groups became more vulnerable and disadvantaged. These communities become invisible in the protection system, the success of which is described in numbers.

Syrian Dom and Abdal individuals who have the right to Temporary Protection but cannot benefit from protection services due to different vulnerability types are being exposed to discriminatory, prejudiced, and stigmatizing attitudes, behaviors and perspectives against Gypsies, both by Syrian refugees in general and by the society in the places where they live. This discriminatory perspective against Gypsies in the Temporary Protection system, and the technical implementations by the protection system and the service providers that create discrimination block Dom and Abdal individuals from accessing fundamental rights and services and cause them to fall behind in accessing the fundamental services of the protection system.

Even though the organizations and individuals who are the executives and actors of the protection system know about the vulnerable and disadvantaged groups, either these groups do not meet the criteria for accessing the fundamental rights and services, or different reasons cause Syrian Dom and Abdal families to being unable to access these fundamental rights and services, even though that they are being reached. The following examples are given as justifications to direct or indirect prejudiced discriminatory attitudes and behaviors: *"These families are nomads, these families are culturally closed and it is impossible to establish a communication because they are illiterate, do not understand what is being said, you cannot communicate with them neither in Turkish nor in Arabic".*

Our field experience in the last ten years shows that the protection system and practices carried out for Dom and Abdal groups who took refuge in neighboring countries of Syria (Türkiye, Lebanon and Jordan) are left behind by the protection practices and approaches of international humanitarian aid actors, and by the protection system which is only based on support due to the fact that they overlook the vulnerabilities created by discrimination, exclusion and stigmatization. Both the interviews with the communities and our ten years of institutional experience have shown that the current protection practice has a vicious cycle that makes victimization chronic, and this situation has started to deepen, especially with the effects of the pandemic.

"Vulnerabilities and vulnerable groups" are among the frequently highlighted concepts in the protection system. However, the frequent use of these concepts causes humanitarian organizations to instrumentalize the vulnerabilities and the problems of vulnerable groups as keywords for resource and fund flow at a certain stage. The current protection practices and the fund relationship have transformed into an interdependent cycle, and it works with the logic of being a support for the needy, rather than empowering them to stand on their feet. This situation causes a minority among the refugees to become professional beneficiaries. The presence of these professional beneficiaries on support makes it difficult for them to stand on their feet, making them permanent victims.

Access to the rights and services provided by the protection system has become a competitive arena among refugees. This competition has naturally given an advantage to those in the networks of educated, technology-using, political, cultural and protection actors and has resulted in the formation of a small group, which we can also call professional beneficiaries. These professional beneficiaries, who monitor all kinds of services and assistance on a day-to-day basis, form an insurmountable barrier around the permanent service providers. This barrier, which is getting even more insurmountable every day, makes it difficult for vulnerable individuals and disadvantaged groups and segments of society to access the services and rights and causes them to be left behind. This makes it almost impossible for Gypsies, who are one of the historically marginalized and disadvantaged communities, to access the services provided by the protection system.

On the other hand, the fact that the vulnerability concept is not handled together with non-discrimination is deepening the disadvantages of these groups and individuals, it further strengthens their victimization, that is, it causes the re-creation and deepening of existing vulnerabilities.

The fact that the service providers and related actors working in this field use the communities to find resources and access funds, their way of making these communities visible reinforces multiple stereotypes and prejudices about communities, marginalizes them, and creates a methodical perspective that perpetuates their victimization.

Similar definitions of vulnerable and disadvantaged groups refer to the primary subject of the study, namely the Syrian Dom and Abdal communities. Therefore, this shows the necessity of discussing the different dimensions of Syrian Dom and Abdal individuals in terms of accessing/not being able to access the fundamental rights and services provided in the Temporary Protection system based on the definitions of vulnerable and disadvantaged groups. For this, protection actors need to go beyond the existing data and networks they have created and return to the field in the post-pandemic period to reach certain refugee communities that have been unable to overcome the insurmountable barriers of the Temporary Protection system by changing their current habits and the professional beneficiaries that have developed over the years.

Strategies and programs to include Syrian Dom and Abdal individuals/families should be developed especially together with the local administrations, Non-Governmental Organizations, and other service providers in the areas where the Syrian Dom and Abdal individuals/families live. These programs should be free from discrimination and prejudice and should be designed according to the neighborhood/local level as much as possible. The neighborhood-based program should cover every individual in need and should include social harmony aiming to live together without discriminating between refugees or locals.

Advocacy efforts in the field of refugees in Türkiye are carried out in an uncertain area far from the local level, and they are not generally among the priorities of local/national and international actors and are almost completely isolated from the advocacy work for the protection and rights-based approach. Establishing a localized advocacy style will also increase the impact of local civil society on national and international migration policies in the future.

It is very important for the localization of advocacy that Non-Governmental Organizations take rights-based work as a reference in their work to realize the rights, needs, and demands of especially refugees, disadvantaged groups in society, and vulnerable individuals.

Finally, the Temporary Protection System should be transformed to be able to fulfill the requirements of international conventions, guarantee human

rights, and not leave anyone behind, with a holistic approach. Everyone should be equal in rights and services. Access to these rights and services must be ensured through procedures that include disadvantaged segments of society, vulnerable individuals, and historically marginalized communities. In accordance with the universal meaning of protection, a safe and effective area should be created so that the persons can benefit from all rights such as the right to life, the right to be free from torture or discrimination, the right to respect human dignity and the protection of their families, where the most basic rights of people are registered, where permanent solutions are found.

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