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Problems in Access to Fundamental Rights and Services for Syrian Refugees, Dom and Abdal Communities after the February 6 Earthquake

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CONTENTS

ABBREVIATIONS

EU	European Union
UNHCR	United Nations High Commissioner for Refugees
TP	Temporary Protection
NGO	Non-Governmental Organization
LFIP	Law on Foreigners and International Protection
OHS	Occupational Health and Safety
TPS	Temporary Protection Status
SCS	Social Cohesion Support
ABPRS	Address-Based Population Registration System
GDP	Gross Domestic Product
PMM	Presidency of Migration Management

PREFACE

Since its establishment in 2011, Kırkayak Kültür has been carrying out rights-based work with disadvantaged communities that are socio-economically at risk, and continues to work on social harmony, based on co-existence, within the framework of dialogue and solidarity, against prejudice and discrimination against these communities. At the same time, Kırkayak Kültür conducts field research, advocacy, and advocacy-based protection works on the one hand, and strives to create "voluntary coexistence areas" on the other hand, through cultural and artistic activities that emphasize the cultural accumulation of socio-economically different segments of society by treating differences as wealth.

Kırkayak Kültür conducts academic studies on migration, refugees, disadvantaged social groups and cultures, as well as humanitarian issues arising from political and social developments in the Middle East, and draws public attention to these studies at national and international levels and carries out advocacy activities.

Kırkayak Kültür currently continues to work institutionally in three different venues in Gaziantep, namely the *"Art Center", the "Center for Migration and Cultural Studies" and the "Third Space Mutfakna"*, with programs focused on protection, advocacy, culture and arts, migration and coexistence.

Kırkayak Kültür's Center for Migration and Cultural Studies conducts social cohesion and advocacy activities for refugee and migrant communities as part of its Migrant and Refugee Program.

Dom Research Center works to improve the socio-economic conditions of Dom communities and other nomadic and semi-nomadic (peripatetic) groups living in Middle Eastern countries, particularly their human rights, education, housing, healthcare, employment, prevention of discrimination and access to public services. Kırkayak Kültür carries out activities to ensure that Dom communities become active members of the society in the countries where they live and participate in and contribute to the economic, social, cultural, civil and political life of the country. Kırkayak Kültür works to ensure children's access to education and provides scholarships to university students as part of its educational efforts under this program.

Kırkayak Kültür considers the idea of "Coexistence" as the main reference point in all its activities. Kırkayak Kültür believes that there is a need for a new mindset in which the newly arrived migrants can live together with the older habitants peacefully, where differences are accepted as wealth, and

where no one is left behind in any area, particularly in terms of fundamental rights and services, and works towards this end.

As a Rights-based Civil Society Organization, Kırkayak Kültür is committed to localizing advocacy and strives to create a localized advocacy style that puts the rights, needs and wishes of refugees, disadvantaged segments of society and vulnerable individuals at the center of its programs.

Two major, devastating earthquakes centered in Kahramanmaraş hit Türkiye on 6 February 2023. One year has passed since the disaster. The trauma and shock that extraordinary events such as disasters cause on society have left deep wounds on the victims of the earthquake. The devastating impact of the earthquake caused great destruction in the city centers, districts and villages of Hatay, Gaziantep, Kahramanmaraş, Şanlıurfa, Adıyaman and Malatya. Although the devastating impact of the earthquake mostly covered 5 provinces, approximately 9 million people were affected in 11 provinces. Around 3.6 million people were left without safe shelter in their homes. Although disasters affect all segments of society in socio-economic terms, in post-disaster periods, minority communities, disadvantaged segments of society, vulnerable individuals and marginalized groups are more visibly discriminated against and exposed to the risk of being excluded from emergency measures and humanitarian response. Post-disaster field studies and needs analyses show that certain segments of society such as Roma, Lom, Dom and Abdal communities, refugees, migrants and displaced populations, have more difficulty in accessing rights and services, exacerbating their vulnerability and pushing members of these communities into severe poverty.

What society expects from the state is a disaster management system that takes all measures to prevent the exclusion of individuals on the grounds of their gender, sexual orientation, ethnicity, political, ideological and philosophical views, faith, language, citizenship status, age, economic status and disability, as well as the right to life, pre-disaster measures and post-disaster rescue, access to aid and support, non-discrimination, and the ability to rebuild a life that befits human dignity. This requires a state that is organized with the rule of law and a democratic governance approach, that includes individuals and civil organizations and works in coordination with them.

The study titled ***"Problems in Access to Fundamental Rights and Services by Syrian Refugees, Dom and Abdal Communities after the Earthquake of February 6"*** conducted by Kırkayak Kültür aims to reveal the problems faced by local and refugee Dom and Abdal communities, refugee and migrant

communities and disadvantaged segments of the local communities living in 5 provinces where the earthquake caused major destruction and how they experience discriminatory practices in accessing fundamental rights and services.

This study is dedicated to those who lost their lives in the earthquake that affected 11 provinces.

We would like to thank ***Johanniter International Assistance*** for supporting the project.

*The term "refugee" in this report is used to refer to Syrians under temporary protection as well as individuals of other nationalities who have applied for international protection.

EXECUTIVE SUMMARY

6 February 2023 Pazarcık - Elbistan (Kahramanmaraş) Due to the Mw: 7.7 and Mw: 7.6 earthquakes, extraordinary events occurred in Kahramanmaraş, Hatay, Gaziantep, Malatya, Diyarbakır, Kilis, Şanlıurfa, Adıyaman, Osmaniye, Adana and Elazığ, which was added as the 11th province. A state of emergency was declared, and with the decision taken later, the provinces of Bingöl, Kayseri, Mardin, Tunceli, Niğde and Batman were also declared as disaster areas. 50,783 people lost their lives and 115,353 were injured in the earthquake according to official figures. 37,984 buildings were reported to havecollapsed.[1]

During the interviews and media reviews conducted during the writing process of this report, we heard from the people themselves that discriminatory practices became more and more evident after the first few days of the earthquake, that Syrian refugees, Dom and Abdal communities were deprived of the services provided, that support and aid were provided to the *"reasonable"* first, that assistance was given to *"our own"* first as if it was the most natural thing to do, and that it was openly said to the faces of these segments of society. All segments of society, including public servants and institutions and civil society workers whose mission is to provide humanitarian aid, saw the "other" and human rights as a burden at the time of the disaster.

The interviews for this study were conducted through semi-structured questionnaires and face-to-face with individuals in the city centers and districts of Hatay, Gaziantep, Kahramanmaraş, Adıyaman and Malatya during the difficult days after the earthquake on February 6. We aimed to analyze the field data and report on individuals' experiences of discrimination in accessing fundamental rights and services in the aftermath of the earthquake.

Based on the perceptions and experiences of individuals regarding the protection system under the current Disaster Risk Management System, the report is very important for policy practitioners and macro-level actors who provide these services to see the effects of the services they provide and the procedures they apply, and to solve systemic problems.

In the first days of the earthquake, as the aftershocks continued, refugees who took shelter in mosques because they could not enter their homes and

(1) AFAD, 2023. 06 February 2023 Pazarcık-Elbistan (Kahramanmaraş) Mw: 7.7 – Mw: 7.6 Depremleri Raporu. 140 s. https://deprem.afad.gov.tr/assets/pdf/Kahramanmara%C5%9F%20Depremi%20%20Raporu_02.06.2023.pdf

had nowhere to go were denied electricity and water because they consumed too much. They were told, ***"These people don't have a sense of hygiene, they mess up the floors and toilets,"*** and they were asked to leave. In food lines, sentences like ***"Are we supposed to feed you before feeding ourselves? You are stealing my share, go and have your own government feed you!"*** were frequently uttered. In the first days, it was very difficult for everyone to find tents. Months passed and some people could still not find tents or those who applied for tents never got their turn. The tents they found empty and took shelter in the designated tent areas were taken away from them. Separate tent areas were allotted to them, and they were called ***"camps for Syrians and Gypsies"***. Public officials working in these camps said, ***"Be careful! There are a lot of thieves there, don't let them steal anything from you"***, as if this was normal and part of their duties. Those living in these tent areas report that they do not receive any aid and that the aid and those who come for help are directed to the camps where Turkish people live by the law enforcement officers in front of the entrances. They state that toilets and bathrooms are not equally close or accessible to everyone, and that especially children and women are afraid to use them at night. They have problems with access to energy sources such as electricity, coal, wood stoves, healthy and safe food, sanitary products and clean water. There are serious limitations in access to education and safe spaces for children. They were unable to receive the earthquake subsidies provided by the state (rent and damage support) due to problems such as ownership, residency and being unregistered.

In the camps set up by the coordination centers, refugees' tents were assigned different numbers. When we asked what this meant:

> *"Number 1 is for us Turks, number 2 tents are for Syrians, we don't want to wait for food and help in the same line with them. That's why they have different numbers and Turkish citizens have different numbers, our government should stand by its own citizens first, help us, and then help them. And who are they? We deserve to be prioritized over them." (Female, 25, İslahiye, Turkish)*

They were pressured to leave the Temporary Accommodation Centers established for earthquake victims to shelters in other cities and districts, and were harassed by their neighbors.

> *"Our neighbors are always trying to pick fights with us. They say that they will take the tents from Syrians who are involved in fights and throw them out of the camp, so they always pick fights with us for any reason or no reason at all. We are scared of even little kids, we can't let our kids out of*

the tent. I rarely go out of the tent. If I have to leave the tent for something I need, my husband warns me not to engage with anyone." (Female, 27, İslahiye, Syrian)

"We have been here for ten years, our children were born, raised and started school here, we are still guests but unwanted guests." (Female, 31, İslahiye, Syrian)

Unable to withstand such pressure and harassment, they left the cities they had been living in for years to go to Temporary Accommodation Centers far away from the city.

The doors of Temporary Accommodation Centers, which had been declining in both number and residents count before the earthquake, have been reopened and some of the closed accommodation centers in the region have also been put back into operation. At the beginning of February, the number of people staying in the 6 centers had dropped to around 46,000, but with the reopening of the new camps, the number exceeded 100,000. Since these centers do not allow outsiders to enter for interviews and news, reports from inside the centers suggest that there are significant problems with the services provided in these centers as well.

The earthquake of February 6 caused serious loss of life among Syrian refugees as well as all segments of society. They have not yet been able to mourn their losses, and most of them have taken their deceased back to their villages or cities in Syria. Some of them said, *"This is our home now,"* and said that their relatives would have wanted to be buried here.

In an interview conducted in a tent camp for Syrian refugees in Nurdağı district, a refugee said:

here, we thought we would visit their graves with our children to pray for the souls of the deceased and pay our respects, but they buried our deceased in the Nawar (Gypsy[(2)]) cemetery" (Male, 50, Nurdağı, Syrian).

When we visited the cemetery, we saw rows and rows of graves, side by side,

(2) The term "Gypsy" in this report refers to Rom/Roma, Lom, Dom and other sub-groups of Peripatetic groups.

*Based on its previous studies, Kırkayak Kültür believes that the terms used by the groups themselves are the most accurate designations for the concepts and names used, and uses these terms. Today, there are many peripatetic communities living around the world referred to as Gypsy such as Dom, Rom/Roma, Lom, Teber/Abdal. Except for the generic terms used by non-Gypsies, these nomenclatures are the own designations of the relevant communities. The name Gypsy encompasses all of these self-designations.

dug for more than one person. We saw a young couple visiting the grave of their daughter who they lost in the earthquake. When we asked them why there were so many new graves, they said,

> *"These are the graves of Syrians, the government buried them in the same cemetery with us Qurbeds. We are humans, they are humans, too, let them lie side by side, they are the unfortunate just like us." (Male, 40, Nurdağı, Turkish)*

On the other hand, rumors from various sources about more serious incidents and images of violence and torture inflicted on refugees involved in criminal activities such as looting, theft, etc. in various media outlets and social media channels, and rumors of deaths and killings, especially in Antakya, are frequently reported within the refugee community, although not yet proven. Investigating whether such allegations are true or not, finding public officials and individuals involved in acts of violence, torture, and killing, if any, and taking the necessary legal action would prevent such incidents from happening in the future.

INTRODUCTION

Human rights do not vanish in times of disaster; on the contrary, past experiences have shown that when the rights of disaster victims can be protected, their dignity can be upheld, and they can be successful in sustaining their lives. The post-disaster period is often a time in which rights are suspended, human rights are rendered unsecured, and people demand their rights to a lesser extent; therefore, it is imperative for humanitarian aid and protection actors working in such times to operate with a rights-based perspective. This is because disaster and post-disaster periods are also times when people are the most vulnerable, when vulnerability goes beyond individuality and becomes a collective issue, and when disadvantaged segments of society and vulnerable individuals are exploited and marginalized the most, especially through discrimination.

Studies have shown that, after natural disasters such as earthquakes, tsunamis, and hurricanes, the living conditions of minority communities, LGBTIQ+ individuals, refugees, migrants, Gypsies, persons with disabilities, those living in poverty and other disadvantaged groups and individuals have deteriorated beyond comparison with regular times, attacks which sometimes violent, on these groups and individuals become more frequent, and these segments of society are isolated and become invisible, and their access to rights and services, particularly humanitarian aid, becomes more difficult. In this respect, such emergencies further underscore the importance of the irreplaceability of human rights. Contrary to popular belief, impartial and equal distribution of aid does not affect everyone equally. For example, aid to disadvantaged groups or vulnerable individuals helps them to survive in times of disaster. Because these segments of society, who cannot access healthy food and clean water even at regular times, may be completely cut off from access to vital necessities in emergencies, particularly children, persons with disabilities, the elderly, and sometimes women in these communities may experience major problems due to malnutrition. Respect for human rights is just as important and indispensable as access to aid for those in need. Humanitarian aid can be considered as a protection effort when it is combined with the awareness that those in need have the right to access aid and support and the human rights-based approach of the humanitarian aid providers.

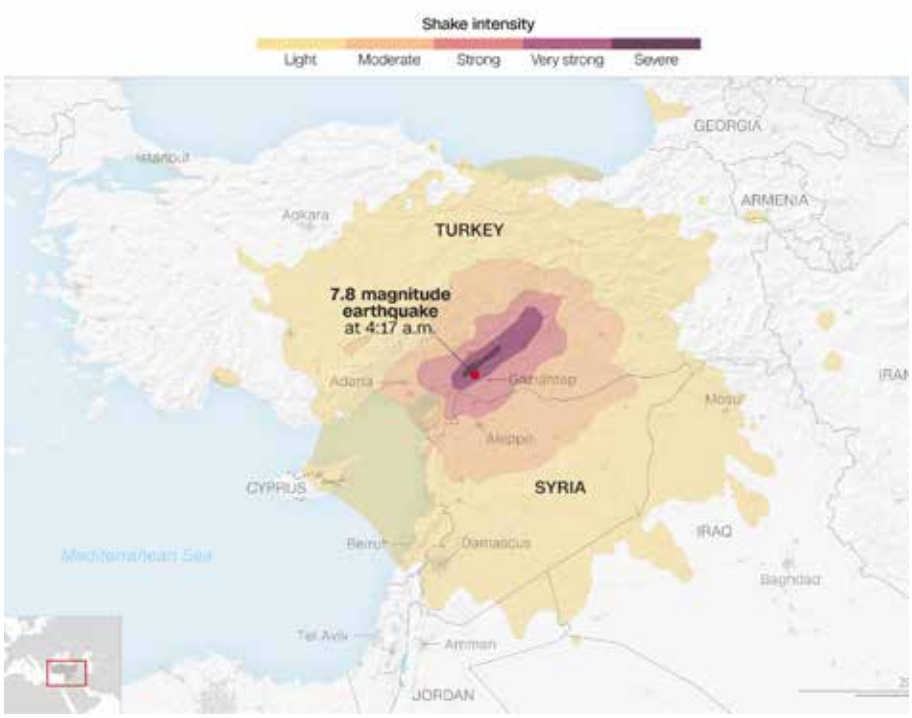
Post-disaster periods are times of emergency when even food, water, hygiene, and sanitation products and non-food items such as clothing and other vital needs are difficult to access. Although humanitarian aid supports protection by providing food, clean water, hygiene products, and shelter, it is not a protection activity. As noted above, such aid can be considered part of protection activities to the extent that it protects human rights. On the

other hand, a human rights-based approach should provide a framework and necessary standards for humanitarian aid work. Those carrying out protection work must fulfill their obligations to respect and protect human rights and uphold the principles of non-discrimination in the delivery of support and services.

Today, non-discrimination and combating discrimination are the most difficult and neglected aspects of protection activities. In today's world, where protection actors and implementors, especially the state, have lost sight of the human rights perspective; they identify people based on race, color, religion, language, political views, gender and sexual orientation, etc., and provide services and support to those who are from their own group, thus causing discrimination. In the aftermath of natural disasters, the duty of states should be to establish a holistic Disaster Risk Management System to strongly protect people's right to live, to build social resilience, and to ensure that people living within their borders can enjoy their human rights and live a life that befits human dignity, without discrimination under any circumstances and at any time.

The primary duties of post-disaster protection and humanitarian actors should be to monitor the current conditions and organize protection activities according to the needs of those affected, taking into account the fact that needs can change instantaneously in disasters and emergencies. In doing so, they also need to make an additional effort to establish and maintain a system that guarantees human rights and does not cause discrimination.

The impact of disasters such as the earthquake of February 6, which affected a large region and millions of people, equalizes and homogenizes all segments of society in the first days, but this is often short-lived and the difference between various socio-economic segments becomes more apparent day by day and heterogeneity begins. As time passes after such disasters and the chaotic fog that surrounds everywhere clears, the fact that the impacts of the disaster are different for each segment of society and that the post-disaster process has different implications for each segment begins to become apparent.



Past experiences show that one of the most common problems encountered in the post-disaster period is complaints about violations of the principle of non-discrimination. After the recent earthquake, Gypsies, refugees, minorities, persons with disabilities, women, LGBTIQ+ individuals, and all other disadvantaged groups have experienced serious problems in accessing rights and services, and life has become even more difficult for disadvantaged segments of society, particularly Syrian refugees.

Türkiye has been hosting the world's largest population of persons under temporary and international protection since 2014. As of 11 January 2024, the number of Syrians under temporary protection is over 3.2 million, almost half of whom are children and 46 percent of whom are women and girls. [3]

Due to this mass migration, the large and small settlements in the 11 provinces and districts where the earthquake occurred and their inhabitants were in a state of sociological change and transformation. In this region, most of which is close to the Syrian border, millions of new migrants who had crossed the borders in the last 12 years were striving to establish a new life here, participate in the workforce, access rights and services, particularly

(3) Presidency of Migration Management, Ministry of Interior, Republic of Türkiye, (16/01/2024), Temporary Protection, https://www.goc.gov.tr/ gecici-koruma5638

education for their children and the right to shelter. The socio-economic structure of this region has rapidly changed with new arrivals. The population of the cities has increased significantly, the labor has become cheaper with the addition of the newly arrived cheap workforce, and the neighborhoods of the cities with old and earthquake-prone housing stock have been filled by the new migrants. The room for attempts by those advocating coexistence to promote social cohesion and voluntary contact has been rapidly shrinking amid conditions poisoned by the hate speech fueled by the anti-immigrant and racist movements that have been on the rise in recent years, where locals and newcomers retreat to their own neighborhoods, where contact with each other becomes more and more difficult day by day.

The devastating aftermath of the earthquake, which we have still not recovered from, has deeply affected a segment of society, namely Syrian refugees, with whom we have been living together for nearly 12 years in this region, most of whom live in deep poverty, who are subjected to all kinds of discrimination, who are largely blamed for the current problems, who are separated from us by the temporary protection status, who are isolated in ghettos, who are rendered invisible, whose problems are constantly ignored, piled up and made chronic because "They will be sent back eventually!..."

Refugees and other vulnerable and disadvantaged communities are subjected to these and many other forms of discrimination and exclusion daily. Beyond the lack of inclusiveness in aid and support, there is a mechanism that is embedded in the essence of the current system, which considers all forms of discrimination and exclusion as normal and legitimate. This mechanism is jointly produced by multiple factors, actors, implementors, and practices, i.e. the current system in place, and it operates and is operated in the same way, perhaps even more ruthlessly, during disasters and catastrophes, just as it operates in normal times.

The disaster experience after February 6 has been a difficult period for Syrian refugees, isolating them from local communities, making it difficult for them to access aid and support, displacing them from the cities where they had long been settled, exposing them to violence that sometimes led to deaths, and making them feel transient, precarious, vulnerable, and unworthy.

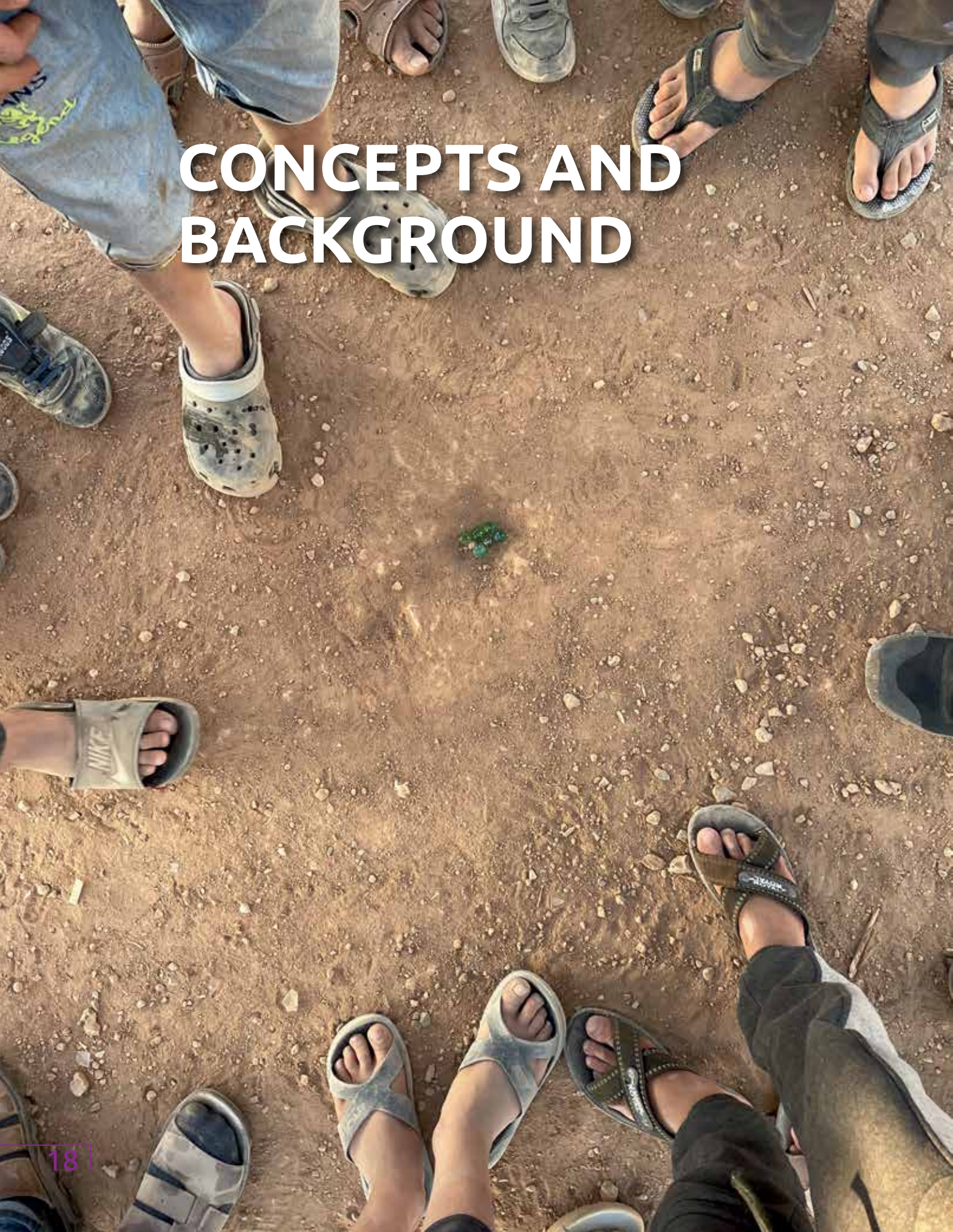
Mass migration as a disaster caused by the conflict and civil war that started in Syria in 2011 has caused great suffering for these communities. Their homes were destroyed, their cities turned into ruins, they were displaced and those who survived were pushed across the borders of neighboring countries into uncertainty. Here, they have experienced and are still living in poverty, economic crises, the COVID-19 pandemic, and, most recently,

the earthquake. All these events have caused them to be displaced again, leaving them insecure and adding to their vulnerability.

A young refugee said, *"Life has become more difficult after the earthquake."* When we asked *"Why?"*, we received an answer that summarized the last 12 years. Most of them had left their countries and arrived in these cities where they had taken refuge, mostly with nothing or just a backpack. Then they had to work hard, rent a house and maybe buy a car.

> *"I mean, at least we had a roof over our heads before. Now the house is gone, the car is gone, everything is gone.* ***We started with nothing and now we are back to nothing****." (Male, 20, Hatay, Syrian)*

The inability to access social assistance leads to despair after a certain period for discriminated segments of society and pushes them into extreme poverty. For example, the Dom living in this region, one of the target groups of this report, are today in extreme poverty, living a life far below the hunger threshold, due to the community's inability to access basic rights and services, especially social assistance. Today, tens of thousands of school-age children and youth are illiterate due to lack of access to education and they cannot find employment except for the lowest-paying jobs in the labor market, such as waste and scrap collecting, seasonal agricultural labor, and gig work. The economic crisis in recent years has forced community members, especially children, to live in earthquake-prone housing that does not provide even the bare minimum of living conditions, with no access to food, and they have been among the most heavily affected segments of society.



CONCEPTS AND BACKGROUND

Migration and Refugees in Türkiye - A Brief Historical Overview and the Changing Legal Status of Migrants in Türkiye

The United Nations High Commissioner for Refugees (UNHCR) defines international protection as the ability of people seeking asylum in other countries to find safety, not to be sent to dangerous destinations, and to enjoy their fundamental human rights when states are unable to fulfill their obligations to protect their own citizens. (4) States that have signed the Convention relating to the Status of Refugees of 1951 are legally responsible for protecting refugees under the provisions set out in the Convention, which is to say that the protection of refugees is primarily the responsibility of states. This obligation also applies to countries that are not party to the Convention. The Convention requires governments to respect the fundamental principles of protection, including the fundamental principle of non-refoulement, regardless of race, religion, or country of origin. Every refugee has the right to seek asylum under the Convention. They should be able to enjoy not only physical safety but at least the same rights, equal benefits, and protection as other asylum-seeking foreigners residing in the country.

These rights include the right to education, employment, housing, social security, social assistance, health, freedom of religion or belief, and other civil and human rights. The "Global Compact for Safe, Orderly and Regular Migration", endorsed by the United Nations General Assembly on 19 December 2018, addresses all aspects of international migration holistically and comprehensively, building on international human rights law and upholding the principles of non-refoulement and non-discrimination. The implementation of the Global Compact guarantees the effective observance, protection, and fulfillment of human rights of migrants at all stages of the migration journey, regardless of their migration status, as well as the elimination of all forms of discrimination, including racism, xenophobia, and intolerance against migrants and their families. (5) It was also agreed that all forms of discrimination should be eradicated and that fact-based

(4) UNHCR https://www.unhcr.org/tr/unhcr-ve-multeciler-icin-uluslararasi-koruma (Accessed on 29.01.2024)

(5) Global Compact for Safe, Orderly and Regular Migration https://www.goc.gov.tr/kuresel-goc-mutabakati-hakkinda-basin-aciklamasi (Accessed on 29.01.2024)

public discourse should be promoted to shape the perception of migration. Today, the protection of migrants and refugees is at the heart of migration management. The focus of UNHCR's statute is protection. Protection, simply put, is the responsibility to restore the most basic rights of affected people including the right to life, freedom from torture or discrimination, respect for human dignity, and protection of their families. Protection is also about creating an enabling environment for the reasonable enjoyment of the aforementioned and other rights while awaiting permanent solutions to the problems in question. Our field experience of the last ten years and protection practices show that the heterogeneous and multi-layered character of newly arrived migrants, the expectations of those in need of protection, their varying degrees of vulnerability, discriminatory practices, national migration policies, and many other reasons have led to an increasing number of problems in the current protection system. Although Türkiye is a country receiving migration due to its geographical location and historical heritage, its national protection system, which had not been integrated into the international protection system in the modern sense until 2014, was quite inadequate and had major flaws.

Türkiye's experience of mass migration in the last 12 years has led to a reorganization of its protection policies in response to needs and requirements. On the one hand, the pressure of international protection obligations due to the conventions and protocols signed by Türkiye, and on the other hand, the need for protection in the daily life of asylum-seekers, refugees, and migrants, whose number exceeds 5 million, have led to the need for new legislation and policies in this field, and fundamental changes have been made in the field of international protection, including Temporary Protection. The "Law on Foreigners and International Protection" was enacted in April 2013. Türkiye has introduced new regulations to make and implement more effective policies on migration. The Law on Foreigners and International Protection sought to ensure the rights of migrants and international protection seekers by putting effective asylum and migration management on a solid legal basis, and it also led to the establishment of a Directorate General of Migration Management in 81 provinces. (6)

Accordingly, it was emphasized that it shall be consistent with the international obligations of Member States concerning refugees and, in particular, shall not hinder the recognition of refugee status in accordance with the Geneva Convention relating to the Status of Refugees of July 1951, as amended by

(6) Law on Foreigners and International Protection: http://www.mevzuat.gov.tr/MevzuatMetin/1.5.6458.pdf (Accessed on 29.01.2024)

the New York Protocol of 31 January 1967, ratified by all Member States. In addition, it was agreed that Member States shall apply for Temporary Protection with due respect for human rights, fundamental freedoms, and non-refoulement obligations and that the granting, implementation, and termination of Temporary Protection shall be subject to regular consultations with the United Nations High Commissioner for Refugees (UNHCR) and other relevant international organizations. The Directive elaborates on the services to be provided to individuals under Temporary Protection status and specifies the services to be provided by Member States to individuals and their families who seek refuge in the context of mass migration. Accordingly, Member States agree to ensure that persons enjoying Temporary Protection have adequate accommodation or, if necessary, receive accommodation; if they do not have sufficient resources, receive the necessary assistance in terms of social welfare and means of subsistence and medical care, if they are employed or self-employed, their ability to meet their own needs should be taken into account when determining the level of assistance offered. (7) In addition, persons under Temporary Protection are allowed to apply for asylum at any time and be granted refugee status if eligible, to ensure that the provisions governing their voluntary return facilitate their return with respect for human dignity. Furthermore, Member States shall take the necessary measures to ensure that the compulsory return of persons whose Temporary Protection has expired and who are ineligible for admission to the country is carried out with respect for human dignity.

Following the 2011 civil uprising and conflict in Syria, Türkiye implemented an open-door policy and started to place the refugees who crossed the border in camps established near the border. Mass migration started on 29 April 2011 with the first cross-border arrivals and by the end of 2012, it became evident that the capacities of the camps were insufficient to accommodate the increasing number of refugees (8). Refugees started to settle in cities, especially in border provinces. Between 2013 and 2016, the number of asylum-seekers approached 4 million. After this period of mass migration of asylum-seekers to Western countries, the open-door policy was abandoned and walls were built along the border. During this period when mass migration intensified, the Ministry of Interior introduced "Directive No. 62 concerning the admission and accommodation of the nationals of the Syrian Arab Republic and Stateless People Residing in the Syrian Arab Republic Who

(7) Ministry of Interior, Presidency of Migration Management: https://www.goc.gov.tr/genel-bilgi45 (Accessed on 29.01.2024)

(8) The Temporary Protection Regulation: https://www.goc.gov.tr/kurumlar/goc.gov.tr/evraklar/mevzuat/Gecici-Koruma.pdf (Accessed on 29.01.2024)

Collectively Seek asylum in Türkiye" on 30 March 2012, millions of refugees were kept in guest status for about four years and they could not attain legal status. Syrian asylum-seekers were granted legal status with the "Regulation on Temporary Protection" published under Article 91 of Law No. 6458 on Foreigners and International Protection, which was enacted on 11 April 2014. Syrian refugees living in Türkiye have legal status according to 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, participation in the workforce/work permits, social services, aids, etc. [9] With the "Regulation on Temporary Protection" published in the Official Gazette issue no. 29153 on 22 October 2014, citizens of the Syrian Arab Republic, stateless persons, and refugees who came to or crossed the borders en masse or individually from the Syrian Arab Republic from 28 April 2011 onwards have been granted temporary protection status and the provision of health services, education, participation in the workforce, social assistance and services, interpretation, and similar services to foreigners has been regulated in detail within this framework. In addition, processes and procedures concerning asylum-seekers have been defined and supported by new laws and regulations as needed.

In the 13 years since 2011, the legal/administrative status and practical living conditions of Syrian refugees in Türkiye have changed significantly. Although some administrative measures have been taken on paper to ensure access to public services (such as healthcare, education, and social assistance) and employment/livelihood opportunities and rights, the picture is still grave and dark in everyday practices. Unfortunately, the development of holistic strategies, plans, and infrastructural work for the functioning of mechanisms that will facilitate refugees' actual enjoyment of these rights and guarantees granted on paper has not yet begun. For the past 14 years, public agencies and civil society organizations working in this field have not had a joint holistic cohesion strategy.

Research and field experiences on refugee influx show that the amount of time spent in the country/region of asylum is inversely proportional to the number of refugees who return to their country of origin when conditions improve in cases of displacement on such a large scale and over such a long period. In other words, the longer the time spent in the country of asylum, the lower the rate of return. This situation is also observed in other countries around the world experiencing mass migration. Those who manage to

(9) Ministry of Interior, Presidency of Migration Management: https://www.goc.gov.tr/genel-bilgi45 (Accessed on 29.01.2024)

establish themselves in the country of reception prefer to remain as refugees, especially if conditions are relatively worse in the country they had to leave or if war, tension, or crisis continues. Given that there is currently no sign of an end to the ongoing conflict and violence and the extent of the physical and socio-economic destruction in Syria, it is a fact that returning is not an option for the majority of refugees in Türkiye. What needs to be done is to create a discourse that will explain this reality to society in an appropriate language and to create mechanisms and policies that will make the social cohesion process as tension-free as possible.

Discrimination, Prejudices, Stereotypes

Discrimination is a complex social phenomenon and it is extremely important to consider its individual, social, and legal aspects as supplementary constructs. There are common definitions of the concept of discrimination, which occurs in many different areas and is a violation of rights. One of these definitions is as follows: "Discrimination is the systematic unfair treatment of certain individuals or groups in a society due to their characteristics such as sex, sexual orientation, nationality, faith, ethnicity, race, etc.". [(10)] Another definition of discrimination points to the characteristics of the group the individual belongs to and the mental background of discrimination: "Discrimination is a process of negative attitudes and behavior that are based on prejudices against a group or its members".

Prejudices, and therefore discrimination, lead to attitudes that include negative feelings ranging from dislike, contempt, avoidance and hatred, as well as negative opinions towards a group or its members. Prejudices express an attitude and negative, dogmatic convictions that view others based on their group affiliation rather than their identity. Although discriminatory behavior resulting from prejudices is directed against individuals, what distinguishes discrimination from "adverse" and "bad" behavior such as dislike and avoidance in interpersonal relations is the following: "Individuals targeted by discrimination are the targets of this behavior not because of their characteristics, but because of the characteristics of the group to which theybelong."[(11)]

(10) Cevizci, Ahmet (2005), Felsefe Sözlüğü, Paradigma Yay., İstanbul, p. 182.

(11) Göregenli, Melek, (2018), "Temel Kavramlar: Önyargı, Kalıpyargı ve Ayrımcılık" in Ayrımcılık: Çok Boyutlu Yaklaşımlar, Editors: Kenan Çayır, Müge Ayan, İstanbul Bilgi Üniversitesi Yay.,İstanbul, p. 21.

Background of Combating Discrimination: National and International Legislation

Several international conventions have been adopted to protect human rights and freedoms and to secure the idea that human beings are equal in rights and dignity by law:

*The Universal Declaration of Human Rights (1948), Article 2: *"Everyone is entitled to all the rights and freedoms outlined in this Declaration, without distinction of any kind, such as race, color, 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 outlined in this Convention shall be secured without discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status."*

*International 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, color, lineage, 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) [12]

Whether or not the concept of discrimination is mentioned in these international human rights conventions to which Türkiye is a party, one of

(12) https://inhak.adalet.gov.tr/Resimler/Dokuman/2312020100834bm_48.pdf

the main points of emphasis is that discrimination is prohibited. Therefore, when a state becomes a party to an international convention, it must act as per the provisions of that convention. Every State Party to a convention prohibiting discrimination must prohibit discrimination in its national legislation to at least the same extent as the convention itself. [13] In the case of Türkiye, Article 10 of the Constitution emphasizes "equality before the law" and states that everyone is legally equal instead of emphasizing the prohibition of discrimination. In addition, Article 122 of the Turkish Penal Code penalizes certain discriminatory acts. Nevertheless, both national legislations emphasize the prohibition of discrimination, albeit with certain reservations. *Article 10 of the Constitution states: "Everyone is equal before the law without distinction as to language, race, color, sex, political opinion, philosophical belief, religion and sect, or any such grounds."* Likewise, *Article 122 of the Turkish Penal Code prohibits certain acts committed that constitute discrimination based on language, race, color, sex, political opinion, philosophical belief, religion, sect or similar grounds.*

Discrimination and Vulnerability in Times of Disaster

The impact of disasters equalizes and homogenizes all segments of society in the first days, but this is often short-lived and the difference between various socio-economic segments becomes more apparent day by day and the process of becoming heterogeneous begins. As time passes after the disaster and the chaotic fog that surrounds everywhere clears, the fact that the impacts of the disaster are different for each segment of society and that the post-disaster process has different implications for each segment begins to become apparent.

Since disasters that cause physical damage and loss, such as earthquakes, primarily result in harm and destruction in residential and commercial areas, the physical resilience of these areas has an impact on the number of lives lost and the number of people and other living beings injured. After the initial shock of the first days wears off, when the socio-economic status of the victims starts to become clearer, it becomes clear that the losses of socially disadvantaged segments of society and vulnerable individuals are higher due to their disadvantages. The aftermath of such disasters is also more difficult for these segments of society. In many cases, their losses are

(13) Gül, İdil Işıl (2018), "Hukukta Ayrımcılık Yasağı" in Ayrımcılık: Çok Boyutlu Yaklaşımlar, Editors: Kenan Çayır, Müge Ayan, İstanbul Bilgi Üniversitesi Yay.,İstanbul, p.119.

not recorded, their damages are not compensated, and their homes and the savings that they have built up over years of hard work are lost in an instant. Discrimination reveals its ugliest face in these most challenging times, they have difficulties with accessing to assistance that they need, and their need to access the most basic services and human rights are ignored.

Discrimination experienced by disadvantaged segments of society such as Gypsies (Rom, Dom, Lom and other sub-groups), migrants, refugees, etc. do not only exist in extraordinary times such as disasters, mass migration, or war, but it worsens in such times. Poverty, stigmatization and marginalization are experienced in every aspect of daily life. Discrimination in all areas of life such as prejudiced words, glances, finger-pointing, and exclusionary and marginalizing attitudes is replaced by deepening poverty, hunger and sometimes violence.

Prejudices that exist in society against these communities in normal times cause the gap between them and others to widen. Their neighborhoods are stigmatized and rendered invisible. Local government services either do not reach these neighborhoods at all or only appear to do so. Naturally, these prejudices and stereotypes complement and strengthen each other, and if they are not tackled, they turn into discrimination and spread into daily life and all organizations with individuals who carry them. The neighborhoods where these stigmatized segments of society live are now spaces of fear.

For example, these neighborhoods are places of exile or mandatory service for teachers. Here, thousands of children are either absent or out of education. People who live in that city have heard of these neighborhoods, and know about them, but they always stay away from them, they do not take the public transport that passes through them, and if they happen to pass through them, they are not concerned about the safety children on the street, they just hit the gas pedal in those narrow streets to get out of there as soon as possible. In other words, it is as if those neighborhoods and the thousands of people living in them do not exist. So much so that even for humanitarian aid organizations, these neighborhoods are marked on the map as problematic areas.

This disregard and discrimination continues in times of disaster. No aid goes to their neighborhoods, they try to take care of themselves, to heal their wounds, to cope with hunger, thirst and disease. They are not allowed in the areas where public agencies, civil society organizations and volunteers provide aid. Anti-Gypsy sentiment is as strong among the employees of these agencies and organizations as it is among all segments of society. They are not allowed in lines to receive aid, they are ignored, and they are dismissed

by saying "Gypsies have swarmed this place, they have food here, while we do not". They are stigmatized by society, and are subjected to violence. In the slightest incident, they are the first to be declared guilty, regardless of whether they are innocent or not. They are considered to have "malicious intentions". In aid line, they hear the words "There is barely enough for us, are we supposed to share with you, filthy Gypsies!" [14], "Sir, there are no earthquake victims here, there are Gypsy tents everywhere". "Where is the Governor and the Police? Adıyaman is now filled with Gypsies, Gypsies have invaded Adıyaman, it is a very serious threat for the future", "Gypsies and looters have flooded our city, they come from other provinces and rob houses, they take what is left of the deceased person's property, enough is enough, someone needs to step up for this poor country." [15], "Most of those who loot the buildings are Gypsies, Syrians, and unfortunately some of them are our people." These quotes are just a few examples from social media posts reflecting the anti-Gypsy sentiments, hate speech and discrimination we have experienced in the earthquake zones.

A Field Example:

When we stood in line for aid and when the people of Adıyaman found out that we were Dom, they would get the aid first and then we would get it. There has always been discrimination in Adıyaman. For them, Dom and Abdal people are invisible people, nobody knows that they exist. They exist in their way, but they do not seem to exist to the people of Türkiye. (Male, 43, Adıyaman, Turkish)

All I know is that our Dom and Abdal people are treated as if they do not exist. (Male, 43, Adıyaman, Turkish)

They said they would cover the electricity and water bills for the families of earthquake victims, but my father received a water bill of 9 thousand Turkish Liras. How will he pay for it? They will come to cut the power off for the second time. This old woman is a widow and she received a bill of 2 thousand Turkish Liras. My father went and picked figs from under trees to sell them and pay the bill. All I know is that our Dom and Abdal people are treated as if they do not exist. They just do not care. (Male, 43, Adıyaman, Turkish)

(14) https://t24.com.tr/yazarlar/yildiz-tar-insan-manzaralari/depremde-dom-ve-abdallar-deprem-yardimi-alinca-pis-cingene-diye-kovulmak,38860

(15) https://artigercek.com/guncel/adiyamanda-depremzede-domlara-karsi-nefret-soylemi-240489h

A Field Example:

"We are not Kurds, I know we speak Kurdish, but we are not Turks either, but we are humans. We go somewhere and they say, "The Kurd is here, the terrorist is here", we go somewhere else and they say, "The Gypsy is here". Who are we exactly? They do not want their sons to marry our daughters, they do not want their daughters to marry our sons. They do not hire me at the bakery, because if they did, no one would buy the bread. The people in the West see me as a terrorist because I am from the East. I mean, we have come to accept whatever label they gave us." (Male, 43, Adıyaman, Turkish)

Having lived a nomadic life for centuries, peripatetic (nomadic craftsmen) groups have settled in historical migration sites on the peripheries of cities, particularly in the last fifty years, and these ancient migration sites have turned into neighborhoods consisting of makeshift houses over time. The communities living in these neighborhoods, labeled as Gypsy neighborhoods, have transitioned to a semi-nomadic life by continuing their nomadic trades such as traditional dentistry, performing music, tinsmith, metalworking, sieve making and strainer making. When their traditional crafts are no longer relevant, they make a living through temporary or odd jobs such as seasonal agricultural labor, scrap and waste collection, portering and selling used items. Seasonal agricultural labor in particular is the primary means of livelihood for Dom communities. With the arrival of spring, starting from the last week of March, most families in this community start migrating to various provinces of Anatolia for seasonal agricultural labor together with the poor Kurdish people. As in all areas of life, these communities are discriminated against in the labor market, particularly in seasonal agricultural work.

Today, the traditional crafts of these communities have almost become obsolete with the development of capitalist relations and industry, and they have had to change their livelihood strategies. The obsolescence of traditional crafts has pushed these communities to the lowest-paying, most undervalued jobs in the labor market.

Since seasonal agricultural labor usually involves establishing a relationship with the employer through agricultural intermediaries such as overseers, envoys, and leadmen, members of these communities can only find work outside the agricultural intermediary system as a reserve and cheap workforce. Dom and Abdal communities continue the 'ancient nomadic tradition' in which they work for villagers in the poor villages of Central Anatolia and Eastern Anatolia on a kabala basis, are hired as a last resort by farmers who cannot reach an agreement with intermediaries, or move

between specific villages and try to find work. This has turned into a system of itinerant agricultural labor based on discrimination and exploitation where the labor of every member of the household, including children, is needed.

Another source of livelihood for Dom and Abdal communities living in these provinces is scrap and waste collection. Families engaged in collecting scrap and waste continue their lives in extreme poverty due to the decrease in the amount of scrap and waste due to the economic crisis. On the other hand, scrap and waste collection has recently become an increasingly competitive field with the intensive influx of refugees into this field. Especially in recent years, when waste collection has become lucrative, the attempts of municipalities to control this field and share the proceeds with their own, and the formation of new entities such as cooperatives and associations that act together with municipalities, have led to a situation where members of these communities are excluded from this field, discriminated against, and condemned to starvation, so to speak, through official permits and other procedures.

Performing music, which has been a traditional craft for some groups within the community, ceased to be a source of livelihood after street weddings were banned or shifted to wedding halls and hotels, and turned into a profession practiced by a small group of young artists within the community.

Those who survived the earthquake started to leave their cities, hoping to find safe areas with the migration that began on the first day following the earthquake. According to some sources, this figure has exceeded 3 million people. We can understand from our observations in the field that mostly upper and middle-class people migrated. However, we are also faced with the fact that those who live in neighborhoods populated by poor laborers, migrants, refugees and Dom and Abdal communities, that is, those who have nowhere to go, stay in these cities struck by the earthquake, and therefore these disadvantaged segments of society are more visible.

The perishing cold in the region since the first day following the earthquake left Dom and Abdal people indifferent, abandoning them to their fate and not meeting their needs such as access to shelter, food, and clean water, which has always been the case for Dom and Abdal people. These people, whose houses were destroyed or damaged, or who became homeless due to aftershocks, could not access any services for days just like everyone else. They struggled to cope with hunger, thirst and cold. They buried their deceased themselves and healed their wounds themselves. They are still trying to live in makeshift tents. Days went by and no one gave a thought to the neighborhoods where these people live, aid arrived late for everyone

but never reached them.

In this current situation, these people who could not access the aid and services that were never delivered to their neighborhoods have become more visible as they went to the tent camps and neighborhoods where aid and services were available so that they could live like other segments of society affected by the earthquake, and they have been subjected to discrimination as if they came from somewhere else and were not from there.

Cases of Discrimination Against Refugees in the Aftermath of the Earthquake

After the earthquake, unfounded "looting allegations" against refugees rapidly became widespread in media outlets, social media in particular.

- *Syrians armed with knives are looting the collapsed buildings.*
- *Syrian nationals started looting.*
- *Syrians are looting the aid arriving in Hatay.*
- *Asylum-seekers are looting through the rubble.*
- *We can no longer afford to take care of Syrians.*
- *The money spent on looters, bandits, road blockers, Syrians and Afghans should be given to earthquake victims from now on. Send Syrians and Afghans back to their countries immediately.*

As disinformation and discriminatory content against refugees and migrants become widespread, hate speech is no longer limited to the media. These discourses, which create a cycle of hate at the societal level, constantly repeat themselves and set the stage for polarization. While growing hatred makes coexistence impossible, it causes indescribable damage to the lives of refugees and migrants.[16]

Today, half of the Syrian refugees who have sought asylum in other countries,

(16) Media and Migration Association "Nefret Döngüsü İzleme Serisi", https://www.medyavegoc.org/nefret-dongusu (Accessed on 29.01.2024)

i.e. around 3.2 million people, have been living in Türkiye for about 8 years. Hatay, Gaziantep, Şanlıurfa, Kahramanmaraş, Adana, Mersin, Kilis, Adıyaman and Malatya are respectively the provinces with the largest refugee populations after Istanbul. At the time of the earthquake of February 6, approximately 1,762,000 registered Syrian refugees were living in these cities with large refugee populations, accounting for 51% of all registered Syrian refugees in Türkiye (3,443,219). According to the Address Based Population Registration System (ABPRS), the earthquake affected a total of 14,013,196 people in 11 cities. In other words, approximately 13% of the total population of these cities is comprised of new arrivals.

The share of the manufacturing industry in the sectoral distribution of gross domestic product by province is high in Gaziantep, Osmaniye and Kahramanmaraş, respectively. These provinces are followed by Hatay and Adana. The primary export products of the region include carpets and rugs, yarn and woven textiles, plastic products, cement, quicklime and plaster. Agriculture is dominant in Şanlıurfa and the service sector is dominant in Hatay in terms of their impact on the provincial GDP in the region. Source: TurkStat, 2022

Large and small settlements in these cities and their inhabitants had been experiencing sociological changes and transformations. Millions of new arrivals from across the border were struggling to build a new life here, participate in the workforce, and access rights and services, particularly the right to education for their children and the right to housing. In the last 12 years, the socio-economic structure of this region has changed rapidly, the population of the cities has increased significantly, labor has become cheaper as the newly arrived workers have joined the market, and neighborhoods with old and earthquake-prone buildings have been filled by the new arrivals. A climate where the old and the new have retreated to their own neighborhoods amid conditions poisoned by the hate speech fueled by the rising anti-immigrant, racist movements in recent years has been created in which contact with each other has become increasingly difficult.

As mentioned above, those working in protection programs in the field could see that the problems caused by the lack of access to basic rights and services continue to grow day by day and that the current system constantly creates problems, that these problems have become more diversified, complex and chronic every day. A perception has been created as if refugees are not the ones who suffer the most from these problems, and this perception has been supported by some politicians, refugees have been living a life where discriminatory and exclusionary practices permeate every aspect of their

daily lives and where social tension is constantly fueled.

Although the status quo was created in the aftermath of a man-made disaster, it has turned into a system that amplifies vulnerabilities as it does not aim for a holistic approach that builds resilience and constantly postpones problems to uncertainty. Vulnerability has been exacerbated in these provinces in the face of the global economic recession and prolonged displacement following the pandemic, and most recently after the earthquake of February 6.

Field interviews show that even in normal times, the vulnerability of refugees increases as a result of the power relations that they enter into, while in times of disaster, they become completely vulnerable and their access to aid and services provided by civil society or the state becomes increasingly more difficult. In particular, the lives of vulnerable and disadvantaged groups within refugee and migrant groups, namely children, Gypsies, persons with disabilities, and LGBTIQ+ individuals are becoming increasingly more challenging, and these segments of society need particular effort to survive.

The interviews we conducted after the earthquake of February 6 in the provinces hit by the disaster, temporary protection areas and coordination centers on the experiences of vulnerable and disadvantaged communities, particularly refugees, Gypsy Dom and Abdal communities and persons with disabilities, as well as the news in the media and the hate speech and racist posts on social media, reveal the gravity of the situation.

In the interviews and observations we made in the field in the aftermath of the earthquake, we were openly told that Syrian refugees, Dom and Abdal Gypsy communities who have been living in this region for centuries, and regionally varying *"others"* were deprived of the services provided, that support and aid should first be provided to the *"reasonable ones"* and that charity should first be provided to *"our own"* as if it was the most natural thing to do. We heard a lot of talk from all segments of society, including public agencies and their employees, as well as civil society workers whose mission is to provide humanitarian aid, that the "other" and human rights were seen as a burden in times of disaster, and that *"it is meaningless to talk about rights and justice now in this time of disaster"*. In the first days of the earthquake, as the aftershocks continued, refugees who took shelter in mosques because they could not enter their homes and had nowhere to go were denied electricity and water because they consumed too much. They were told, *"These people don't have a sense of hygiene, they mess up the floors and toilets,"* and they were asked to leave. In food lines, they were told to their faces, *"Are we supposed to feed you before ourselves? You are stealing my share, go and have your government feed you!"*. Even children were denied

a bowl of soup. Those whose houses were destroyed stayed outside for days under heavily damaged roofs, access to tents was very difficult for everyone in the first days, there were still some who could not get tents, but they were never put on the tent list, and those who were put in the tent list never received them. The tents they found vacant and took shelter in the designated tent areas were taken away from them. Separate tent areas were allotted for them, and they were called *"camps for Syrians and Gypsies"*. Public officials working in these camps said, *"Be careful! There are a lot of thieves there, do not let them steal anything from you"*, as if this was normal and part of their duties. Those living in these tent areas report that they do not receive any aid and that the aid and those who come for help are directed to the camps where Turkish people live by law enforcement officers in front of the entrances. Toilet and bathroom stalls are not equally close and accessible to everyone, and especially children and women are afraid to use them at night. They have problems with access to energy sources such as electricity, coal, wood stoves, healthy and safe food, sanitary products and clean water. There are serious limitations in access to education and safe spaces for children. They were unable to receive the earthquake subsidies provided by the state (rent and damage support) due to problems such as ownership, residency and being unregistered.

In the camps set up by the coordination centers, refugees' tents were assigned different numbers. When we asked what this meant, we were told:

> *"Number 1 is for us Turks, number 2 tents are for Syrians, we do not want to wait for food and help in the same line with them. That is why they have different numbers and Turkish citizens have different numbers, our government should stand by its own citizens first, help us, and then help them. And who are they? We deserve to be prioritized over them." (Female, 25, İslahiye, Turkish)*

They were pressured to leave the Temporary Accommodation Centers established for earthquake victims to shelters in other cities and districts and were harassed by their neighbors. *"Our neighbors are always trying to pick fights with us. They say that they will take the tents from Syrians who are involved in fights and throw them out of the camp, so they always pick fights with us for any reason or no reason at all. We are scared of even little kids, we can't let our kids out of the tent. I rarely go out of the tent. If I have to leave the tent for something I need, my husband warns me not to engage with anyone." (Female, 27, İslahiye, Turkish) "We have been here for ten years, our children were born, raised and started school here, we are still guests but unwanted guests." (Female, 31, İslahiye, Syrian)* Those unable to withstand such pressure

and harassment accepted to leave the cities they had been living in for years to go to temporary accommodation centers.

The doors of Temporary Accommodation Centers, which had been declining in both number and resident count until before the earthquake, have been reopened and some of the closed accommodation centers in the region have also been put back into operation. At the beginning of February, the number of people staying in the 6 centers had dropped to around 46,000, but with the reopening of three new camps, the number exceeded 100,000.

The earthquake of February 6 caused serious loss of life among Syrian refugees as well as all segments of society. They have not yet been able to mourn their losses, and most of them have taken their deceased back to their villages or cities in Syria. Some of them said, "This is our home now," and said that they wanted to bury their relatives here. During an interview conducted in the tent camp where Syrian refugees live in the Nurdağı district, one of the interviewees said, *"We wanted to bury our relatives here, we thought we would visit their graves with our children to pray for the souls of the deceased and pay our respects, but they buried our deceased in the Nawar (Gypsy) cemetery" (Male, 50, Nurdağı, Syrian)*. When we visited the cemetery, we saw rows and rows of graves, side by side, dug for more than one person. We saw a young couple visiting the grave of their daughter they lost in the earthquake. When we asked them why there were so many new graves, they said, *"These are the graves of Syrians; the government buried them in the same cemetery with us, the Gurbeti people[17]. We are humans, they are humans, too, let them lie side by side, they are the unfortunate just like us." (Male, 40, Nurdağı, from Türkiye)*

On the other hand, rumors from various sources about more serious incidents and images of violence and torture inflicted on refugees involved in criminal activities such as looting, theft, etc. in various media outlets and social media channels, and rumors of deaths and killings, especially in Antakya, are frequently reported within the refugee community, although not yet proven. Investigating whether such allegations are true or not, finding public officials and individuals involved in acts of violence, torture and killing, if any, and taking the necessary legal action would prevent such incidents from happening in the future.

Refugees and other vulnerable and disadvantaged communities are subjected to these and many other forms of discrimination and exclusion daily. The interviews conducted after the earthquake revealed that this was a time when Syrian refugees were rapidly isolated from society, their

(17) Gurbeti is one of the generic names given to Dom communities in the region.

access to aid and support was made difficult, they were displaced from the cities where they had been settled for a long time, they faced violence that sometimes escalated to fatalities, and they were made feel transient, precarious, vulnerable, and unworthy.

Human Rights-Based Approach

Experience has shown that while forms of discrimination and disrespect for human rights can occur during the immediate crisis phase of a disaster, the longer the impacts of the disaster last, the greater the risk of human rights violations. Experience has also shown that pre-existing vulnerabilities and patterns of discrimination are often exacerbated in the event of a natural disaster.

Human rights are about fundamental freedoms of humans. A rights-based approach aims both to protect people from disaster risks and to empower them to sustain their lives after a disaster. While the rule of law and democratic governance set the principles of the whole system with a 'top-down' approach, the rights-based perspective stresses empowerment, the role of individuals and civil organizations built by them as key actors, and points to a 'bottom-up' approach. Both approaches provide safeguards for people affected by disasters. (18)

A Field Example:

"A woman interviewee living with her daughter-in-law and grandchildren, who lost her son in the earthquake, said that the aid distributed did not reach them, her daughter-in-law who had just given birth and her grandchildren who were young and going to school and that the aid was given to those who did not need it, and that once again they faced the discrimination they had been facing for years. She said that the cards distributed by the Red Crescent and Humanitarian Aid Organizations were not given to them and that the service did not reach those in actual need. The fact that such aid is distributed based on a certain list and that it is not clear how often, by whom, and based on what criteria this list is created cause problems in accessing services." (Female, 60, Nurdağı, Turkish)

(18) IASC Operational Guidelines on the Protection of Persons in Situations of Natural Disasters https://www.stgm.org.tr/sites/default/files/2023-03/dogal-afetler-insan-haklari.pdf
"The Checklist on Law and Disaster Preparedness and Response" prepared by the International Federation of Red Cross and Red Crescent Societies, https://disasterlaw.ifrc.org/sites/default/files/media/disaster_law/2020-08/DPR_Checklist_Final_EN_Screen.pdf

Since transparent procedures were not followed in allocating containers to earthquake victims, we met many interviewees who stated, *"We do not live in houses, and they did not give us containers. There are cracks in the walls of our houses, we are afraid to go inside, so we stay in tents we set up in the yard of the house." (Male, 40, Nurdağı, Turkish)*

In this respect, such emergencies further emphasize the importance of the inalienability of human rights. Contrary to popular belief, impartial and equal distribution of aid does not affect everyone equally. For example, aid to disadvantaged groups or vulnerable individuals helps them to survive in times of disaster. Because these segments of society, who cannot access healthy food and clean water even in normal times, may be completely cut off from access to vital necessities in emergencies, and particularly children, persons with disabilities and women in these communities may experience major problems due to malnutrition. Respect for human rights is just as important and indispensable as access to aid for those in need. Humanitarian aid can be considered a protection effort when combined with the awareness that those in need have the right to access assistance and support and the human rights-based approach of humanitarian aid providers.

Post-disaster periods are times of emergency when even food, water, hygiene and sanitation products and non-food items such as clothing and other vital needs are difficult to access. Although humanitarian aid supports protection efforts by providing food, clean water, hygiene products, shelter, and access to education and healthcare, it is not a protection effort. Such aid can be considered part of protection efforts to the extent that it protects human rights. On the other hand, a human rights-based approach provides a framework and necessary standards for humanitarian aid work.

Today, non-discrimination and combating discrimination are the most difficult and neglected aspects of protection efforts. In today's world, where protection actors and practitioners, especially the state, have lost sight of the human rights perspective; they identify people based on race, color, religion, language, political views, gender and sexual orientation, etc., and provide services and support to those who are from their group, thus causing discrimination.

"Everyone has the right to a standard of living that is appropriate for the health and well-being of themselves and their families, including food, clothing, housing, medical care, and the necessary social services and the right to protection in case of deprivation of livelihood opportunities

caused by unemployment, sickness, disabilities, widowhood, old age or circumstances beyond their control. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection." (Universal Declaration of Human Rights, Article 25)

The "human rights-based approach" is defined as "a conceptual framework [...] that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights."

*To promote and facilitate a rights-based approach to disaster relief, the Inter-Agency Standing Committee (IASC) adopted the Operational Guidelines on Human Rights and Natural Disasters in 2006. The Guidelines are a major contribution to the promotion of a rights-based approach in situations of natural disasters. Following the feedback from the field-testing of the guidelines, we have incorporated lessons learned from the field into a revised version of the Guidelines. This revised version also expands the rights-based approach to include preparedness measures. Small steps in preparedness can have a major impact once a disaster strikes.**

**IASC Operational Guidelines on the Protection of Persons in Situations of Natural Disasters*

Right to Access Aid

Looking at the century-long disaster history of the Republic of Türkiye, it is located in a region where, if necessary precautions are not taken, natural disasters such as earthquakes, climate change-induced droughts, floods, overflows, snow, storms, fires, epidemics and man-made disasters such as mass migration, war, conflict and terrorism may occur frequently. The earthquake map of Anatolia, which is located in one of the most active seismic zones in the world, looks like a network of interconnecting fault lines. According to the data provided by scientists working on this subject, 93% of the territory of the Republic of Türkiye is located in earthquake zones and thousands of earthquakes, large and small, occur every year.

After the earthquake of February 6 with a magnitude of 7.7, what we have experienced so far has shown us that there is confusion even about basic concepts. For this reason, it is very important to know the meanings of certain

concepts in international documents, starting from the very beginning, especially when it comes to protection and advocacy work.

Although the issue of disasters started to be discussed internationally in the 1970s, it first appeared on the agenda of the United Nations at the 42nd session of the UN General Assembly in 1987. After this date, the term "natural disaster" was used in the early stages and the approach to disasters was focused on post-disaster rescue and response. The focal point of disasters has shifted from "rescue and response" to "risk management and mitigation" over the years. Additionally, the approach focusing on hazards and protection measures has been replaced by risk reduction through vulnerability, preparedness, resilience and early warning over the years. Thereafter, more attention has been paid to capacities of local communities and local coping strategies, and the relevant concepts have also evolved. [19]

These concepts are based on international documents, particularly the Sendai Framework for Disaster Risk Reduction [20]. The fact that translations and documents published on these sources have become more visible especially after the earthquake of February 6 is an indication of the lack of knowledge on this subject before the earthquake.

First of all, the concepts of disaster and hazard are often confused. However, understanding what constitutes a disaster and what constitutes a hazard is crucial for advocacy and strategy development processes. International documents on disaster risk reduction and the Sendai Framework for Disaster Risk Reduction are based on the terminology of the UN Office for Disaster Risk Reduction. [21] "Hazards" turn into disasters when they cannot be prevented and risks are not reduced. Disasters are not a "natural" part of life, but hazards are. Developing and implementing Disaster Risk Management plans to prevent natural hazards such as earthquakes, tsunamis, etc., which

(19) "Afet Risk Azaltma Konusunda Uluslararası Stratejik Çerçeve Belgeler ve Kurumlar" HUDOTO https://hudoto.com/yazilar/bilgi-notu-ii-afet-risk-azaltma-konusunda-uluslararasi-stratejik-cerceve-belgeler-ve-kurumlar (Accessed on 16.01.2024)

(20) Sendai Framework for Disaster Risk Reduction: Goal, Targets and Metrics https://unfccc.int/documents/628865?gclid=CjwKCAiA_OetBhAtEiwAPTeQZzU9_NXFhWgd1hkjEU35Y2qgrS5ef1nxUPOAVJv8fpZRUblqo29rlhoCAiwQAvD_BwE (Accessed on 30 .01.2024)

(21) "Afetlere İnsan Hakları Temelli Yaklaşım ve Afetlerle İlişkili Kavramlar" HUDOTO https://hudoto.com/yazilar/bilgi-notu-ii-afet-risk-azaltma-konusunda-uluslararasi-stratejik-cerceve-belgeler-ve-kurumlar (Accessed on 16.01.2024)

are impossible to avoid, from turning into disasters, preventing loss of life and minimizing economic damages and risks are among the main duties of central and local administrations. For the reduction of disaster risks, it is crucial to analyze whether these management plans are in line with the Sendai Framework for Disaster Risk Reduction, identify the actions and strategies included in the plans and strategy documents, monitor and prepare reports on these actions and strategies, and aim for their implementation with a human rights focus.

Hazard refers to any event, whether caused by nature, technology or humans, that can lead to physical, economic and social losses. We define hazard as a process, event or human activity that can cause loss of life, injury or other adverse health consequences, as well as property damage, social and economic disruption or environmental degradation. Natural hazards are associated with natural processes and events, such as earthquakes or volcanic eruptions.

Human-induced (anthropogenic) hazards are those triggered entirely or predominantly by human activities and choices, such as toxic waste. Many hazards, including environmental degradation and climate change, are described as socio-natural since they involve a combination of natural and human-induced factors.

A disaster is an event caused by nature, technology or people, which leads to physical, economic and social losses for all or certain segments of the society, halts or interrupts normal life and human activities, for which the coping capacity of the affected society is not sufficient. In other words, the disaster is not the event itself, but its consequences.

**International documents such as the Sendai Framework for DRR include terms such as "natural hazard" and "nature-induced disaster" and the use of "natural disaster" is increasingly being abandoned in UN documents.*[(22)]

Three international instruments, adopted in 2015 by the Member States of the United Nations, build on human rights: the Sendai Framework for Disaster Risk Reduction, the 2030 Agenda for Sustainable Development, and the Paris Agreement. These three international instruments recognize

(22) "Afetlere İnsan Hakları Temelli Yaklaşım ve Afetlerle İlişkili Kavramlar" HUDOTO https://hudoto.com/yazilar/bilgi-notu-ii-afet-risk-azaltma-konusunda-uluslararasi-stratejik-cerceve-belgeler-ve-kurumlar (Accessed on 16.01.2024)

the interoperability between disaster risk reduction, human development and climate risk management while providing a global framework for the management of these challenges in a more integrated manner. The Sendai Framework is significant in that it is closely linked to the Sustainable Development Goals and the Paris Climate Agreement, as well as other international conventions and adopted instruments. All three instruments are grounded in the principles of human rights. (23)

For the last 12 years, civil society organizations have been working to serve refugees in the region affected by the earthquake. These current protection practices and funding relations have turned into an interlinked cycle, operating with the mindset of being a constant crutch for those in need, rather than empowering them to stand on their own two feet. This turned a small segment of the refugee community into professional beneficiaries. Unfortunately, this process continues in the aftermath of the earthquake.

Among refugees, access to the rights and services provided by the protection system has become a competition, and this competition has naturally favored those who are educated, who can use technology, who are in the networks of political, cultural and protection actors, and has led to the emergence of a small group that we can also call professional beneficiaries. These professional beneficiaries constitute a barrier by following all kinds of services and assistance every day, constantly surrounding the service providers and making it difficult for others to access services. This barrier, which is becoming more and more rigid by the day, makes it very difficult for vulnerable individuals, disadvantaged groups, and certain segments of society to access the services and rights provided and causes them to be left behind. This makes it almost impossible for marginalized and disadvantaged communities such as refugees, Dom and Abdal people and other vulnerable individuals to access the services provided by the protection system.

In particular, the fact that service providers and relevant actors working in this field instrumentalize communities and make them visible for finding resources and accessing funds reinforces various stereotypes and prejudices about communities and creates a methodological perspective that marginalizes communities and perpetuates their vulnerabilities.

Today, refugees and a small segment of the local community in the earthquake region have been turned into professional beneficiaries. The primary reason behind this is that humanitarian aid is not provided with a rights-based perspective and the habits of the last decade are maintained in

(23) "Sendai Framework for Disaster Risk Reduction" HUDOTO https://hudoto.com/uploads/0/1696344812.pdf (Accessed on 16.01.2024)

the field after the earthquake.

Children asked us which aid organization we were from in front of the Nurdağı Temporary Accommodation Center. Men asked which car was ours. Refugees, who are now able to tell by the make and model of a visitor's car, whether it is a Migration Management Authority employee, a journalist, or an aid organization worker, need opportunities for work, housing, and education that will provide stability in their lives, rather than aid.

The Sendai Framework was adopted as a new international framework for disaster risk reduction following negotiations at the Third World Conference on Disaster Risk Reduction. ..

Adopted by representatives of 187 UN Member States, including Türkiye, the Framework is the first major agreement of the sustainable development agenda after 2015. It aims to significantly reduce disaster risk and loss of life, livelihood and health. The Sendai Framework aims to manage disaster risks while protecting people and their property, health, livelihoods, means of production, and cultural and environmental assets, as well as to recognize and protect all human rights, including the right to development.[24]

The overall objective of the Sendai Framework is to reduce existing disaster risks and prevent new disaster risks, thereby improving disaster resilience, through the implementation of holistic and inclusive economic, structural, legal, social, cultural, educational, environmental, technological, health-related, political and institutional measures that prevent and reduce exposure to hazards and vulnerability to disasters and enhance preparedness for response and recovery.[25] Civil society organizations should be able to carry out monitoring activities where they can access and analyze the data on efforts to reduce these risks. For example, a plan for disadvantaged segments of society and vulnerable individuals, who are the target audience of this report, should be developed by the relevant agencies, and data on these communities and individuals should be collected regularly.

(24) IASC Operational Guidelines on the Protection of Persons in Situations of Natural Disasters https://www.stgm.org.tr/sites/default/files/2023-03/dogal-afetler-insan-haklari.pdf

(25) "Sendai Framework for Disaster Risk Reduction" HUDOTO https://hudoto.com/uploads/0/1696344812.pdf (Accessed on 16.01.2024)

METHODOLOGICAL FRAMEWORK OF THE RESEARCH

Semi-Nomadic and Settled Dom and Abdal Communities

This study titled ***"Problems in Access to Fundamental Rights and Services for Syrian Refugees, Dom and Abdal Communities after the February 6 Earthquake"*** was designed as qualitative research to reveal to what extent Syrian Refugees and Dom and Abdal Communities can enjoy their fundamental rights and access to services and how this situation is seen by the individuals themselves and how they perceive this situation in their everyday lives through their perspectives. The interviews for this study were conducted through semi-structured questionnaires and face-to-face with individuals in the city centers and districts of Hatay, Gaziantep, Kahramanmaraş, Adıyaman, and Malatya during the difficult days after the earthquake on February 6. The dynamic and flexible nature of qualitative research also allowed for a discussion based on processes such as access to the field and analysis of field data, given the unsafe conditions caused by the aftershocks of the earthquake.

The region where the earthquake took place also includes cities where Dom, Abdal and to a lesser extent Roma ***(Peripatetic/Gypsy)***[26] communities have been living for centuries. So much so that Dom or Abdal communities live in multiple neighborhoods in almost all of the 11 provinces and their districts affected by the earthquake. Some of these neighborhoods almost date back to the foundation of these provinces or districts. During the field interviews, we visited such neighborhoods in 5 provinces and interviewed both refugees and members of the local Dom and Abdal communities living in these neighborhoods.

On February 6, the day of the earthquake, there were approximately 1 million 762 thousand registered Syrian refugees under Temporary Protection (TP) living in 11 provinces with a large refugee population, which corresponds to 51% of the registered Syrian refugees in Türkiye (3,443,219 people). According to the Address Based Population Registration System (ABPRS), the earthquake affected a total of 14,013,196 people in 11 cities.

(26) The term "Gypsy" in this report refers to Rom/Roma, Lom, Dom and other sub-groups of Peripatetic groups.
*Based on its previous studies, Kırkayak Kültür believes that the terms used by the groups themselves are the most accurate designations for the concepts and names used, and uses these terms. Today, there are many peripatetic communities living around the world referred to as Gypsy such as Dom, Rom/Roma, Lom, Teber/Abdal. Except for the generic terms used by non-Gypsies, these nomenclatures are the own designations of the relevant communities. The name Gypsy encompasses all of these self-designations.

In other words, approximately 13% of the total population of these cities is comprised of new arrivals. Due to its geographical proximity to the Syrian border, the region where the earthquake struck the hardest was the first place Syrians who came to Türkiye after 2011 first arrived. Many Syrians had been living in this region due to working and living opportunities. As mentioned above, according to official figures, the Syrian population under Temporary Protection in the region accounted for almost half of the Syrian refugees under Temporary Protection living in Türkiye.

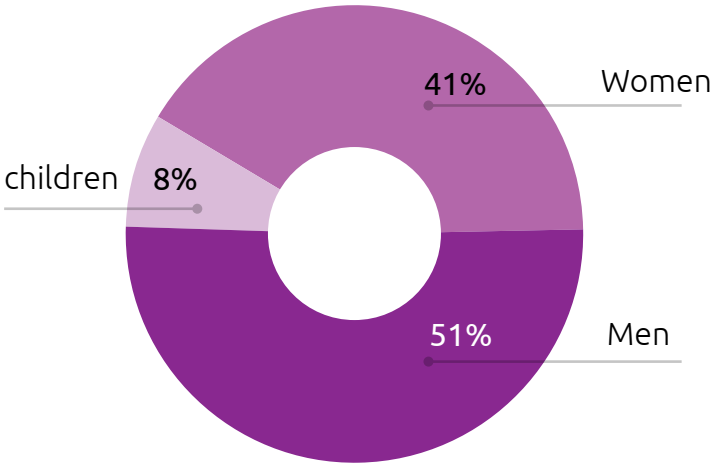
Field Management

Since its foundation in 2011, Kırkayak Kültür has been working to ensure that disadvantaged communities have access to their fundamental rights, especially Dom and Abdal communities. The organization establishes a dialog based on trust and equality with the Dom and Abdal communities who experience discrimination and poverty the most. Poverty is much easier to see and observe than discrimination. Discrimination is not always visible; it is often manifested in uttered or withheld sentences, in glances, and has a way of not being able to be seen, no matter how hard one looks at it. Establishing an egalitarian dialogue with communities is essential to reveal this discrimination and make it visible.

Since the first month after the earthquake, when people only saw the effects of the earthquake in their vicinity and were unaware of what was happening a few kilometers away, when many cities were inaccessible or very difficult to enter due to destroyed roads and bridges when even public officials were saying "We have realized the importance of civil society organizations in the earthquake, they were in the field from the first days when we could not get to the field", we conducted fieldwork in the affected cities, districts, and rural areas and held interviews with various communities to observe the effects of the earthquake and its aftermath firsthand. We conducted individual and focus group interviews with Syrian Refugees, Syrian and Turkish Dom and Abdal communities in Hatay, Malatya, Adıyaman, Gaziantep and Kahramanmaraş, the 5 cities most affected by the earthquake. We employed a method in which the space, as well as the interviews, were fluid to analyze the discrimination experienced during and after the earthquake in depth. Although the data used in this study is based on the data collected during the fieldwork, it also includes the data collected by the Kırkayak Kültür team, which experienced the earthquake period firsthand and took part in the emergency support coordination during the earthquake period.

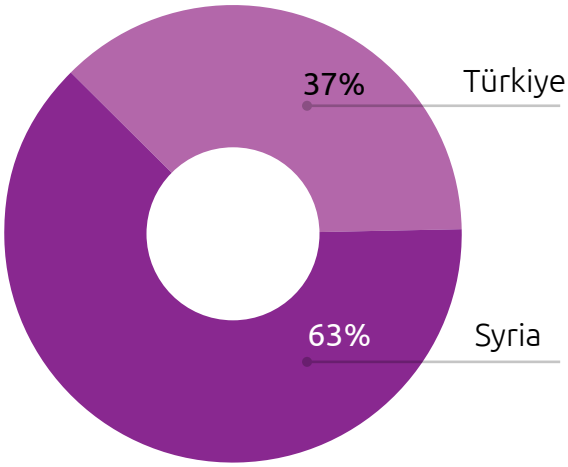
We interviewed a total of 166 individuals, including 68 women, 84 men and

14 children, as part of the study conducted in 2023.



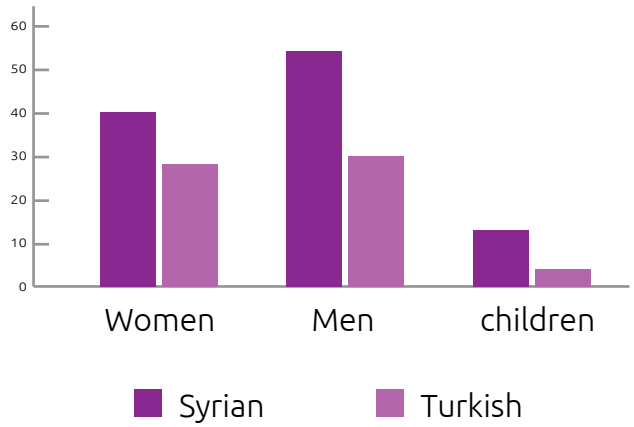
Graph 1: **Distribution of Interviewees by Gender**

104 of the interviewees were Syrian nationals and 62 were Turkish nationals.



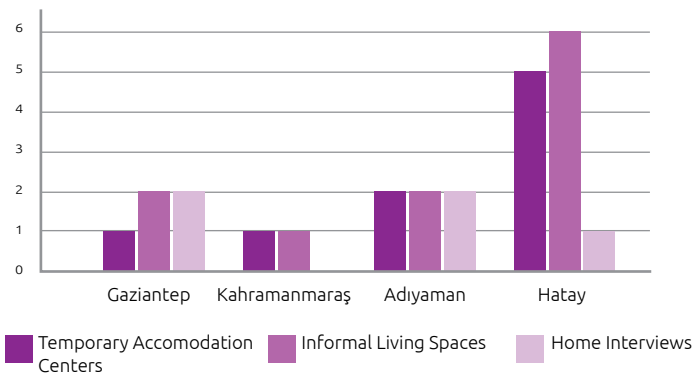
Graph 2: **Distribution of Interviewees by Citizenship**

Interviews were conducted with 68 women, 40 of Syrian origin and 28 of Turkish origin; 84 men, 54 of Syrian origin and 30 of Turkish origin; and 14 children, 13 of Syrian origin and 4 of Turkish origin.



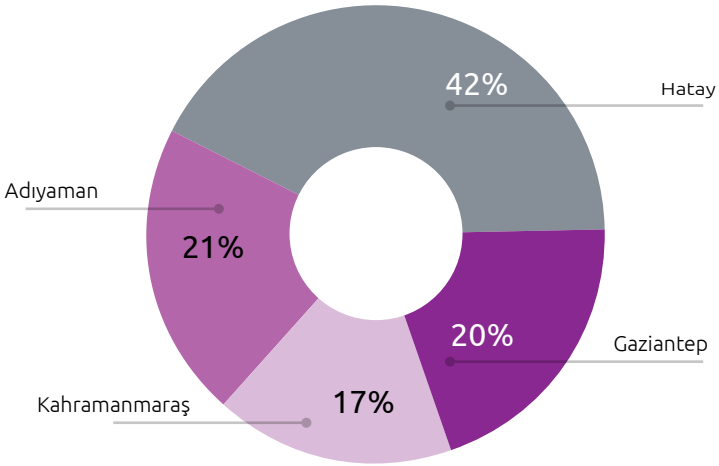
Graph 3: **Citizenship Status of Interviewees**

We conducted 5 interviews in Gaziantep including 2 in an Informal Living Space, 1 in a Temporary Accommodation Center and 2 Home Interviews; 2 in Kahramanmaraş including 1 in an Informal Living Space and 1 in a Temporary Accommodation Center; 5 in Adıyaman including 1 in an Informal Living Space, 1 in a Temporary Accommodation Center and 3 Home Interviews; and 12 in Hatay including 6 in Informal Living Spaces, 4 in Temporary Accommodation Centers and 2 Home Interviews.



Graph 4: **Distribution of Interview Locations by Province**

We interviewed 166 people in 5 provinces, including 31 in Gaziantep, 16 in Kahramanmaraş, 25 in Malatya, 34 in Adıyaman and 60 in Hatay.



Graph 5: **Distribution of Interviewees by Province**

Research Field

In this field study, we approach our research field with the concept of "fluid spaces" to better explain the impact of the earthquake. Dom and Abdal communities, which had high mobility levels before the earthquake, were even more scattered after the earthquake. Concrete cities have been replaced by tent and container settlements, and in addition to Dom and Abdal communities, Syrian refugees and even earthquake victims with Turkish citizenship have also joined these fluid spaces.

We used both multiple snowball sampling and random sampling for hard-to-reach Syrian refugees, Dom and Abdal communities, who are scattered throughout the region. Although these interviews consisted of semi-structured, open-ended question patterns, we used the "fluid interview method" that Kırkayak Kültür first used in the report "Once You Miss the Opportunity, You Will Never Grasp a Chance To Be Literate Again" [(27)]. In using this fluid interview method, we have observed that the earthquake actually transformed the space into "fluid spaces". So what is this concept of fluidity? Since 2011, when we first started to research Dom and Abdal communities, civil society organizations providing humanitarian aid have

(27) http://www.kirkayak.org/download/turkiyedeki-dom-ve-abdal-cocuklarin-egitim-durumu-gaziantep-ve-sanliurfa-ornekleri/

marked their neighborhoods and places where they live as risky, while public agencies have labeled them as dangerous areas and areas with criminal activity. Going to these neighborhoods or tent camps that no one wants to visit and communicating with them is extremely appreciated by the Dom and Abdal communities and therefore receives attention. We are no strangers to the fact that they approach us with the perception that "they will bring us aid" and that we repeatedly tell them that this is not the case, that we are merely there to listen to their problems and put them in writing. And it is this perception that makes us go to the field and into their own homes. First, we decide on the tent camp or the neighborhood we will visit, we enter that neighborhood with our vehicle and start chatting with the women and men sitting in front of the doors, in front of the tents or doing chores there, and they start to tell us about their problems without us even asking. Soon, a group of people begins to gather around us, each talking about their own problems, the problems of their neighbors, relatives or children. We try to listen to them all attentively. Soon, the voices blend together. They have so much to say and now is the time to say it, and say it out loud. Then a few people give up and go back to their chores. The people in the group change, but the problems are always the same. The group dynamic constantly changes throughout the entire field where we conduct research, sometimes we roll a cigarette with an old woman and listen to her stories, sometimes we drink their coffee in the dust and dirt on the field where dozens of children are playing. This is exactly what the concept of "fluid interviews" means, and this concept is a criticism of other research techniques. "Fluidity" has emerged in response to the approach in which researchers suddenly appear in the field utilizing the "helicopter technique" [28] without knowing the dynamics of the group, without sharing a cup of coffee or tea with them, without learning about their major problems and writing academic or project articles.

Cases of Discrimination and Poverty in Fluid Spaces

In our fieldwork, we went somewhat outside our usual practices. After the earthquakes of February 6 and the aftershocks that followed the earthquakes, cities were leveled to the ground, people's perceptions of

(28) Kırkayak Kültür, Once You Miss the Opportunity, You Will Never Grasp a Chance To Be Literate Again, Gaziantep, 2020, p. 41, "Smith and Pitts(42) conceptualized the circumstances of researchers visiting the field and obtaining the necessary information, never to appear again as "helicopter research". We experienced such tiredness and the desperation of not (being able to) touching the lives of the participants frequently during the field study."

space in terms of roads, streets and even "home" changed, and our working spaces also changed as a result. Our fieldwork, which started in a Gypsy Cemetery, sometimes led us to refugee camps, informal and formal tent and container sites, and sometimes to neighborhoods, houses, tents, ruins and piles of rubble.

Our first stop was a Gypsy Cemetery on the road outside the city of Nurdağı on our way from Gaziantep to Antakya. When we met Abdal and Dom families who came to pray for their deceased relatives, they complained about the poor upkeep of the cemetery and the fact that earthquake debris had been dumped there. We asked why this cemetery was only reserved for Dom and Abdal families. In the past, Abdal and Dom's families buried their deceased relatives here and those in power said *"This place is yours"*. In 2011, after Syrian Dom and Abdal families came to Türkiye, they also buried their deceased in this cemetery, where no one except Gypsies buried their loved ones. What makes this place more interesting after the earthquake is that unidentified people who lost their lives in the earthquake, in other words, the "nameless", were also buried in this cemetery, and then the debris of the collapsed buildings of the city was dumped here. Although the destruction caused by the earthquake mainly affected the cities, cemeteries are the most concrete manifestation of the destruction and discrimination experienced by these communities, claiming that life is more sacred.

Later on, our spaces were mostly about life. Lives full of uncertainty in ruins and chaos... Sometimes we saw a few tents on the road, set up at the edge of fields or under the shade of olive trees, and sometimes countless tents and containers in temporary accommodation centers set up next to destroyed cities and neighborhoods. The camps in the endless steppes where we arrived after leaving the cities and following the Syrian border on the map were the epitome of life itself. It was the forbidden and volatile uncertainty that we could not enter. We had the opportunity to chat with people in the markets set up right next to the camps.

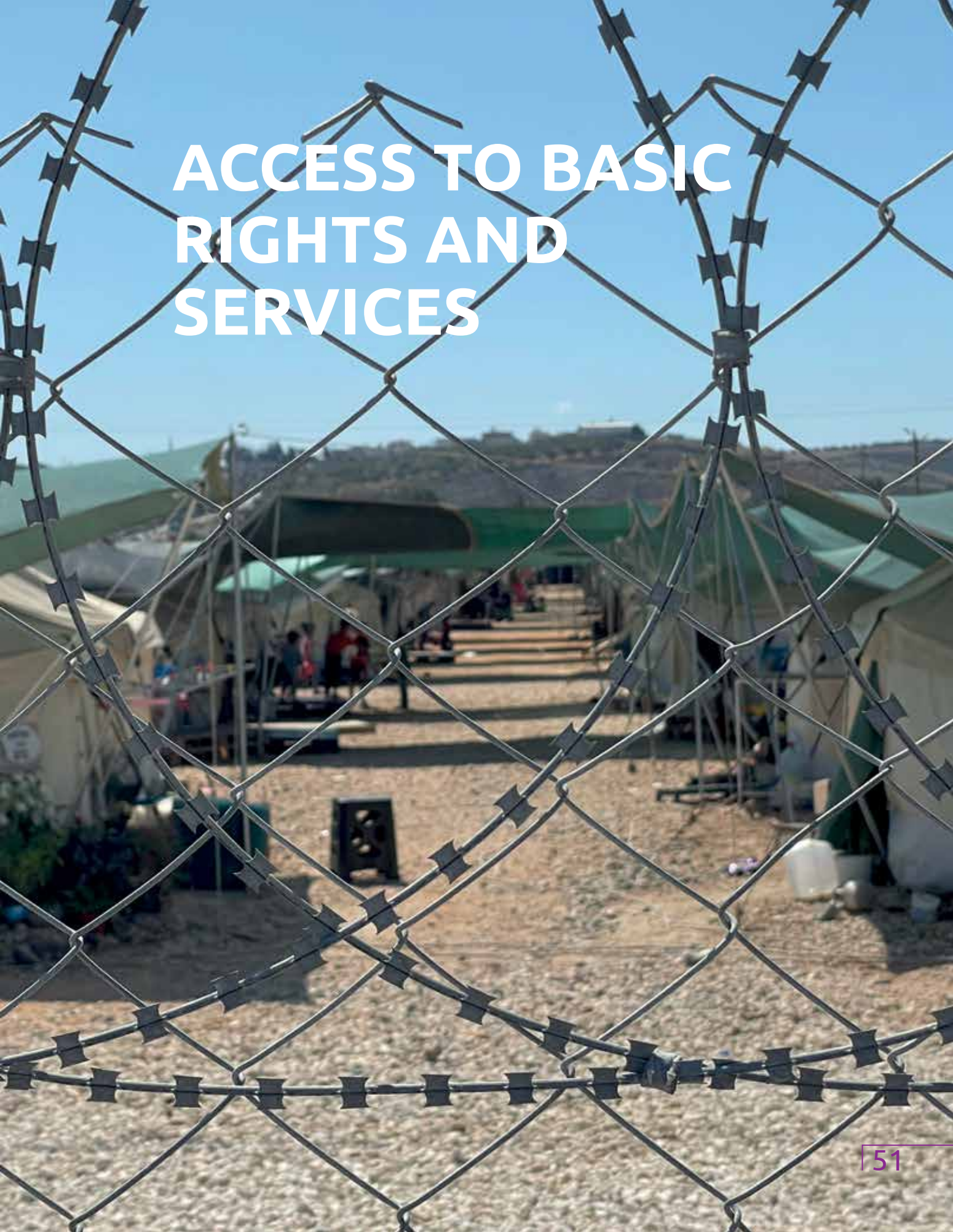
One Saturday, as we wandered around the container site in Malatya Temporary Accommodation Center, which is about 18 km from the city, as entry was still allowed at the time, we drank tea laden with sugar with the residents under the shade of a container house, where children were playing various games in dust and dirt on each street of the container site. We were told that the men and children here worked in factories and that everyone was at home because it was the weekend, so when they said everyone, they were talking about men and children. In these camps, men and boys under the age of 18 work in factories as low-wage laborers, while women and girls

do not leave the camps.

During the fieldwork, as we were following the traces of the earthquake, we had the opportunity to meet with different communities. We observed that especially the communities that experienced poverty the most had more prejudice against each other and we followed this discrimination. For the Turkish communities, Syrians and Gypsy communities were the segments of society that were violent, they were thieves, or their women were not well-behaved, we often heard the phrase, "Their women come home late". Syrian communities thought the same of "Nawars" [29], that is, Gypsies. Dom communities from Türkiye had the same views about Syrians and Syrian Dom and Abdal communities. In Malatya, we encountered Dom people from Syria, whose second language is Kurdish, who are the worst victims of these discriminatory discourses and marginalized by all segments of society. The families who set up tents in the area where the debris was piled up said that they came to the outskirts of the city because the public authorities did not allow them to set up tents in the city: *"Our houses collapsed, and the police scold us when we set up tents in the city and remove the tents. So we came here, we escaped from them." (Female, 50, Malatya, Syrian)* The bare feet of the Dom women collecting the rebar remaining from the collapsed buildings were covered in dust, the edges of their old cloth tents were torn and they had almost nothing but two or three pieces of furniture. Is there a limit, a bottom to poverty? While it is difficult to answer this question, it seems that we observed a certain limit. While in Syria, a few family members from this Domari and Kurdish-speaking community had gone to school and learned Arabic, and in Türkiye, most of their children had learned Turkish as well. Before 2011, this community, who speak four languages, experienced the worst cases of discrimination in Syria because they lived together with Kurds. Today, no matter what language they speak, they are still Syrians, Kurds, and Gypsies.

(29) A discriminatory generic name used in Syria for Gypsies.

ACCESS TO BASIC RIGHTS AND SERVICES



Right to Housing

According to the assessments conducted by the Ministry of Environment, Urbanization and Climate Change, 298,448 buildings with 876,569 independent units were severely damaged and rendered uninhabitable in the 11 provinces hit by the earthquake. [30]

The region where the earthquake took place also includes cities where Dom, Abdal and to a lesser extent Roma communities have been living for centuries. So much so that Dom and Abdal communities live in multiple neighborhoods in almost all of the 11 provinces and their districts affected by the earthquake. Some of these neighborhoods almost date back to the foundation of these provinces and districts. Having lived a nomadic life for centuries, peripatetic (nomadic craftsmen) groups have settled in historical migration sites on the peripheries of cities, particularly in the last fifty years, and these ancient migration sites have turned into neighborhoods consisting of makeshift houses over time. These neighborhoods, historically inhabited by Roma, Dom and Abdal communities, are the poorest districts of the cities and also the places that are spatially stigmatized as "Gypsy Neighborhoods".

These Gypsy neighborhoods used to be located on the outskirts of cities, but they were absorbed into the city centers with the growth of the cities, and their property values have increased, turning them into lucrative areas for the construction industry. The projects carried out in Türkiye under the name of "Urban Transformation" have led to the displacement of groups that are marginalized and considered the "other" from the city centers to the outskirts of the city in the new urbanization model. These projects have led to the demolition of some of the Gypsy neighborhoods in the cities and the forced displacement of their inhabitants. Those displaced by urban transformation migrated to the neighborhoods where their Dom, Roma or Abdal relatives resided in the cities. One of the reasons why urban transformation started here is the fact that the inhabitants of these neighborhoods did not have property rights and title deeds, and therefore did not have "rights" in the aftermath of the earthquake. Although the makeshift houses that these communities built on historical "migration sites" when they settled down have turned into multi-story buildings, over time, that have electricity, water, natural gas subscriptions and pay taxes, they are not considered rightful owners due to problems with title deeds, ownership and zoning plans. Uncertainties on this issue further deepen families' sense of insecurity about thefuture.[31]

(30) https://www.bloomberght.com/erdogan-deprem-bolgesinde-kullanilamaz-bina-sayisi-298-bin-2327290

(31) Suriyeli Dom Göçmenlerin Entegrasyonunu Ve Toplumsal Uyumunu Teşvik Etmek - Bölgesel Bir

We visited these neighborhoods in the 5 provinces and their districts and conducted interviews on the impacts of the earthquake and the experiences in the aftermath of the earthquake. First of all, we observed that the devastating impacts of the earthquake were quite severe in these neighborhoods. Composed of highly earthquake-prone buildings, these neighborhoods were devastated by the earthquake and suffered great destruction and loss of life.

AFAD provides container aid to homeowners and tenants whose houses have been determined to be demolished/urgently need to be demolished/ heavily damaged/moderately damaged based on the damage assessments conducted by the Ministry of Environment, Urbanization and Climate Change upon their application through the e-Government portal[32]. These containers are provided in order of priority determined by provincial commissions:

- *Those who lost their relatives in the earthquake;*
- *Relatives of martyrs and veterans;*
- *Households with children aged 6 years and under and pregnant women;*
- *Households with persons with disabilities;*
- *Households with individuals over the age of 65;*
- *Those receiving social and economic support (SES).*

The owners of the destroyed houses have been able to find containers or tents in Temporary Accommodation Centers or tent camps if they were eligible; otherwise, they live in tents in vacant spaces in their neighborhoods. Today, many families in the provinces impacted by the earthquake continue to live in moderately or heavily damaged houses, despite the danger posed by aftershocks. One of the main reasons behind this is the lack of rightful ownership or, if they are tenants in the neighborhoods where they live, the lack of rental contracts and necessary documents. Families, especially those who move frequently due to seasonal and daily work, do not have access to rights and services because they do not have residence records in the provinces they were in at the time of the earthquake. On the other hand, these families have been subjected to hate speech, sometimes bordering on violence, with discourses spread through the media such as *"Gypsies came*

Sosyal İçerme Strateji Önerisi Türkiye, Lübnan ve Ürdün.http://www.middleeastgypsies.com/reports-articles/

(32) AFAD https://www.afad.gov.tr/kurumlar/afad.gov.tr/e_Kutuphane/Afisler_Brosurler/Afet-barinma-faaliyetleri.pdf

from out of the city and looted the property of the earthquake victims, they came to take advantage of the aid provided".

When Syrian Dom and Abdal refugees crossed the border and took refuge in Türkiye, they settled in the neighborhoods where Dom and Abdal families lived. (33) Syrian Dom and Abdal refugees do not or cannot rent houses outside of these neighborhoods. While there may be many reasons for this, one of the most fundamental reasons is that the rental prices in other neighborhoods are higher, but more importantly, it is very difficult for these communities to find a rental due to the "anti-Gypsy" sentiments. Because, as the fieldwork shows, Dom and Abdal communities from Türkiye or Syria are usually referred to as Gypsies by the general population, and they are systematically stigmatized by the rest of the society through codes that involve discrimination and prejudice due to anti-Gypsy sentiments.

Before the earthquake, Syrian Dom communities were trying to survive in the slums of the cities they took refuge, in rented houses in Roma or Dom neighborhoods in the cities, in tents where they worked as seasonal agricultural workers, next to Dom or Abdal neighborhoods, in informal tent camps they set up themselves, in evacuated or half demolished houses in areas undergoing urban transformation. (34)

During the field interviews, we visited the settlements where Dom communities live. Dom people live in houses damaged by the earthquake, in disrepair, broken down and some of them are about to collapse. Multiple families often live together in separate rooms in these buildings. The rooms they live in are used for multiple purposes. We observed that the glassless windows of some houses were covered with plastic or tarp to keep out the cold. Interviewees stated that the biggest problem was paying the rent. In particular, since these neighborhoods are closed to migrants due to quotas (banned neighborhoods), refugee families live in these neighborhoods informally, and the inability to find a house and the high rental prices often cause families to become homeless. Therefore, there are many families living in tents set up in vacant lots in these neighborhoods. Additionally, the houses where some families live are at risk of collapse due to severe damage.

Although the Geneva Convention of 1951 defines the right to housing as a social right, it should be noted that the right to housing is one of the

(33) Suriyeli Dom Göçmenlerin Entegrasyonunu Ve Toplumsal Uyumunu Teşvik Etmek - Bölgesel Bir Sosyal İçerme Strateji Önerisi Türkiye, Lübnan ve Ürdün.http://www.middleeastgypsies.com/reports-articles/

(34) Her şayi gördük, Kırkayak Kültür http://www.kirkayak.org/publications/

most fundamental human rights, and this need must be met without compromising certain standards for a life with human dignity. A rights-based concept of housing should include inclusive housing policies and housing areas that ensure the right to use, legal security, accessibility to services, cultural diversity, affordability, and convenient location. The right to housing is one of the most fundamental rights that needs to be upheld for these individuals struggling with poverty to live with human dignity.

Source: 1951 Geneva Convention https://www.unhcr.org/media/convention-and-protocol-relating-status-refugees

Along with the death toll, the loss of housing was one of the most serious consequences of the earthquake. This resulted in a significant increase in rental prices in both urban and rural areas affected by the earthquake. Refugees have been internally displaced even if the buildings they lived in were not destroyed. High rental prices were among the reasons why refugee families were initially forced to stay in informal tent camps. When local and central authorities banned temporary camps, refugees were forced to move from temporary camps to other cities. However, they were once again left homeless by the decree ordering refugees to return to the cities in which they were registered. As a result, they were forced to move to formal camps. Moving either to other cities or formal camps has resulted in the disruption of family unity and changes in household composition.

A Syrian family we interviewed in Yeni Mahalle, Altınözü was evacuating the house they were staying in. The landlord evicted the family because the building they were living in was damaged and stated that he would move out, too. However, the Syrian family stated that the landlord evicted them to rent the apartment at a higher price. Additionally, this Syrian family stated that they wanted to go to temporary accommodation centers because they could not afford the almost doubled rental prices, but they could not find vacant containers.

The interviews revealed that refugees affected by the earthquake experienced uncertainties in the process of applying to temporary accommodation centers and as a result, they had to live in informal tent camps. In the interviews conducted in Altınözü, Malatya and Adıyaman, many refugees stated that although their acquaintances or relatives had been placed in temporary accommodation centers, they could not find a place for themselves and were still waiting. One of the problems that Syrian refugees have been experiencing in Türkiye for years is the lack of access to information, a problem that has become even more pronounced for

refugees affected by the earthquake.

In all city centers where the research was conducted, Syrian refugees stated that they set up temporary camps close to their neighborhoods after the earthquake. All of these temporary camps were set up by their means. They either bought the tents themselves or exchanged goods and services for tents. The primary reason for setting up temporary camps was that the buildings they used to live in were heavily damaged and therefore uninhabitable. Where the damage was not so severe, refugees nevertheless reported that they were often evicted from their homes by landlords who either moved into the undamaged apartment themselves or wanted to rent it at a much higher price. This was confirmed by some Turkish landlords we interviewed. Due to the limited job opportunities in the construction industry in the earthquake zones and the consequent increase in rents, many refugee communities have become homeless. Therefore, they had to set up their own tents and create informal tent camps. The refugee community we interviewed in an informal tent camp in Altınözü stated that they preferred to live here because they did not have to pay power and water bills.

Informal tent camps have had various implications for the changing social structure of refugee communities. Especially when refugee communities from rural areas of Syria arrived in urban areas of Türkiye, they settled as nuclear families instead of extended families. Refugee communities started to live as extended families once again in temporary camps. Especially in the months following the earthquake, when men of refugee communities went to other cities to find work, they left their families behind with their extended families in temporary camps.

The re-emergence of the extended family structure has created new patriarchal constructs in refugee communities. Not only older male heads of households have regained their authority, but also older women have re-established their authority over the younger women in their communities.

Additionally, local and international CSOs have reaffirmed patriarchal constructs based on kinship and primitive ties. It was observed during the fieldwork that CSOs and aid organizations took the word of male community leaders and distributed aid based on their input, rather than confirming household information with vulnerable members of the community.

In some places, refugee communities prefer to set up their tents together with families from the same region of Syria. Therefore, primitive relations have once again come into play, as refugee communities feel safer in informal tent camps that are vulnerable to external dangers. However, in some cases, families continued to live together with their neighbors. The research team

was not able to find any mixed camps where locals and refugees lived together.

The second most significant implication of temporary camps is related to gender relations. Temporary camps have mostly become confined spaces for women and children due to safety concerns. While male members of communities left the camps to find work, women and children were limited to staying in the camps out of fear for their safety. While older children could go and play in nearby parks, women's mobility was severely restricted. During the interview in an informal tent camp in Altınözü, women stated that men leave for work at 7 in the morning and return around 5 in the evening. In contrast, women generally spend the whole day in the camp, sometimes going to the park across the camp.

We observed that women only left the camps to go to hospitals for urgent health needs. Moreover, the temporary camps lacked the necessary private spaces for women and their needs. Not only did nuclear families lack privacy, but women also lacked private spaces for showering and other sanitary needs. Toilets are located at the rear end of the camps, causing distress for women and children, especially at night. On the other hand, we observed improved solidarity among women in the camps. Refugee women with extended families in the temporary camps were observed to be in solidarity with each other in terms of procuring supplies for basic needs such as cooking and childcare. We also observed that almost none of the children attended school, either due to a lack of financial means to use public transportation to go to school or because families did not allow children to go to school on their own due to safety concerns. The government policy to increase the school attendance rate of refugee children has been unsuccessful in recent years. Additionally, we observed that girls staying in tent camps have embraced traditional gender roles. Girls who had no access to education in the aftermath of the earthquake were observed to take care of infants in these tent camps.

Temporary camps also lack basic services, particularly for persons with disabilities, newborns and pregnant women. Additionally, the camps lack basic standards of sanitation and hygiene. There is no clean water supply, and no running water for showering and cleaning dishes. The perishing cold in the region since the first day following the earthquake left Dom and Abdal people indifference, abandoning them to their own fate and not meeting their basic needs such as access to shelter, food and clean water, which has always been the case for Dom and Abdal people. These people, whose houses were destroyed or damaged, or who became homeless due to aftershocks,

could not access any services for days just like everyone else. They struggled to cope with hunger, thirst and cold. They buried their deceased themselves and healed their wounds themselves. They are still trying to live in makeshift tents. Days went by and no one gave a thought to the neighborhoods where these people live, aid arrived late for everyone but never reached them. In this current situation, there is nothing more natural than for these people, who cannot access the aid and services that are not available in their neighborhoods, to go to tent camps and neighborhoods where aid and services are available so that they can live at the same standards as other segments of society affected by the earthquake.

It was also observed that informal tent camps turned into "slums" over time. Families are trying to transform these places into longer-term living spaces by adding tents or covering the areas between the tents and pouring concrete on the ground.

A Field Example:
Refugees living in informal tent camps in Altınözü stated that after the earthquake, they received a one-off aid package for children from the Red Crescent, but other than that, they received no further support. Those with professions such as tilers and painters can find work in construction sites, but they say it is not possible to afford the rising cost of rent.

We also often observed refugees traveling as a family to nearby cities where men had been able to find work. However, when the government ordered all refugees to return to their city of registration and banned temporary camps, these families were forced to move to formal camps. The research team observed that local and central governments in the locations visited by the team had already enacted decrees banning temporary camps set up by vulnerable groups in city centers in the immediate aftermath of the earthquake. Interviews and focus group discussions confirmed this observation. After the decree came into force, most of these communities were relocated to government camps.

On 7 February 2023, the Presidency of Migration Management (PMM) issued a circular announcing that "international protection and temporary protection status holders in the ten provinces affected by the earthquake are no longer barred from traveling outside the provinces and the requirement to acquire a travel permit has been revoked, allowing them to stay for 90 days by applying to the Provincial Migration Directorate in the province of destination". This circular did not include İstanbul in the in-country travel permit, and it remained a province where refugees cannot get registered.

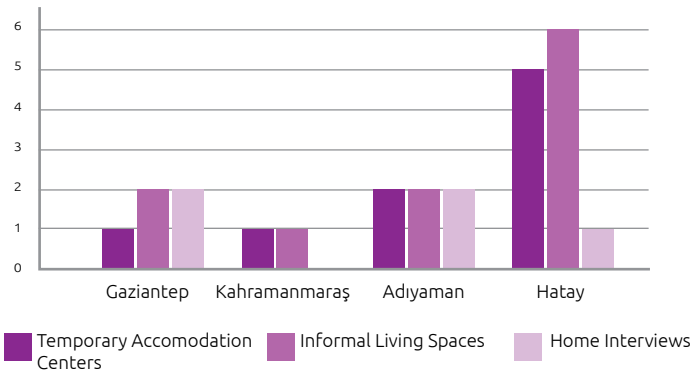
In practice, the Presidency of Migration Management suggested that refugees affected by the earthquake should go to provinces where they have relatives and/or where they can meet their basic needs, primarily housing. The authorities advised that those who do not have housing in their destination province should not leave the earthquake zone. On 13 February 2023, another letter issued by the Revenue Administration introduced a new regulation on travel permits. The travel permit was reduced to 60 days and the 10 provinces declared as disaster zones were reclassified into two separate zones for refugees.

The decision was as follows: "Foreigners residing in Kahramanmaraş, Hatay, Gaziantep, Adıyaman and Malatya shall be allowed to travel to all provinces other than the aforementioned 5 provinces without a travel permit to meet their housing needs and a travel permit shall be issued for such foreigners for a period of 60 days at the provincial directorates of migration management in the destination province. In Adana, Osmaniye, Şanlıurfa, Kilis and Diyarbakır, foreigners are required to apply for a travel permit for traveling to meet their housing needs arising from the earthquake, and their applications for travel permits shall be evaluated for all provinces except the 5 provinces mentioned in the first article, as well as the provinces closed to registration, consider whether they have housing options (considering the damage status of the buildings in which they reside) and their level of vulnerability (the need for medical attention due to the disaster, etc.), and the routine operation shall continue in cases of requests for reasons other than the damage caused by the earthquake."

A Field Example:
"Why do you think there were so many casualties in Adıyaman? No one, no help came for three days. After the first earthquake, people got out of the collapsed buildings by their own means. Those who could not get out of the collapsed buildings lost their lives in the second earthquake because no help came for them. People pulled their families out of the collapsed buildings with their own efforts, there was no help from the state here, and there was no one. For the first 4 or 5 days, I was looking at buildings collapsed next to each other and there were only 4-5 people on top of a few buildings (for help). A few days passed, and help came to neighboring provinces, but not here. Then search and rescue teams came from abroad. Especially Kurdistan and Japan sent trucks full of tons of food and water for help. 11 provinces were destroyed in the earthquake; where were the people from the rest of our provinces? The help came from abroad. I mean, we all live in Türkiye, we are all brothers and sisters, but our people did not come to our

help. While we were waiting for help from the people of our own country, foreigners came and helped us. So now this nation has alienated each other, especially the earthquake victims. I mean, all faith has been lost. I did not expect such an attitude from the people of Türkiye." (Male, 50, Adıyaman, Turkish)

Temporary Accommodation Centers



Graph 4: **Distribution of Interview Locations by Province**

Interviews were conducted in 5 different locations in Gaziantep (2 Informal Living Spaces, 1 Temporary Accommodation Centre and 2 In-Home Interviews), 2 locations in Kahramanmaraş (1 Informal Living Space and 1 Temporary Accommodation Centre), 5 locations in Adıyaman (1 Informal Living Space, 1 Temporary Accommodation Centre and 3 In-Home Interviews), 12 locations in Hatay (6 Informal Living Spaces, 4 Temporary Accommodation Centres and 2 In-Home Interviews).

There are significant differences in the temporary accommodation centers where Turkish citizens and refugees are accommodated. The most obvious difference concerns the location of these centers. While the centers where Turkish citizens live are closer to city centers, and therefore closer to schools

and hospitals, markets, and public transportation, the centers where Syrians are accommodated are located on the outskirts of the city. Therefore, they are isolated from the Turkish community. For example, the Temporary Accommodation Center in Adıyaman, which we visited, is located on the outskirts of the city and hosts approximately 5,000 Syrians. Entry to the center is controlled by the military and public transportation is only available during daytime, i.e. working hours. Therefore, access to the city and the services offered in the city center is extremely difficult for those who do not have a vehicle of their own.

Families interviewed at the Temporary Accommodation Center in Kahramanmaraş explained that when they first came to Türkiye from Syria, they settled in temporary accommodation centers, moved to the city center after a while, and tried to establish a more stable and permanent life for themselves in the city. However, they stated that they were back to square one and were relocated back to temporary accommodation centers after the earthquake. An important point they made was that they no longer had any hope for the future, neither for themselves nor for their children, and that they could not imagine building a permanent home outside the accommodation center.

There are significant differences between the services available in temporary accommodation centers where Turkish citizens live and where refugees live. While the authorities allow Turkish citizens to establish means of livelihood in the camps where they live, this is not allowed in the accommodation centers where Syrian refugees are accommodated. For example, there are shoe repair shops, tailors, etc. in the centers where Turkish citizens live in Malatya, whereas small initiatives such as bicycle repair, etc. that could be a source of income are not allowed in the centers where refugees live. Additionally, fruits and vegetables are available in the market run by the Agricultural Credit Cooperative in the centers where Turkish citizens live, whereas there is no access to fruits and vegetables in the centers where refugees live. Similarly, while there are mosques and playgrounds for children in the accommodation centers for Turkish citizens, such facilities are not available for refugees.

One of the most important differences observed is how Turkish citizens and refugees have transformed their living spaces in the accommodation centers. The centers where Turkish citizens live do not have any special or personal decorations, giving a sense of impermanence. However, refugees turn their living spaces into “homes” by decorating them with flowers, linens, lace, etc., giving a sense of permanence rather than impermanence.

The conditions of the temporary accommodation centers where Syrians are accommodated also vary from one center to another. For example, the interviews we conducted in the Temporary Accommodation Centers in Boynuyoğun and Apaydın showed that there are significant differences between the conditions of the two centers and refugees prefer the Temporary Accommodation Center in Boynuyoğun.

The Syrian women we interviewed in the Temporary Accommodation Center in Beydağ, Malatya stated that they preferred living in accommodation centers to living in the city for socializing and establishing solidarity networks. They explained that they do not have the opportunity to socialize in the city center because they cannot leave their homes, but they have the opportunity to socialize in the accommodation center. Although accommodation centers pose challenges for women in many respects, such as the lack of privacy, they also provide more freedom of movement compared to the limited mobility of apartment life in the city. We observe that a new Syrian identity is being built within the Syrian community in Türkiye through these new networks established in the accommodation centers, especially among women.

The young men we interviewed at the Accommodation Center in Beydağ, Malatya stated that they had to sleep in the factory where they worked after the earthquake and that they moved here when they were finally given a place in the accommodation centers. They commute to the factory every day by public transport.

While there is no security at the entrances and exits of temporary accommodation centers for Turkish citizens, there are gendarmerie at the gates of accommodation centers for Syrian refugees. The residents of the accommodation center are free to enter and exit, whereas the entry and exit of their guests from outside is restricted. They meet with their guests in empty spaces at the entrance of the camp. Controlling the entrance and exit of accommodation centers for Syrians is an extension of the migration security policy and indicates that accommodation centers for refugees are also seen as potential areas of crime. As we observed in the Temporary Accommodation Center in Beydağ, Malatya, Syrians with Turkish citizenship can also stay in temporary accommodation centers set up for Turkish citizens.

During the field interviews with people from the refugee Dom and Abdal communities, they stated that a great majority of these families live in the neighborhoods and streets where local Dom or Abdal families live, in the houses they rent, even if the conditions of the houses are not very good. Although the rule in the Temporary Protection System that these communities have to reside in the province where they are registered has

an impact on their transition to a settled life, the transition from nomadism to semi-nomadism is quite important for these communities. Families who left their homes after the earthquake have largely returned to a nomadic lifestyle. A large number of them have also moved out of the provinces affected by the earthquake. This causes community members to be excluded from the Temporary Protection System and unable to enjoy basic rights and receive basic services.

A Field Example:
"I do not want winter to come. I do not want the season to change, in case an earthquake strikes again. It snowed on the 4th of February and the earthquake struck on the 6th of February. I remember sitting under that tree to avoid getting wet in the rain, and the tree had no leaves. How could it protect me? That is how we survived those days." (Male, 42, Adıyaman, Turkish)

Right to Education

Since the EU-Türkiye Statement and Action Plan entered into force in 2016, one of the priorities of the Turkish government's migration management policy has been to increase the enrollment rate of refugee children in schools. This policy has been supported by grants from the EU as well as projects of national civil society organizations. Increasing the school enrolment rate of refugee children has both short-term and long-term implications in terms of preventing child labor, stabilizing refugee communities and contributing to the coexistence of host and refugee communities. While refugee children may face bullying and sometimes violence by their peers at school or in their neighborhoods, schools continue to provide social space for refugee and host children to socialize and for communities to interact. In other words, one of the objectives has been to ensure the cohesion and integration of Syrians through educating Turkish and refugee children in the same space.

However, we observed in all research locations that access to education for refugee children has become extremely difficult in the aftermath of the earthquake. Indeed, children have been one of the most adversely affected social groups among refugee communities. Education is no longer a priority in the lives of families affected by the earthquake.

As mentioned in the above sections, refugee families were internally displaced due to the earthquake. They had to leave the cities they had been living in to find work and/or housing. In addition to not being able to access education in their new cities, children have also lost their socialization

opportunities in these new places and are confined to their familial unit. This has negated years of efforts by local and national organizations to bring host and refugee children together.

When internally displaced refugee families were ordered by a government decree to return to the cities where they were registered, it was mostly women and children who returned permanently, while male members continued to commute to earn a living for their families. When families returned months later, they could not afford to rent a house and were taken to formal camps set up by the authorities to shelter earthquake victims. However, many of these camps still do not have schools. Moreover, while temporary accommodation centers for Turkish citizens are either in city centers or within easy reach of city centers, temporary accommodation centers for refugees are far away from cities. Refugee families cannot afford to send their children to school by public transport. They are also concerned about the safety of their young children taking public transport to school. In all locations that we visited, almost all school-age refugee children had no access to education, as male members of families were often away working and female members had limited mobility.

Many families we interviewed stated that they wanted their children to go to school; however, they needed the government to open schools in the camps for that to happen. It was reported that a school had been built in the Temporary Accommodation Center in Nurdağı. However, there are also doubts about the quality of education provided in schools in temporary accommodation centers. For example, refugees we interviewed in front of the Temporary Accommodation Center in Boynuyoğun stated that the school their children attend in the city provides a better education than the school in the camp.

In addition to the lack of access to schools, especially middle and high schools, children drop out of school at very high rates. For boys, this is mostly due to financial reasons, as they are forced to work to provide for their families. For girls, this is mostly due to concerns of their families about their safety. Families have limited the social space of their daughters to their immediate family circle with the new social environment in which they found themselves after the earthquake. Additionally, in none of the earthquake-affected locations visited by the research team did children with disabilities have access to special education to meet their needs and support their development.

The research team observed that in the small number of camps with schools within the compound, these schools were segregated for Turkish and refugee

children. Thus, years of efforts and projects aimed at bringing children together in schools and enabling the two communities to live together have once again been undone by segregating the living spaces of Turkish and refugee communities. The refugee children we interviewed stated that they had Turkish friends at school before the earthquake, but that they never met them after the earthquake. Therefore, this situation raises questions about the future of the two communities, even if normalization is achieved in the long run and families move out of the camps. Will refugee and Turkish children be able to study in the same schools again and how will the current discrimination affect the future of the coexistence of the two communities?

There were serious problems regarding the access to education for the children of Dom and Abdal families even before the earthquake. The major problems identified in the projects implemented as part of the Kırkayak Kültür's Education Program regarding Dom and Abdal children's access to education were discussed in the report titled "Once You Miss the Opportunity, You Will Never Grasp a Chance To Be Literate Again: Dom and Abdal Children's Education in Türkiye: The Cases of Gaziantep and Şanlıurfa".[35]

As per the Convention on the Rights of the Child; Recognizing that, in all countries in the world, children are living in exceptionally difficult conditions, and that such children need special consideration,

Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child,

Recognizing the importance of international cooperation in improving the living conditions of children in every country, especially, in developing countries, Article 28 of the Convention reads:

1. States Parties recognize the right of the child to education, and to achieve this right progressively and based on equal opportunity, they shall, in particular:

- Make primary education compulsory and free to all;

- Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of

(35) Once You Miss the Opportunity, You Will Never Grasp a Chance To Be Literate Again: Dom and Abdal Children's Education in Türkiye: The Cases of Gaziantep and Şanlıurfa http://www.kirkayak.org/download/turkiyedeki-dom-ve-abdal-cocuklarin-egitim-durumu-gaziantep-ve-sanliurfa-ornekleri/ (Accessed on 29.01.2024).

need;

- Make higher education accessible to all based on capacity by every appropriate means;

- Make educational and vocational information and guidance available and accessible to all children;

- Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

..

2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular, to contribute to the elimination of ignorance and illiteracy throughout the world and facilitate access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.[36]

Right to Employment

The plain where the seismic fault extends from south to northeast, starting with the Amik Valley, stretching between the Nur and Kurd Mountains and reaching Maraş, has been a region of agricultural production with high levels of seasonal agricultural labor where mostly Syrian migrants have been working in recent years, which means that the migrant population is quite large. Also, the 11 provinces affected by the earthquake account for 16.92% of Türkiye's total agricultural land according to TurkStat data. The share of these provinces, particularly Gaziantep, in total exports is about 8.6%. The share of these provinces in the gross domestic national product has also been rising due to the hundreds of thousands of informal migrants entering the labor market, especially in the last 10 years. There were approximately 1,762,000 registered Syrian refugees living in these provinces, accounting for 51% of the total number of registered Syrian refugees in Türkiye (3,443,219

(36) Once You Miss the Opportunity, You Will Never Grasp a Chance To Be Literate Again: Dom and Abdal Children's Education in Türkiye: The Cases of Gaziantep and Şanlıurfa http://www.kirkayak.org/download/turkiyedeki-dom-ve-abdal-cocuklarin-egitim-durumu-gaziantep-ve-sanliurfa-ornekleri/ (Accessed on 29.01.2024).

people).

Occupational Health and Safety (OHS) is a major concern due to the high amount of asbestos in the area. Mainly refugees and Dom and Abdal workers were employed for post-earthquake debris removal, facing significant OHS risks including exposure to asbestos, injury due to falling from a height, exposure to hazardous chemicals or gases, electrical hazards and ergonomic risks.

The economic hardships experienced by refugees have increased exponentially in the aftermath of the earthquake. Although daily job opportunities have become available in the earthquake zone, especially in the construction industry, refugees have once again become low-wage workers with no job security. Additionally, the fact that job opportunities are limited to the construction industry prevents refugees from finding work in their fields of specialization and opens them up to exploitation. We observed that the majority of the refugee workers interviewed were uninsured and working for less than the minimum wage. The Syrian workers we interviewed in Altınözü stated that the average monthly rent was TRY 6,000 and the daily wage of Syrian workers was TRY 400. Therefore, the vulnerability of refugees employed without a work permit before the earthquake increased even more after the earthquake. One of the most important consequences of this has been increased homelessness and child labor. The refugees we interviewed stated that even if their houses were not damaged, they evacuated their houses because they could not afford the rent and their children were forced to work odd jobs.

The fact that earthquake victims live in open tent camps raises concerns about the safety of women and children and therefore creates an obstacle for women to find employment in locations far from tent camps. We observed that women only work as agricultural laborers in locations close to tent camps. Additionally, the fact that the existing job opportunities in the earthquake zone are limited to male-dominated industries has rendered women's labor invisible. Women and girls work as unpaid domestic laborers in tent camps and accommodation centers.

We observed that temporary accommodation centers have turned into cheap labor hubs for many factories. Public transport is provided to accommodation centers in the morning and evening so that refugees can go to work and come home after their shift. For example, during the interviews we conducted in front of the Temporary Accommodation Centers in Apaydın and Boynuyoğun, refugee men stated that they did not have any problem finding employment and that they could find work in factories or farms. We were also told that women living in these camps also have the opportunity to work in farms. Some of the male refugees we interviewed in accommodation centers reported that they were insured in the factories where they worked and that they received minimum wage. Many refugee families stated that they could not afford rent and utility bills due to their limited income and that they had already accepted to live in temporary accommodation centers for a prolonged period. In other words, refugee communities view temporary accommodation centers favorably as they provide free shelter, which they desperately need due to their low income. However, they had no plan or expectation of returning to life outside the accommodation center. Young people interviewed in front of the Temporary Accommodation Center in Apaydın stated that they could not make long-term plans for their future in Türkiye, that they were only working to "save the day" and that it was impossible to build a decent life.

There are small markets in front of some temporary accommodation centers with stalls set up by refugees. They pay rent to the owners of the land where the stalls are set up. These markets are not only a source of livelihood for refugees, but also a place of socialization and recreation for women and children living in accommodation centers.

Due to their restricted freedom of movement within Türkiye, refugee communities affected by the earthquake only have access to job opportunities in the earthquake zone. The limited job opportunities and the lack of choice for refugees render them even more vulnerable. Additionally, the rate of child labor has increased as a result of the economic hardships experienced

by refugee families affected by the earthquake, and the school enrollment rate of children has decreased significantly. This raises great concern for the future of refugee communities in Türkiye.

Right to Health

Registered Syrian refugees have the same access to public healthcare services as Turkish citizens. Access to health services has been the least problematic area for Syrian refugees in the aftermath of the earthquake. However, this does not mean that no problems were experienced. First of all, the damage to hospitals in the earthquake zone affects refugees as much as Turkish citizens. Refugees we interviewed in Altınözü reported that they were referred to other cities due to hospitals being shut down, but they could not go to those cities due to financial constraints. A refugee with kidney issues stated that they were referred to the hospital in Reyhanlı, but they had not been able to go to Reyhanlı for three months due to financial constraints. In our interviews with refugees who were injured during the earthquake, we observed similar problems. For example, a refugee staying in the camp in Apaydın reported that he was injured in the earthquake and needed physical therapy to be able to walk again. However, they explained that they could not receive physical therapy because they did not have

access to a hospital and that they therefore had to use a wheelchair. In addition, individuals with disabilities we interviewed among refugees living in both temporary accommodation centers and informal tent areas stated that they had difficulty in meeting basic needs to remove disabilities such as wheelchairs. In addition to physical disabilities, no education opportunities are provided for persons with cognitive disabilities.

Physical access to hospitals is also a challenge for refugees living in accommodation centers. As camps are often located outside city centers, refugees need to use public transport to visit hospitals. Families struggle to cover the cost of public transport. Refugees also face problems in accessing healthcare services in case of emergencies due to the distance. The distance of camps from healthcare facilities is particularly problematic for people with chronic diseases, such as kidney failure, who need regular access to a healthcare facility. A refugee woman with kidney issues interviewed in the Temporary Accommodation Center in Kahramanmaraş stated that there were clinics, physicians, and pharmacies in the city center, but the hospital was 1.5 hours away by public transport and cost TRY 100 for the round trip, and that she could not go to her dialysis appointments regularly because she could not afford the cost of travel. While refugees can access primary healthcare services inside the accommodation center, they unfortunately have problems with conditions that require a hospital visit.

However, we observed that hospital visits were seen as an opportunity to get out of the accommodation center by women. Hospitals are the only places they go to outside the camp for some women. Additionally, the women we interviewed expressed that public transport to hospitals is a space for socializing and networking for women. A Syrian woman we interviewed in Malatya stated that she had the opportunity to meet women other than her neighbors while traveling to and from the hospital and that she also met with these women in the temporary accommodation center.

While legal access to healthcare services does not appear to be an acute problem so far, the research team observed that internal displacement may eventually lead to certain issues. For example, newborns whose families have either been displaced or moved face problems with registration in some cases. Secondly, internally displaced persons or families who have not moved their place of registration are unable to access public healthcare services in their new places of residence.

The lack of hygiene in the living spaces of refugee communities has been observed to be a common problem in all research sites. Refugee camps are often covered in dust as the floors are not paved with concrete. We observed

that children do not have separate playgrounds in accommodation centers. Therefore, children are constantly exposed to dust. Secondly, refugee camps are not adequately prepared for summer and winter conditions. While there is no air conditioning in the refugee camps for the extremely hot weather in summer, the containers in the camps for Turkish citizens mostly have air conditioning. The tents set up for refugees are also not equipped for rainy and cold weather. Additionally, tents and containers are overcrowded, making the camps a breeding ground for infectious diseases, especially for children and the elderly. Finally, we observed in all research sites that people with physical and cognitive disabilities do not have access to the care they need.

CONCLUSION AND POLICY RECOMMENDATIONS

The majority of the refugees we interviewed stated that they no longer had any hope for their future in Türkiye. There is uncertainty about how long they will live in temporary accommodation centers and their sources of income. Education of their children is the only aspect that they are hopeful about. They stated that they would like their children to continue their education if the authorities open schools in temporary accommodation centers. However, in our interviews with young people, there was a sense of hopelessness regarding education as well. Since refugees require a work permit to be able to work and their ability to secure a work permit depends on the employer, young people believe that education does not add any value to their lives. Therefore, young people state that the only solution is either to get citizenship or to leave Türkiye.

Field interviews show that even in normal times, the vulnerability of refugees increases as a result of the power relations that they enter into, while in times of disaster, they become completely vulnerable and their access to aid and services provided by civil society or the state becomes increasingly more difficult. In particular, the lives of vulnerable and disadvantaged groups within refugee and migrant groups, namely children, Gypsies, persons with disabilities and LGBTIQ+ individuals are becoming increasingly more challenging, and these segments of society need particular effort to survive.

This research report has revealed that negative perceptions, attitudes and discriminatory practices against Syrian refugees and Dom and Abdal communities cannot be attributed to a single reason and should be seen as a multi-layered issue with political, cultural, economic and social aspects. Based on the data collected through fieldwork, the inability of Syrian refugees and Dom and Abdal communities to access rights and services in the aftermath of the earthquake appears to be a result of discriminatory practices due to multiple intersectional factors.

The earthquake of February 6 has caused significant problems for refugees and Dom and Abdal communities in terms of access to housing. Along with the death toll, the loss of housing has been one of the most serious consequences of the earthquake. The neighborhoods where these communities live constitute the least earthquake-resistant part of the city's housing inventory. Hence, the earthquake caused major destruction and a high number of casualties in these neighborhoods.

This has also led to a housing shortage, making it impossible for these low-income communities to access housing as rental prices have increased substantially in both urban and rural areas affected by the earthquake. As a result, even when the buildings in which these segments of society resided

were not destroyed, this has resulted in their displacement. High rental prices and the fact that refugee families were initially allowed to stay in temporary camps that they set up themselves, but were later banned by local and central authorities to stay in these camps, led to the displacement of families from these communities to other cities. During this period, the uncertainties especially concerning travel permit procedures pushed Syrian refugees into the unregistered domain and brought those traveling to different cities face to face with the threat of being excluded from the Temporary Protection Law. [37] Losing their temporary protection status is also an obstacle to refugee communities' access to healthcare and education services.

The housing shortage and rising rental prices as a result of the earthquake leave refugees with no choice but to move to Temporary Protection Centers. As per the legislation, refugees must either have owned a house before the earthquake or be registered in the Temporary Protection System with a valid tenancy contract to have a container in these centers. On the other hand, families who cannot find a place to stay due to the insufficient capacities of the camps are forced to either stay in shelters they can provide themselves or continue to stay in heavily or moderately damaged buildings. Especially in rural areas, the number of families buying and living in tents is increasing day by day, leading to the expansion of informal camps. People living in these areas face serious risks in terms of access to clean water, sanitation, hygiene and healthcare.

Persons with disabilities, pregnant women, newborns and school-age children living in these camps face problems in accessing basic rights and services.

Housing, nutrition, and livelihood problems of refugees affected by the earthquake are the main reasons for their uncertainty about their future. During the interviews, especially young refugees stated that vital needs such as "being able to feed themselves", "not freezing in winter", and "having access to a container that will not be flooded" were top priorities. As implied by the quote "We started with nothing and now we are back to nothing", saving enough to build a stable future is unfortunately not on the agenda of refugees affected by the earthquake.

Informal Tent Camps lead to the emergence of internal hierarchies and new patriarchal constructs, and family ties will once again become more

(37) The Association for Migration Research (GAR), Migration and Earthquake, Due Diligence Report III https://gocarastirmalaridernegi.org/attachments/article/322/goc-ve-deprem-durum-tespit-raporu-iii.pdf/ (Accessed on 29.01.2024).

important. Additionally, these new living spaces lead to a lack of privacy for women and individual household members. Households are turning from nuclear families back into extended families. These closed living spaces create new socio-economic networks.

On the other hand, the banning of informal tent camps pushes refugees out of the places where they live, causing them to become unregistered.

The Temporary Accommodation Centers reopened for refugees are located outside the cities, causing refugees and local communities to be isolated from each other.

The Temporary Accommodation Centers where refugees live today in Hatay, Kahramanmaraş, Gaziantep (Nurdağı and İslahiye), Adıyaman and Malatya are built outside the city centers and isolated from the cities. Thousands of refugees go out in the morning to the surrounding industrial zones, construction sites and agricultural areas and return in the evening. These camps are used almost like reserve and cheap labor hubs for the labor market.

At the same time, this situation creates new problems as well:

1) Limited mobility/confinement of women and children in camps: Men have to go to city centers or other cities to work, often leaving women and children in camps. This restricts the mobility of women and children due to safety concerns.

2) Increased sense of community and new networks, segregation among refugee communities and between accommodation centers for refugees, Dom and Abdal communities and Turkish citizens will cause serious issues in terms of social cohesion among these segments of society.

3) Due to the officially established ethnicity-based hierarchy between camps concerning the aid and services provided, it becomes difficult for families and individuals in need of protection support to access the mentioned aid and services.

4) The lack of hygiene and access to clean water and food in the camps will lead to significant health problems for those living in these camps in the future.

5) Services for persons with disabilities are almost non-existent and their level of vulnerability has increased.

6) Rights of the child: Children do not have access to education, and playgrounds, educational and recreational activities for children are very limited.

7) Children and the boundaries of the camps: Children living in the camps are taught a Turkish curriculum; however, these children cannot continue their education because they do not speak Turkish. These children living in isolation will also face significant problems in the future concerning social cohesion.

Policy Recommendations Regarding the Right to Housing:

- Some Syrian refugees were relocated to temporary accommodation centers established along the Syrian border after they started to arrive in Türkiye in 2011. Temporary accommodation centers went beyond being centers formed as an emergency action plan as part of migration policies and turned into living spaces where thousands of refugees have been living for years. Efforts should be made to ensure that temporary accommodation centers built after the earthquake do not turn into long-term living spaces.

- A protection system that prioritizes human rights should be implemented for individuals living in these accommodation centers so that they have access to rights and services.

- Special spaces should be allocated taking into account gender-related needs.

- Necessary measures should be taken about the property rights of Dom and Abdal families whose houses were destroyed or severely damaged in the earthquake and any loss of rights due to not owning title deeds should be prevented.

- The communities should be treated with sensitivity concerning the property rights of those living in Dom and Abdal neighborhoods in the cities destroyed by the earthquake, and no loss of rights should be allowed.

- A healthy food access system should be established to ensure that these shelters have access to clean water, that individuals living in these centers have access to toilet and bathroom facilities especially, and that those in need have access to healthy and adequate food.

- An uninterrupted public transport system that is not limited to working hours should be established between the cities and temporary accommodation centers. Children's access to schools should be ensured by free shuttles, if necessary.

- Electricity, heating and other essential needs of those living in temporary accommodation centers should be met.

- Disaster emergency plans should be developed to include these segments

of society.

- Accommodation centers should be made accessible to persons with disabilities, and access to rights and services, especially education, should be provided to persons with disabilities. Vocational courses should be offered to provide persons with disabilities with employment opportunities, and those who learn a trade should be employed in these areas.

- - Public agencies should extend the relevant legal regulations to include refugees affected by earthquakes in times of disasters. Refugees who were affected by earthquakes are not even included in the statistics. The first step should be to collect reliable data.

- In the short term, schools with the necessary capacity to meet the needs of children living in accommodation centers should be opened and playgrounds should be built for children. However, in the long term, they should be able to attend school with Turkish children once again.

- Providing spaces where children living in accommodation centers can interact with other residents of the city is essential for social cohesion.

- Individuals who migrated to other provinces in the aftermath of the earthquake and did not return should be included in the Temporary Protection system in the provinces where they are located and should be prevented from being pushed out of the registry. Necessary measures should be taken to ensure that community members and families have access to rights and services in the destination province, and cooperation should be established with organizations such as Kırkayak Kültür that work with these communities at the local level, especially for them to benefit from aids and support.

- Those carrying out protection work must fulfill their obligations to respect and protect human rights and uphold the principles of non-discrimination in the delivery of support and services.

- Civil society organizations, other service providers and particularly local administrations in the regions with high refugee and Dom and Abdal populations should jointly develop strategies and programs to include these communities. These programs should be designed free from discrimination and prejudice and should be specific to the location/accommodation center as much as possible. The location-based programs should cover each individual in need and include social cohesion with the aim of coexistence, without discriminating between refugees and locals.

- Advocacy efforts in Türkiye aimed at refugees are carried out in a very distant and uncertain domain, are often not among the priorities of local/national and international actors, and the area of protection is almost completely

detached from a rights-based approach. Creating a localized advocacy style will contribute to national and international migration policies moving forward and improve the impact of civil society organizations working at the local level.

- It is crucial for the localization of advocacy efforts that Civil Society Organizations adopt a rights-based approach in their work to ensure the rights, provide for the needs and meet the requests of refugees, disadvantaged segments of society and vulnerable individuals.

- One of the problems experienced by Syrian refugees in Türkiye is access to information. Refugees have problems in accessing information about legal procedures they need to follow to access their rights. Refugees affected by the earthquake also face the same problem. For example, it was observed that refugees have difficulties in accessing information on the conditions for placement in temporary accommodation centers, renewing their registration, registering their newborns, access to healthcare, enrolling their children in schools, and applying for citizenship. It is important to expand the channels that allow for access to information in order to normalize the lives of refugees affected by the earthquake. Additionally, the process of crossing the Syria-Türkiye border needs to be reorganized. There have been reports of some refugees under temporary protection in Türkiye visiting Syria and losing their temporary protection status. Whether these rumors reflect the truth or not should be disclosed to the public.

Policy Recommendations Regarding the Right to Education:

After the earthquake, access to education has become extremely difficult for refugee children:

1) Some families were forced to leave the cities they had been living in and their children are not able to access education in their new cities.

2) When children are released back to the cities where they used to live, they are placed in Temporary Accommodation Centers, if they are eligible, and there are significant concerns related to the quality of education in the schools in these centers.

There are no schools for middle and high school students to attend in these centers. The existing schools are too far from the centers. Children are either too young to go on their own or cannot afford the transportation costs. Especially middle and high-school-age boys drop out of school due to these reasons.

3) There are very serious problems regarding the access of children with

disabilities to special education.

4) The access of Dom and Abdal children to education has almost completely ceased after the earthquake.

- Temporary Accommodation Centers where Dom and Abdal families stay are built far away from schools and both the financial hardships of families and discriminatory practices in these schools create obstacles for children to continue their education.

- There is a need for a comprehensive strategy regarding the school attendance issues of the children of Dom Abdal families. Children's access to education has become almost impossible, particularly after the earthquake. Public agencies and civil society organizations should cooperate on this issue and create a model.

- For children who were excluded from education in the aftermath of the earthquake to have access to education in their destination provinces, expert social workers should conduct family visits, provide psychosocial support to children and ensure their access to education. Schools should open make-up classes for these children.

- Necessary measures should be taken for children with disabilities to access education and schools in accommodation centers should be accessible for these children.

- One of the primary reasons for children of refugee families to drop out of school is the lack of language skills. Schools should open support classes for children who do not speak the local language, and the language skills of children should be improved.

- Poverty and lack of social security experienced by households in refugee, Dom and Abdal communities increase the risk of resorting to child labor as a survival mechanism. Measures should be taken to prevent this. Since a significant number of families migrate for seasonal agricultural work, scrap and waste collection and odd jobs, the lack of safe housing and delays in the opening of schools increase the risk of child labor. Measures need to be taken against child labor.

- Those carrying out such work must fulfill their obligations to respect and protect human rights and uphold the principles of non-discrimination in the delivery of support and services.

- Building schools in accommodation centers is, of course, a positive step that will increase the schooling rate of refugee children. The main solution to the problem should be to reunite the living spaces of refugees with those

of Turkish citizens, rather than moving schools to accommodation centers far away from city centers.

Policy Recommendations Regarding the Right to Employment:

Economic exploitation and economic hardships experienced by refugees are among the most significant consequences of the earthquake. Although new job opportunities have become available, especially in the construction industry, refugees have once again become low-wage workers. As mentioned above, Temporary Protection Centers and Informal Tent Camps are now used almost like reserves and cheap labor hubs for the labor market.

- The most significant problem for Syrian refugees living in Türkiye is that they do not have work permits. This causes them to work in the informal labor market, work for wages far below the minimum wage, and deprives them of job security and social security. Refugee workers in the earthquake zone, especially those working in the construction industry, agricultural businesses and factories, should be granted work permits and be included in the social security system in the same way as the Turkish citizens they work alongside. In terms of labor market for refugees,

- OHS should also be prioritized in the reconstruction period.

- Highly vulnerable groups such as persons with disabilities, refugees, Dom and Abdal people may have a more difficult time recovering from the disaster. Particular attention should be paid to avoid the risks of job and professional discrimination, especially for vulnerable groups.

- Vocational training courses should be opened for the youth and especially for women living in the earthquake zone and they should be provided with job opportunities with work permits and social security.

- Child labor is quite common both among refugees and children of Dom and Abdal families. Efforts to prevent child labor and to ensure children's access to education should be accelerated.

Policy Recommendations Regarding the Right to Health:

Healthcare appears to be the least problematic service to access for Syrian refugees in all research sites visited. However, the primary problems encountered are as follows:

1) Refugees are relocated to camps that are further away from city centers and therefore from hospitals and healthcare facilities.

2) Many refugee families cannot afford transportation costs to visit hospitals.

3) Some refugee households may have problems accessing healthcare services due to relocation.

4) Refugees face challenges in registering their newborns and thus accessing healthcare services.

5) General lack of hygiene among communities: inability to afford hygiene products.

- Efforts should be made to open Family Health Centers in the camps and to provide adequate healthcare personnel.

- A healthy food access system should be established to ensure that these shelters have access to clean water, that individuals living in these centers are provided with toilet and bathroom facilities, and that those in need of hygiene materials have access to healthy and adequate food.

- A public transportation system should be established between the accommodation centers and the cities where they are located, and access to secondary and tertiary healthcare services should be facilitated for people living in these centers.

- Refugees should be able to register their newborns with the GKS and ensure their access to healthcare, and baby formula and diaper support should be provided to families in need.

- Many refugee families are out of the GKS because they do not have a permanent address due to the destruction of their houses or displacement. The inability to have Temporary Protection IDs issued for their newborns prevents families from receiving Social Cohesion Support (SCS) and healthcare services in particular. Necessary arrangements should be made in this regard and these families should be included in the system.

- Children who lost their parents in the earthquake should be placed under the protection of social services.

Finally:

The protection system needs to be developed with a holistic approach to fulfill the requirements of international conventions, to guarantee human rights, and to leave no one behind. Everyone should have equal access to rights and services. Access to rights and services should be ensured through procedures that include disadvantaged segments of society, vulnerable individuals and historically marginalized communities. Under the universal meaning of protection, an effective safe space should be created where people's most fundamental rights, such as the right to life, the right to be

free from torture or discrimination, the right to respect for human dignity and the right to protection of family, are guaranteed until permanent solutions are developed to put an end to this impermanence.