International Perspectives on Migration 18

Sergio Carrera Nunez
Eleni Karageorgiou
Gamze Ovacik
Nikolas Feith Tan *Editors*

Global Asylum Governance and the European Union's Role

Rights and Responsibility in the Implementation of the United Nations Global Compact on Refugees

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Sergio Carrera Nunez • Eleni Karageorgiou
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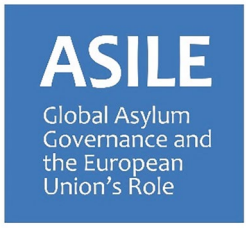
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Abbreviations

ACHPR	African Charter on Human and Peoples' Rights
ADHR	American Declaration on the Rights and Duties of Man
AIP	Atlantic Immigration Program
AMIF	Asylum, Migration and Integration Fund
APBE	Action Pour le Bien Être
ARIO	Articles on the Responsibility of International Organisations
ARSIWA	Articles on the Responsibility of States for Internationally Wrongful Acts
ATPA	Act on Asylum and Temporary Protection
BVOR	Blended Visa Office-Referred
CiCs	Camps-in-Charge
CJEU	Court of Justice of the European Union
CNE	National Eligibility Committee
CoE	Council of Europe
COI	County of Origin Information
CONARE	National Council of Refugees
CONRE	National Committee for Refugees
CPT	Committee for the Prevention of Torture and Inhumane or Degrading Treatment or Punishment
CRPD	UN Convention on the Rights of Persons with Disabilities
CTPS	Work and Social Security Card
DG ECHO	Directorate General for Humanitarian Aid and Civil Protection
EBCGA	European Border and Coast Guard Agency
ECHR	European Convention on Human Rights
ECOWAS	Economic Community of West African States
ECtHR	European Court of Human Rights
EMPP	The Economic Mobility Pathways Pilot
ENI	European Neighbourhood Instrument
ENNHRI	European Network of National Human Rights Institutions
ESSN	Emergency Social Safety Net Programme
ETM	Emergency Transit Mechanism

EU	European Union
EUAA	European Union Agency for Asylum
EUCAP	European Union Capacity Building Mission in Somalia
EUCFR	Charter of Fundamental Rights of the European Union
EUTF	Emergency Trust Fund for Africa
FDMN	Forcibly Displaced Myanmar Nationals
FrC	Forum refugiés-Cosi
FRIT	Facility for Refugees in Turkey
FRONTEX	The European Border and Coast Guard Agency
GCR	Global Compact for Refugees
GPSRIL	Guiding Principles on Shared Responsibility in International Law
GREVIO	Group of Experts on Action against Violence against Women and Domestic Violence
GRSI	Global Refugee Sponsorship Initiative
HDI	Human Development Index
IACHR	The Inter-American Commission on Human Rights
IBM	Integrated Border Management
IBM	Integrated Border Management
ICCPR	International Covenant on Civil and Political Rights
ILO	International Labour Organization
INGOs	International non-governmental organizations
INLTP	National Body for Combating Trafficking in Persons
INPT	The National Body for the Prevention of Torture
IOM	International Organization for Migration
IOs	International Organizations
IPA	Instrument for Pre-accession Assistance
ISMariS	Integrated System for Maritime Surveillance
JAP	Joint Assistance Program
KIRS	Serbian Commissariat for Refugees and Migration
LATP	Law on Asylum and Temporary Protection
LFIP	Law on Foreigners and International Protection
LOF	Law on Foreigners
MADAD	EU Trust Fund in Response to the Syrian Crisis
MFA	Minister of Foreign Affairs
MoU	Memorandum of Understanding
MRRM	Migrant response and resource mechanism
NATO	North Atlantic Treaty Organization
NGOs	Non-governmental organizations
NSM	National Strategy for Migration
OAS Charter	Organization of American States Charter
PAGS	G5 Support Programme for Sahel Security
PMM	Presidency of Migration Management
PSR	Private Sponsorship of Refugees
RAM	Mercosur Residence Agreement
REVA	Refugee Influx Emergency Vulnerability Assessment

RNIP	Rural and Northern Immigration Pilot
RRRC	Office of the Refugee Relief and Repatriation
RSD	Refugee status determination
SAR	Search And Rescue
SNA	Social Network Analysis
TEU	The Treaty on European Union
TFEU	Treaty on the Functioning of the European Union
TPD	Temporary Protection Directive
TPR	Temporary Protection Regulation
UEMOA	West African Economic and Monetary Union
UN	United Nations
UNCAT	United Nations Committee Against Torture
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations International Children's Emergency Fund
UNRWA	United Nations Relief and Works Agency
VAF	Vulnerability Assessment Framework
WASH	Water, sanitation and hygiene
WFP	World Food Programme

Chapter 9
Navigating the Shadows: Syrians under Temporary Protection, Employment, and Hyper-Precarity in Türkiye

İlke Şanlıer

9.1 Introduction

> Every day, I slog through long hours of tough labour under the watchful eyes of both Turkish and Syrian bosses. It just goes to show that exploitation knows no borders. Turkish employers pay me a fraction of what they pay their own workers for the same back-breaking work. And it's no different with Syrian bosses—they exploit us just as much, even though they should understand our struggles. My daily wage barely covers my basic needs, let alone saving for the future or supporting my family back home.

The words above poignantly encapsulate the multifaceted and pervasive hardships that countless Syrian refugees endure daily in Türkiye. The interviewee's testimony highlights not only the gruelling labour conditions but also the deep-seated systemic exploitation that transcends cultural and national boundaries. The disparity in wages between Syrian refugees and their Turkish counterparts, coupled with the exploitation by both Turkish and Syrian employers, underscores the pervasive nature of economic inequality and social injustice. This chapter endeavours to conduct a thorough analysis of the legislative frameworks that regulate the employment of Syrian refugees in Türkiye, delineating the intricate legal landscapes and policies that shape their labour market participation. It aims to elucidate the socio-economic conditions and multifaceted challenges encountered by Syrian refugees within the Turkish labour market, thereby shedding light on the systemic barriers and adversities they face. Moreover, the chapter seeks to scrutinize the ramifications of the 2016 EU- Türkiye Statement, assessing its profound impact on the employment prospects and broader integration of refugees into Türkiye's society. Additionally, the concept of hyper-precarity will be meticulously examined, exploring its

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pertinence and manifestation within the lived experiences of Syrian refugees in Türkiye.

The research was part of the ASILE project and was conducted in two phases, involving a total of 34 participants in Adana, Türkiye. During the first phase, 15 in-depth interviews were conducted from April to July 2021. The participants included representatives from civil society organizations, government authorities, and other local, national, and international stakeholders. Due to Covid-19 restrictions, five interviews were conducted face-to-face, and the remaining ten were conducted online. The discussions predominantly centred around Syrian refugees under temporary protection due to their significant presence and relevance to the EU- Türkiye Statement. The second phase, conducted from March to September 2022, included 19 participants. This phase featured individual interviews with temporary protection status holders, civil society representatives, and a local authority representative, as well as a group interview with female temporary protection status holders in collaboration with a local NGO in Adana. The interviews aimed to explore participants' views on the asylum governance system, focusing on refugees' rights, status, and vulnerabilities.

9.2 Background and Context

Türkiye continues to host the largest number of refugees worldwide, as the number of people forcibly displaced across the world due to the Syrian revolution, conflict, violence and persecution hit record levels. In the last 30 years, the number of refugees and asylum seekers in the country has risen from 1.1 million to almost six million which makes up 7% of the total population.[1] Refugees and asylum seekers account for 65% of the total international migrant community (PMM, 2024).[2] Türkiye currently hosts more than 3.1 million registered Syrian refugees who are under 'temporary protection', along with close to 320,000 asylum seekers from other nationalities. Over 98% of Syrian refugees live across Türkiye in 81 provinces. Although temporary protection regime has closed the path to citizenship, 237,995 Syrian nationals have acquired 'exceptional' Turkish citizenship by November 2023.[3] Exceptional citizenship is a term used to describe a particular type of citizenship status granted to some Syrians in Türkiye. This status was introduced in 2016 and allows certain Syrians who have lived in Türkiye for a certain period of time and meet other eligibility criteria to apply for Turkish citizenship. This citizenship status is considered 'exceptional' because it is granted outside of the normal channels of acquiring Turkish citizenship, which typically requires a longer residency period and other requirements.

[1] https://worldmigrationreport.iom.int/wmr-2020-interactive/

[2] https://www.goc.gov.tr/guncel-veriler

[3] https://t24.com.tr/haber/icisleri-bakani-yerlikaya-turk-vatandasi-olan-suriyeli-sayisinin-238-bine-yaklastigini-acikladi,1137862

Afghans, Iraqis and Iranians are the major groups of asylum seekers after Syrian nationals. Since 2014, the implementation of the Law on Foreigners and International Protection (LFIP) has permitted access to protection, education and health care for persons holding international or temporary protection on equal grounds to Turkish citizens. This has improved access for asylum seekers to education and needed health services and medicines. Despite these positive developments, however, asylum seekers, including Syrians, continue to face challenges in securing the health and educational opportunities they need (Kaya et al., 2021).

9.3 Overview of Working Rights and Conditions of Syrians

The integration of Syrian refugees into Türkiye's labour market has been a topic of significant academic and policy-oriented discourse. This literature reveals a complex interplay of legal frameworks, economic realities, and social dynamics. There are primarily two fundamental approaches: the humanitarian approach and the integration approach.

The humanitarian approach emphasizes the immediate humanitarian needs of refugees, advocating for their right to access basic services such as healthcare, education, and employment. Studies adopting this approach argue that providing work permits and legal employment opportunities is essential to ensuring the dignity and self-sufficiency of refugees (İçduygu & Diker, 2017). The integration approach focuses on the long-term integration of refugees into the host society. It stresses the importance of economic integration through formal employment as a means to social inclusion and stability. Scholars argue that beyond humanitarian assistance, sustainable integration policies are crucial for both refugees and host communities (Kaymaz & Kadkoy, 2016).

Several themes consistently appear in the literature concerning Syrian refugees' labour market integration in Türkiye:

- Legislative Frameworks: The introduction of the Law on Foreigners and International Protection (LFIP) in 2013 and subsequent regulations, including the work permit scheme for temporary protection status holders, represent significant legislative efforts to integrate refugees into the labour market (İçduygu & Diker, 2017).
- Informal Employment: Despite legal provisions, a substantial number of Syrian refugees remain employed in the informal sector. This is due to barriers such as bureaucratic complexities, employer reluctance, and refugees' lack of awareness about their rights. Informal employment often entails lower wages, poor working conditions, and limited job security (İçduygu & Diker, 2017).
- Economic Contribution: Studies highlight the economic contributions of Syrian refugees, particularly in sectors like agriculture, construction, and small-scale entrepreneurship. These contributions are often underreported and overshadowed by negative public perceptions and political discourse (Kaymaz & Kadkoy, 2016).

- Social Tensions: The arrival of Syrian refugees has led to social tensions in certain areas, primarily due to competition for jobs and resources. The perceived and actual economic impact on local labour markets has been a point of contention, with studies showing mixed effects on wages and employment rates for local populations (İçduygu & Diker, 2017).

While there is consensus on many issues, the literature also presents some contradictory findings. Some studies argue that the presence of Syrian refugees has depressed wages and displaced local workers in the informal sector (Tumen, 2016). However, other research suggests that the impact on formal employment is minimal and that refugees may even contribute positively by filling labour shortages in certain industries (Ceritoğlu et al., 2017). There are divergent views on the effectiveness of work permit regulations. Some scholars argue that the regulations have facilitated better integration and protection for refugees (İçduygu & Diker, 2017), while others point out that bureaucratic hurdles and employer resistance have limited their impact (Kaymaz & Kadkoy, 2016).

The legal and economic contexts for Syrian refugees in Türkiye have evolved significantly since the beginning of the Syrian crisis. Türkiye's initial response to the Syrian crisis was characterized by an open-door policy, providing immediate humanitarian assistance without a long-term integration plan. This phase saw the establishment of temporary protection regulations but lacked comprehensive employment policies (İçduygu & Diker, 2017). Over time, there has been a shift towards more structured integration policies. The introduction of work permits for Syrians under temporary protection in 2016 marked a significant step towards formalizing their employment. However, the implementation has faced challenges, including restrictive quotas and provincial limitations (Kaymaz & Kadkoy, 2016). Recent policy discussions emphasize the need for revising the work permit scheme to better align with market dynamics and refugees' needs. Proposals include reducing bureaucratic barriers, offering incentives to employers, and improving vocational training programs to match labour market demands (İçduygu & Diker, 2017).

9.4 Overview of the 2016 EU- Türkiye Statement

A Joint Action Plan was declared in October 2015 and a Statement was signed between the EU and Türkiye on 18 March 2016, following the political crisis and the moral panic that began with the crossing of asylum seekers to Europe using the Mediterranean route in the summer of 2015.[4] The 2016 EU- Türkiye Statement, also known as the EU- Türkiye Deal, was a pivotal arrangement aimed at managing the flow of refugees and migrants into Europe. The Statement included several key provisions according to Baban et al. (2021): (1) All new irregular migrants crossing

[4] EU-Turkey Statement of 18 March 2016, in European Council Press Release 144/16 of 18 March 2016.

from Türkiye into Greek islands as of March 20, 2016, were to be returned to Türkiye. In exchange, for every Syrian returned to Türkiye, another Syrian would be resettled from Türkiye to the EU, under a "one-to-one" basis. (2) The EU pledged an initial €3 billion to support Türkiye in managing the refugee crisis, followed by an additional €3 billion contingent on the initial funds being used effectively. (3) The arrangement also included promises of visa liberalization for Turkish citizens and the acceleration of EU accession talks for Türkiye, although these promises have seen limited progress.

In particular, within the scope of the "financial assistance from the EU for Syrian refugees" article of the Statement, with the support of United Nations Agencies, EU member countries' development agencies and international donors, activities of civil society and public institutions are supported. The EU has committed to accelerating the payment of the EUR 3 billion originally allocated under FRiT and activating an additional EUR 3 billion by the end of 2018 when the resources are approaching full use. The EU Facility for Refugees in Turkey (FRIT) has initially financed essential services such as food distribution, temporary shelters, and healthcare facilities for refugees. Later, these supports ensure that the reforms implemented in cooperation with local authorities, chambers of industry and business institutions and which aim to alleviate the pressures of the Syrian crisis on local economies and labour market turn into action. It is aimed at supporting regional development with economic integration. Syrians and simultaneously Turkish citizens, very few other nationalities such as Iraqis over time are supported by strengthening the local economy, such as increasing the participation in the formal job market, supporting Syrian and Turkish companies and enterprises in areas such as entrepreneurship, innovation, production techniques, marketing, business development and business management within the scope of training and consultancy services, creating new rights-based job and livelihood opportunities for all.

However, the effectiveness of these financial aids has been a subject of debate (i.e. Peers & Roman, 2016; Carrera et al., 2017; GAR, 2021; İneli-Ciğer & Ulusoy, 2020; Ovacık, 2021) and labelled as 'experimental' (İçduygu & Millet, 2016). Critics argue that while the funds have provided immediate relief, they have not sufficiently addressed the systemic issues leading to the precarious conditions faced by many asylum seekers. These criticisms include the fact that the Statement becomes a means of ignoring the violations of externalisation policies that emerged by employing the rhetoric of responsibility-sharing. Researchers claim that it also serves as a model for possible instruments to be utilised in countries other than Türkiye to reduce the number of migrants arriving in the EU. The Statement is also criticised for not being accountable because it does not have the legally binding nature of an international agreement. Furthermore, as Ovacık (2020, p. 75) aptly puts it, "the question of whether Türkiye qualifies as a safe third country is not asked with genuine interest in the protection of refugees, but rather unilaterally by EU states seeking to externalise migration control." There is also concern that the aid has not significantly improved long-term employment prospects for refugees due to continued bureaucratic and legal barriers leading to hyper-precarity (Baban et al., 2021).

9.5 Understanding Hyper-Precarity in the Context of Syrian Refugees: The Intersection of Legal, Economic, and Social Insecurities

9.5.1 Defining the Concept of Hyper-Pracarity

Hyper-precarity is a theoretical concept used to describe the extreme and multifaceted forms of insecurity experienced by certain groups of workers, particularly those in informal and unstable employment situations. For Syrian refugees in Türkiye, hyper-precarity encapsulates the intersecting vulnerabilities arising from legal, economic, and social conditions that severely limit their access to stable employment, social services, and basic rights.

The concept of precarity broadly refers to conditions of existence without predictability or security, affecting material or psychological welfare. Precarity, defined as casual, flexible, subcontracted, temporary, contingent and part-time work, is produced by the structural characteristics of the neoliberal economic system (Standing, 2011). When precarity is combined with another structural vulnerability, such as legal barriers to the right to work, legal restrictions of movement, and debt bondage, it produces hyper-precariousness which is akin to forced labour.[5] The situation of individuals at the intersection of precarious employment and immigration status can be understood as one of hyper-precarity, hence producing forced labour (Lewis et al., 2015; Lewis & Waite, 2015).

Hyper-precarity extends this notion to capture extreme conditions of insecurity and marginalization, often experienced by refugees and migrants who are systematically excluded from legal protections and social safety nets (Baban et al., 2021, p. 201).

For Syrian refugees in Türkiye, hyper-precarity is manifested through:

- Legal Precarity: The Turkish government's temporary protection regime, introduced in 2014, provides limited legal status without a clear path to permanent residency. This regime restricts refugees' mobility and access to formal employment, embedding their existence in a legal limbo that fosters a continuous state of insecurity. The ambiguous nature of this protection often leads to arbitrary application of rules, further destabilizing refugees' lives (Baban et al., 2021).

[5] According to ILO, the main indicators of forced labour are abuse of vulnerability, deception, restriction of movement, isolation, physical and sexual violence, intimidation and threats, retention of identity documents, withholding of wages, debt bondage, abusive working and living conditions, and excessive overtime. As it is indicated in the booklet defining forced labour, "The presence of a single indicator in a given situation may in some cases imply the existence of forced labour. However, in other cases you may need to look for several indicators which, taken together, point to a forced labour case. Overall, the set of eleven indicators covers the main possible elements of a forced labour situation, and hence provides the basis to assess whether or not an individual worker is a victim of this crime" (https://www.ilo.org/wcmsp5/groups/public/%2D%2D-ed_norm/%2D%2D-declaration/documents/publication/wcms_203832.pdf).

- Economic Precarity: Most Syrian refugees work in the informal economy, which lacks legal protections and exposes them to exploitation. Sectors like construction, textiles, and agriculture are known for poor working conditions and wage disparities compared to Turkish citizens. The economic precarity is compounded by the requirement for work permits, which are difficult to obtain and maintain, forcing many into informal work out of necessity (Baban et al., 2021).
- Social Precarity: Access to essential social services such as healthcare, education, and housing is limited for Syrian refugees. Bureaucratic challenges and inconsistent implementation of policies create significant barriers. Many refugees lack information about their rights and face discrimination, which exacerbates their precarious situation (Baban et al., 2021).

9.6 Legal Rights and Provisions for International Protection Applicants, Conditional Refugees and Temporary Protection Status Holders

Türkiye is a party to more than 50 conventions adopted by the International Labour Organization (ILO).[6] Turkish labour legislation framework reflects the standards and principles laid down in these conventions, including social security, occupational safety and health, child labour and labour inspection. The working rights of foreigners in Türkiye are regulated through a set of legislative documents, including the Law on the Work Permit for Foreigners (law no. 4817) dated 2003, Law on International Workforce (law no. 6735) dated August 2016, Work Permit Regulation on Applicants and International Protection Beneficiaries (April 2016) issued by the Ministry of Labour and Social Security, and Regulation Related to Work Permit of Syrians Who Are Under Temporary Protection (January 2016) issued by the Ministry of Labour and Social Security. This regulation requires employers to apply for work permits on behalf of refugees, who can then work in specific provinces and sectors. The number of Syrian employees in any given workplace cannot exceed 10% of the total number of Turkish employees (Baban et al., 2021, pp. 123–126). Despite these regulations, the actual number of work permits issued has been relatively low. As of March 2019, only 1.5% of the 2.2 million working-age Syrians in Türkiye had received official work permits (Demirguc-Kunt et al., 2019).

According to these legislations, an international protection applicant can apply for a work permit 6 months after the applying for international protection. Refugee or subsidiary protection status holders can work dependently or independently after obtaining their status. The ID to be given to an asylum seeker or a person with subsidiary protection status also replaces a work permit. However, this does not guarantee access to the labour market, as the government retains the right to impose restrictions based on labour market conditions. The jobs and occupations that

[6] https://www.ilo.org/ankara/conventions-ratified-by-turkey/lang%2D%2Dtr/index.htm

foreigners cannot work in are determined by various regulations. Thus, foreigners cannot work as dentists, nurses, pharmacists, veterinarians, lawyers, notaries, private security officers, customs consultants, tourist guides, and divers or captains in territorial waters. These professions are solely dedicated to Turkish citizens. In addition, according to Article 11 of the Law on the Work Permit for Foreigners, access to the labour market may be limited according to the situation in the job market and developments in working life, for a certain period, in agriculture, industry or service, when required by sectoral and economic conditions. This framing is quite vague and creates further administrative barriers to asylum seekers' enjoyment of their rights. However, these restrictions do not apply to asylum seekers and subsidiary protection status holders who have resided in Türkiye for 3 years or who are married to a Turkish citizen or have a Turkish citizen child.

Even though the forced movements of Syrians to Türkiye started in April 2011, they have only been able to enjoy work-related rights from January 2016 onwards. Many scholarly works (AI, 2016; İneli Ciğer, 2017, p. 561; Baban et al., 2017, 2021) list a series of barriers to obtaining a work permit. First, according to the Regulation Related to Work Permit of Syrians Who Are Under Temporary Protection, those who want to employ Syrians under temporary protection can apply for a work permit or work permit exemption 6 months after the temporary protection identity document is issued. Therefore, the work permit is employer-centric. Many employers are reluctant to navigate the bureaucratic processes involved, leading to a preference for hiring informally. Second, there must be at least 10 Turkish personnel for each Syrian who will work. The number of Syrians to be employed cannot exceed 10% of the total personnel. Third, the regulation imposes mobility restrictions, as Syrians can only get work permits in the provinces where they are registered. The geographic restriction that ties work permits to specific provinces further complicates the employment landscape for refugees. This limitation prevents refugees from seeking better opportunities elsewhere and contributes to the high rates of informal employment.

The only exception to these barriers is seasonal agriculture work and husbandry. Permission of the governorships must be obtained to remove the quota application for Syrian refugees who work as temporary agricultural workers or who will be dealing with agriculture and animal husbandry. So, all the working rights are top-down and centralised, agriculture work is localised according to the needs. In an analysis of the discrepancy between the work permit regulation and its implementation at the city level, Siviş (2021b, p. 195) emphasises the role of local actors and their cross-institutional collaboration:

> [T]he work permit regulation fails to address local socio-economic dynamics in terms of both Syrians' well-being and natives' concerns. From my standpoint, a lack of a labour market integration policy and coordination with the local authorities creates a context where local actors implement what I call "integration work" in line with their own institutional and/or organisational logics. A lack of overarching implementation and evaluation mechanisms allows the emergence of alternative policy frames at the local level. This integration work can be implemented by local actors in collaboration with external funders, NGOs and other public institutions.

Although the right to work on paper appears to be regulated, the actual implementation of the regulations is far from being inclusive. According to PMM data, almost 20% of the Syrian population is between 10 and 18 years of age. The schooling rate is very low, especially at the secondary education level, which is a marker that most of these youngsters are in the labour market, mainly in the informal labour market (Pinedo Caro, 2020). According to TURKSTAT data, in Türkiye, 720,000 children are working, and 30.8% of them work in the agriculture sector. In the labour market, asylum seekers are establishing their own businesses in very small numbers, some are working as independent craftsmen, though irregularly, but the majority of them are employees who do paid labour for others, mainly in the informal market. We observe a concentration in jobs that do not require qualification, high informality, depend on social aid, and very precarious conditions (Siviş, 2021a, b).

Just to clarify, although the temporary protection scheme has provided access to the labour market since 2016, as of April 2021, only 50,400 Syrians were granted work permission throughout Türkiye. This means all others depend on aid and informal precarious working conditions and live under extreme poverty. As was observed during the fieldwork, most of the refugees work in construction, shoe manufacturing, textile sectors and also in agricultural work. Regarding the part on non-inclusiveness of the right to work, the fact that work permits were regulated 5 years after the Syrians' mobility in 2011 meant that many Syrians had already entered the informal labour market, which could have made it difficult to formalise their work permit status. The low number of work permits issued for Syrians (around 50,000) compared to the total number of Syrians of working age (above 950,000 as per PMM data) supports this argument.

Another critical issue is the temporary nature of the protection status itself, which does not offer a pathway to permanent residency or citizenship. This uncertainty affects the willingness of both refugees and employers to invest in long-term employment relationships.

9.7 Prevalence of Informal Work Conditions and Economic Disparities

The informal labour market in Türkiye, which comprises around 35% of the total economy, absorbs a significant portion of Syrian refugees, exacerbating their vulnerability (İçduygu & Diker, 2017, p. 24). There are significant wage disparities between Syrian refugees and Turkish citizens. Refugees often earn substantially less than their Turkish counterparts for the same work. For instance, Syrian workers in the construction sector typically earn about 50% of the wages received by their Turkish counterparts for performing identical tasks (Baban et al., 2021, p. 144). This disparity extends across various sectors, with young Syrian workers earning approximately 79% of what their Turkish counterparts earn (Baban et al., 2021, p. 144).

Syrian refugees in Türkiye are heavily concentrated in several labour-intensive sectors. The construction sector employs a large number of Syrian refugees, often in informal and precarious conditions. Workers in this sector face significant exploitation, with long hours and minimal wages compared to Turkish workers (Dedeoğlu & Bayraktar, 2019, p. 14). Shoe manufacturing is another sector with a high concentration of Syrian labour. Refugees in this industry typically work in small workshops with poor working conditions and low wages. Child labour is also prevalent in this sector, with children working alongside adults to support their families (Fehr & Rijken, 2022). The textile industry in Türkiye has a significant presence of Syrian workers. These workers often face long hours, poor working conditions, and low pay. The sector's reliance on informal labour exacerbates these issues, with many refugees working without legal protections or benefits (Dedeoğlu & Bayraktar, 2019, p. 14). Agriculture is a major employer of Syrian refugees, particularly in seasonal work. Refugees in this sector face extremely harsh conditions, including long hours, low pay, and lack of access to basic services such as healthcare and education. The physical isolation of agricultural work sites further compounds these challenges (Baban et al., 2021, p. 145).

The regulation excludes certain sectors from work permit requirements, such as agriculture and seasonal work, which are often characterized by low wages and poor working conditions. This exclusion means that many refugees end up working in these sectors without formal protections or benefits. Seasonal agricultural work is already primarily informal, segmented and defined by high levels of precarity at both the social and the economic levels. One respondent referred to this migrant intensity as the "refugeeisation of the agricultural labour market". As mentioned in the interviews conducted with a regional NGO, in regions such as Çukurova, those agricultural workers live in plastic-covered makeshift tents on the periphery of the city, have very poor working conditions, work for 7 days, 11 h a day and a high rate of child labour is one of the realities faced.

So, the state's policy of no-policy on settlement turns into de facto settlements, not-regulated whatsoever. In most cases, even the basics of hygiene cannot be met in these conditions. Lack of water, soap and even proper toilets are just ordinary cases observed in the field. Children cannot attend school, and workers are paid informally and much lower than minimum wages. In addition, especially in these agricultural areas, given that intermediaries between employers and workers abuse the conditions of migrants, we face hyper-precarity. All participants interviewed in those remote areas came from rural areas of Syria; therefore, have no previous experience of urban life, further signifying 'residential segregation' in the spatiotemporal context.

> I was a farmer in Syria. When I first came to Türkiye from Idlib in 2012, I didn't speak any Turkish, so I relied on Turkish agricultural intermediaries called "elci" to find work. We go to Antep in summer and Adana in winter to work. We have no set working hours, sometimes we work 14 hours a day. When schools were closed during Covid, my two sons started working with me in citrus. Now schools are open, but they continue to work. At the end of each day, the agricultural intermediary gives us a wage card, which is proof of the work we did that day. When it is time to get paid, we give the wage cards to the broker.

Some of the interviewees who hold temporary protection status stated that they had previously held better positions/jobs in their home countries, indicating a clear downward occupational mobility. During the group interview, one respondent underlined that many Syrians' skills are not recognised, and they have to undergo vocational training provided through projects in Türkiye. A young female TPS holder, mentioned that students have no hope of finding jobs after graduation, both due to the lack of formal jobs and the high unemployment rate in Türkiye. Pursuing career opportunities in transnational companies such as export/import companies is a widespread practice for new graduates because of their language skills, as they can speak Arabic, Turkish and English.

One key finding is that younger temporary protection status holders, who are in their early 20s, complain not only about Turkish but also Syrian employers as they also lean on informality. This dual exploitation exacerbates hyper-precarity, highlighting the deep-seated class-based inequalities that permeate the labour market. One participant encapsulates this sentiment:

> No, not only Turkish employers, but Syrians also employ workers informally. You would think that they have had similar experiences and would understand. But unfortunately, this is not the case. All employers are trying to find a way to pay their workers less.

This exploitation is not limited to adult workers but extends to children, who are often forced into labour due to economic necessity. Child labour is a significant issue among Syrian refugee families in Türkiye. Economic necessity forces many children to work in various sectors, including textiles, agriculture, and shoe manufacturing. These children often work long hours for minimal pay, sacrificing their education and well-being to support their families. A participant, in his early 20s, reflects as:

> Due to my insufficient income, my younger siblings are also forced to contribute to our family's earnings. My 12-year-old sister works in a nearby shoe manufacturing factory. Her workdays are long, and her pay is minimal. The hazardous working conditions in the factory jeopardize her health and well-being, and the demands of her job prevent her from attending school regularly.

Studies indicate that many Syrian refugee children in Türkiye are engaged in child labour, with many working in hazardous conditions (Fehr & Rijken, 2022). The prevalence of child labour among Syrian refugees is driven by poverty and the lack of access to formal employment opportunities for their parents. This situation creates a cycle of poverty and exploitation that is difficult to break without significant policy interventions and support programs. Therefore, the intersection of class-based exploitation and child labour creates a profound state of hyper-precarity for Syrian families.

9.8 Impact of the Pandemic

The impact of the Covid-19 pandemic was one of the issues raised by both refugee interviewees and other stakeholders:

> Administrative procedures related to regular migration and international protection came to a halt, and the economy was badly hit. Consequently, migrants and refugees were put in a particularly vulnerable position. We observe loss of employment and income in the majority of migrant and refugee households (TR33).

During the second phase of the field research, which is considered to be the post-pandemic period, the discussion focused on the effects of the Covid-19 pandemic, specifically on Syrian agricultural workers, particularly in areas where the number of Syrians is significantly higher. Fieldwork shows that the pandemic negatively affected agricultural labour market conditions. Still, regarding its economic impact, there is no significant difference between a refugee and local agricultural workers. Also, the economic impact of the pandemic on refugees in the agricultural labour market was less than in the urban labour market (UNHCR, 2021). According to the interviews, the pandemic created more economic vulnerabilities for urban workers than agricultural workers.

Apart from the agriculture sector, participants who hold temporary protection status also provided insights on working conditions. Wage inequality, rising inflation and unemployment rates were key issues discussed during the collective interview. A key finding was about the practice of a cooperative based on social and solidarity economy. Although fair and equitable governance and practices are involved, women who hold temporary protection status stated during the group interview that they believe they are paid less than Turkish employees, even though they are not mistreated in other ways.

9.9 How Do EU Instruments Influence Refugee Working Rights and Conditions?

The influence of EU instruments on refugee working rights and conditions in Türkiye is multifaceted. The EU- Türkiye Statement reinforced the temporary protection regime in Türkiye. This status provides certain basic rights but also leaves refugees in a state of legal limbo without a clear path to permanent residency or citizenship. This uncertain legal status contributes to the hyper-precarity of refugees' lives, limiting their access to stable employment and social integration.

The statement has resulted in increased mobility restrictions for refugees, making it difficult for them to move freely within Türkiye or leave the country legally, referred as contained mobility by Carrera and Cortinovis (2019). This has further entrenched their reliance on informal and precarious work as they are often unable to seek better opportunities elsewhere. While the EU financial aid has supported integration programs, these initiatives have been hampered by the broader

socio-political environment in Türkiye. There is significant resistance within the local population to integrating refugees into the formal labour market, and many refugees continue to face discrimination and exploitation.

The EU- Türkiye Statement is an example of the EU's externalization policy, which aims to manage migration flows by outsourcing border control and refugee protection to non-EU countries. This approach has been criticized for shifting the burden onto countries like Türkiye, which already host large refugee populations, and for creating conditions that lead to the marginalization and exploitation of refugees.

9.10 Conclusion

This chapter has explored the complex realities of Syrian refugees' employment in Türkiye. The LFIP and the Temporary Protection Regulation provide the legal basis for refugee employment, but practical barriers remain significant. While a step forward, the work permit scheme has limitations that hinder the effective integration of refugees into the formal labour market. A significant number of Syrian refugees work informally due to bureaucratic hurdles and lack of employer incentives. This leads to precarious employment conditions characterized by low wages, poor working conditions, and lack of job security. There are notable wage disparities between Syrian refugees and Turkish citizens, with refugees often earning significantly less for the same work, exacerbating their economic vulnerability. Syrian refugees are heavily concentrated in labour-intensive sectors such as construction, shoe manufacturing, textiles, and agriculture, where they face exploitation and unsafe working conditions. Child labour is prevalent among Syrian refugees, driven by economic necessity and lack of access to formal employment for adults, leading to long-term negative impacts on children's education and well-being. The 2016 EU- Türkiye Statement and associated financial aid have had mixed impacts. While they have provided immediate humanitarian support, they have also reinforced temporary protection without addressing long-term integration needs, contributing to the hyper-precarity of refugees.

The concept of hyper-precarity is central to understanding the lived experiences of Syrian refugees in Türkiye. Hyper-precarity encompasses the extreme and intersecting forms of insecurity experienced by refugees due to their legal, economic, and social conditions. This chapter illustrates how the temporary protection status, restrictive work permit regulations, and informal labour market create a systemic cycle of vulnerability for refugees. From a theoretical perspective, hyper-precarity challenges traditional notions of labour market integration by highlighting the compounded disadvantages faced by refugees. It underscores the importance of not only addressing immediate economic needs but also providing a stable legal status and social protections that can mitigate long-term vulnerabilities. The intersectionality of legal ambiguity, economic exploitation, and social exclusion forms the crux of

hyper-precarity, making it a critical framework for analyzing refugee policies and practices.

The EU- Türkiye Statement falls short in addressing the hyper-precarity experienced by refugees. By focusing on containment and temporary measures, it perpetuates the cycle of insecurity and marginalization. In contrast, the GCR offers a more holistic approach that aligns with human rights standards and emphasizes sustainable solutions through international cooperation and responsibility-sharing.

Addressing the hyper-precarity of Syrian refugees in Türkiye requires a comprehensive overhaul of current policies and practices. Policymakers must prioritize reforms that simplify access to work permits, incentivize formal employment, and provide robust vocational training aligned with market needs. Additionally, there is a need for inclusive economic policies that recognize refugees' skills and facilitate their integration into the local economy. To break the cycle of hyper-precarity, it is imperative to adopt a multi-level governance approach involving central and local governments, civil society, and international organizations. This collaborative effort should focus on creating stable and supportive environments that uphold refugees' rights and promote their long-term social and economic integration.

Ultimately, the goal might be to transition from temporary and restrictive measures to inclusive and sustainable solutions that align with GCR principles. This approach not only benefits refugees by providing them with stability and dignity but also contributes to the social and economic well-being of host communities. It is a call to action for all stakeholders to work towards a future where refugees are not seen as a burden but as integral members of society, capable of contributing to their new homes in meaningful ways.

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