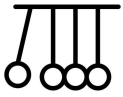


# **The Legal Status of Syrian Refugees Under Turkish Labor Law**

**LAW**



## Abstract

This article examines the legal status of Syrian refugees under Turkish labor law. At the national level, it analyzes key regulations such as the *Law No. 6458 on Foreigners and International Protection*, the *Temporary Protection Regulation*, and the *Work Permit Implementation Guide*. At the international level, it evaluates Turkey's obligations under the *1951 Geneva Convention*, *ILO conventions*, and the *European Convention on Human Rights*.

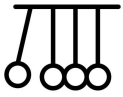
The main challenges regarding the participation of Syrians in the labor force include bureaucratic obstacles, informal employment, low wages, and lack of social security. Furthermore, the vulnerability of women and child refugees in the labor market emerges as a major factor leading to human rights violations. Economically, Syrians contribute to the Turkish economy, particularly in agriculture, textiles, and services; yet informality and the perception of rising unemployment increase social tension. The article emphasizes the necessity of developing policies that both protect the rights of Syrians and strengthen Turkey's social cohesion strategies.

## Legal Framework

To understand the legal status of Syrian refugees under Turkish labor law, it is necessary to examine both national and international legal frameworks in detail.

### National Law

In response to the post-2011 influx of refugees, Turkey established a comprehensive national legal framework defining the position of Syrians in the labor market through the *Law on Foreigners and International Protection (LFIP)*, the *Temporary Protection Regulation*, and specific regulations on work permits.



## **Law No. 6458 on Foreigners and International Protection**

The *Law No. 6458 on Foreigners and International Protection* entered into force on April 4, 2013. Its purpose is to regulate the entry, stay, and exit of foreigners in Turkey, as well as procedures regarding deportation and protection for those in need. It is Turkey's first comprehensive law on foreigners. The LFIP covers four main sections: provisions concerning foreigners, international protection, temporary protection, and institutional structure.

The section on foreigners defines rules on entry, visas, residence permits, deportation, and administrative detention. The international protection section identifies and regulates the procedures for “refugee,” “conditional refugee,” and “subsidiary protection” statuses, ensuring applicants’ access to basic rights such as health care, education, and work permits.

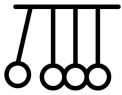
The *Temporary Protection* section provides collective protection mechanisms for mass influx situations (e.g., the Syrian refugee crisis), granting access to basic services such as health and education, and allowing applications for work permits. Finally, under the *Institutional Structure* section, the law established the Directorate General of Migration Management (now the Presidency of Migration Management), responsible for implementing migration policies.

Due to Turkey's *geographical limitation* under the 1951 Geneva Convention, refugee status is only granted to individuals coming from Europe. Therefore, Syrians are protected under the LFIP as *persons under temporary protection*. Temporary protection provides non-refoulement, access to health and education services, identification documents, and the right to apply for a work permit. However, the lack of permanent status leaves many Syrians vulnerable to informal and insecure employment. While the law offers a human rights-based framework, it remains insufficient for long-term integration policies.

### **Temporary Protection Regulation (2014)**

The *Temporary Protection Regulation*, which entered into force on October 22, 2014, is based on the relevant provisions of the LFIP. Its purpose is to protect foreigners arriving through mass influxes, ensuring their access to basic rights and meeting essential needs.

The regulation guarantees the *non-refoulement* principle, prohibits forced return, and grants identification documents and access to urgent and basic health services. It also protects the



education rights of children and, since a 2016 amendment, allows adults and parents to obtain work permits under specific conditions. Housing opportunities are also provided.

Although the regulation secures essential rights for those under temporary protection, such as the right to stay in Turkey; access to public services, and eligibility for work permits, it has been criticized for maintaining a *temporary* rather than *permanent* status. After over a decade, Syrians remain “temporary,” with limited legal rights and uncertain integration prospects. Moreover, bureaucratic hurdles in work permit applications continue to push many Syrians into informal or unsafe employment.

### **Work Permit Implementation Guide (2016)**

Published by the Ministry of Labor and Social Security, the *Work Permit Implementation Guide* explains the application process for foreigners under temporary protection. It was designed to facilitate the implementation of the *Temporary Protection Regulation*.

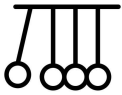
The guide stipulates that applicants must hold a temporary protection ID card, that applications are submitted online via e-Government, and that supporting documents (employment contract, trade registry, ID, diploma or qualification certificates, etc.) are required. It also states that foreigners can only work in the province where they are registered and that more flexible rules apply to seasonal work in agriculture and livestock. Furthermore, the guide limits the proportion of foreign workers in a workplace to 10% and requires all permit holders to be insured.

While the guide aims to reduce informal work and expand access to social security, in practice many employers avoid applying for permits, forcing Syrians to remain in unregistered jobs.

### **International Law and Turkey's Obligations**

International law and the treaties to which Turkey is a party play a key role in protecting Syrian refugees and defining Turkey's obligations.

Although Turkey maintains a geographical limitation under the *1951 Geneva Convention*, thereby not granting refugee status to non-Europeans, it must still comply with the convention's *non-refoulement* principle. In addition, ILO conventions prohibit forced labor



and mandate protections against informal, unsafe employment. The *European Convention on Human Rights (ECHR)* and the case law of the *European Court of Human Rights (ECtHR)* further bind Turkey to safeguard refugees' fundamental rights, particularly the right to life, the prohibition of ill-treatment, and the right to work.

Criticisms at the international level focus on Turkey's failure to grant permanent legal status to Syrians and on the inconsistencies between its international obligations and domestic practices.

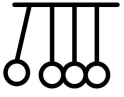
### Challenges Faced

The most significant obstacles to Syrian refugees' participation in the labor market are complex application procedures and lengthy bureaucratic processes. As a result, many refugees are driven to informal employment, facing low wages, unsafe conditions, and lack of social protection.

According to the ILO's 2018 assessment, the vast majority of Syrians in Turkey work informally, limiting their access to social protection. A *Human Rights Watch* report highlights that many children leave school to join the workforce, perpetuating a cycle of poverty and social marginalization. Similarly, *Amnesty International's* 2014 report states that many Syrians are forced to work under harsh conditions for survival. Research by Kaya and Kırac (2016, Istanbul) shows that women and children occupy particularly vulnerable positions in the labor market, often facing lower wages and exploitative conditions.

### Economic Impacts

Syrian refugees contribute to the Turkish economy primarily in agriculture, textiles, and services. They provide labor that sustains production in several low-cost sectors. However, widespread informal employment has also led to wage suppression and weaker labor protections. This has fueled competition with Turkish workers and contributed to social tensions.



## Conclusion

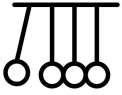
The legal status of Syrian refugees under Turkish labor law is shaped by both national regulations and international obligations. Although the *Law No. 6458 on Foreigners and International Protection* and the *Temporary Protection Regulation* ensure access to basic rights, the lack of permanent status, limited integration policies, and persistent informal employment remain major challenges.

The *Work Permit Implementation Guide* sought to enhance access to social protection, yet employer reluctance and bureaucratic barriers have limited its effectiveness. While international law imposes obligations on Turkey such as non-refoulement, equal treatment, and protection of fundamental rights; discrepancies persist between global standards and domestic practice.

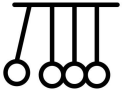
Economically, Syrians sustain production in key sectors but also contribute to rising perceptions of unemployment and social unease. Therefore, Turkey must adopt human rights-based approaches to labor integration, develop mechanisms to reduce informality, and strengthen social cohesion programs. Such comprehensive policies would not only ensure dignified living conditions for Syrian refugees but also promote a more sustainable social and economic structure for Turkey.

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