

2016-11-01

Fråga-svar

Turkiet. Yabanci Tanitim Belgesi - "turkiskt utlänningskort för syrier"

Fråga

Inkom 2016-10-07

"Yabanci Tanitim Belgesi" har översatts till svenska av en medarbetare på ID-enheten till "turkiskt utlänningskort för syrier".

Vad innebär det att ha ett sådant kort i Turkiet?

Svar

För utfärdande av tillfälligt skydd i Turkiet krävs både "Yabanci Tanitim Belgesi" och "Gecici Koruma Kimlik Belgesi". Båda är officiella dokument som utfärdats av behörig myndighet med myndighetens stämpel.

2014 genomfördes förordning för tillfälligt skydd (Temporary Protection Regulation). Förordningen innebär en garanti för tillfälligt skydd för migranter som har identitetshandlingen "Temporary Protection Identification Document". Men många syriska flyktingar har ännu en typ av dokument – "Foreigner Identity Document".

Foreigner Identity Document (Yabancı Tanitim belgesi)

Refugee Rights Turkey, *Barriers to the right to effective legal remedy: the problem faced by refugees in Turkey in granting power of attorney*, February 2016

http://www.asylumineurope.org/sites/default/files/resources/rrt_power_of_a_torney_february_2016.pdf

A third challenge in obtaining a power of attorney is related to Syrian nationals as well as refugees and stateless persons arriving from Syria. These individuals are under “temporary protection” as per the temporary provision of the Temporary Protection Regulation published in the Official Gazette on 22 October 2014. Article 22 of the Temporary Protection Regulation states that persons under temporary protection shall be provided a “temporary protection identity document” upon the completion of their registration with competent authorities. There are a significant number of persons originating from Syria who are yet to register or still possess another form of identity document- known as a “Foreigner Identity Document”- previously issued by the authorities.

Refugee Rights Turkey believes that both the “foreigner identity document” and the “temporary protection identity document” are indisputably official documents as they are issued by competent authorities, and bear the sign and stamp of these authorities. Thus, there should be no reluctance on the part of public notaries to rely on the official nature of these documents. However, it is observed and reported that in many cases, persons under temporary protection are requested to present their passports or identity documents issued in Syria, and those who fail to do so, are denied to give power of attorney to their legal representatives. (sid. 4)

Temporary Protection Identification Documents (Gecici Koruma Kimlik Belgesi)

Asylum Europe, *Procedure for reception and registration Turkey*, [2016]

<http://www.asylumineurope.org/reports/country/turkey/procedure-reception-and-registration>

In many locations around Turkey, due to high numbers, applicants are given registration appointments and may have to wait up to several weeks in order to register as a beneficiary. This delay in registration leads to problems in accessing healthcare and other services, which require the beneficiary to have a Temporary Protection Identification Card and a “Foreigners Identification Number”, which is listed on the Card. The TPR does not provide a set timeframe for the completion of the registration step and the issuing of the Temporary Protection Identification Card.

Temporary Protection Identification Document

The TPR provides a registration procedure and envisions the issuing of Temporary Protection Identification Documents (Gecici Koruma Kimlik Belgesi) to beneficiaries upon registration in accordance with Article 22 TPR. This card serves as the document asserting the concerned person's status as a beneficiary of "temporary protection".

Foreigners Identification Number (FIN)

European Council on Refugees and Exiles, *Asylum Information Database, National Country Report : Turkey*, December 2015, available at: <http://www.refworld.org/docid/569c96f74.html>

International Protection Applicant Identification Card also contains a Foreigners Identification Number (FIN) assignment for each applicant, the Registration Document to be issued under Art 69 of LFIP does not include a FIN assignment. Since a FIN designation is required for applicants to access services as asylum seekers, the Registration Document in itself does not provide an applicant access to services such as healthcare and education.(sid. 31)

That said, holding a Foreigners ID Number is an essential prerequisite for all foreign nationals in procedures and proceedings regarding access to basic rights and services. International protection applicants are not assigned a Foreigners ID Number until they are issued an "International Protection Applicant Registration Document" after the registration interview took place. In practice, in many cases the registration interview does not take place on the same day as the application instance, and applicants may be asked to wait for as long as a month or more until they are brought in for a registration interview.(Sid. 71)

... "Foreigners Identification Number" (FIN) assigned by the General Directorate of Population Affairs to each family member....(Sid. 85)

They must be already registered with the Provincial DGMM Directorate and issued an International Protection Applicant Identification Card under Art 76 of LFIP, which also lists the "Foreigners Identification Number" (FIN) assigned by the General Directorate of Population Affairs to each applicant. This FIN designation is a prerequisite for hospitals and other medical service providers to be able to intake and process an asylum seeker (sid. 89)

In many locations around Turkey, due to high numbers, applicants are given registration appointments and may have to wait up to several weeks in order to register as a beneficiary. This delay in registration leads to problems in accessing healthcare and other services, which require the beneficiary to have a Temporary Protection Identification Card and a "Foreigners Identification

Number”, which is listed on the Card. The TPR does not provide a set timeframe for the completion of the registration step and the issuing of the Temporary Protection Identification Card.

DGMM collects biometric data, including fingerprints, during registration and maintains electronic files for each beneficiary in the agency’s new electronic file management system named “Göç-Net”. (sid. 114)

The lingering issue concerning “Foreigners Identification Number” assignments Temporary Protection Identification Documents also list a “Foreigners Identification Number” (FIN) assigned to each beneficiary by the Directorate General of Population and Citizenship Affairs. In Turkey, all legally resident foreign nationals are assigned FINs which serve to facilitate their access to all government services. “International protection” applicants and status holders within the framework of LFIP are also given such FINs. Currently, FINs assigned to all categories of legally resident foreign nationals, including “temporary protection” beneficiaries, categorically start with the digits of 99.

There is however a lingering problem in the current practice affecting some “temporary protection” beneficiaries originating from the fact that Turkish government agencies’ efforts to register and document the “temporary protection” beneficiary population started before the actual publication of the TPR. The registration documents issued to beneficiaries prior to the publication of TPR on 22 October 2014 either did not contain any “FIN” assignment or they listed a different type of “FIN” starting with the digits of 98. In the period before the TPR of 22 October 2014, provincial police directorates were entrusted the task of registering persons subject to Turkey’s de facto temporary protection regime at the time. While the registration of persons accommodated in the camps in southern Turkey under AFAD jurisdiction has proceeded orderly, from the very beginning of arrivals, efforts to register and document the growing noncamp population have not started until late 2014 and increased in prevalence only as late as early 2015.

Furthermore, in this period prior to the adoption of TPR, registration practices varied considerably across provinces around Turkey. For the same reason, in this period, beneficiaries were issued varying types of documents upon registration.(sid. 115)

Denna sammanställning av information/länkar är baserad på informationssökningar gjorda under en begränsad tid. Den är sammanställd utifrån noggrant utvalda och allmänt tillgängliga informationskällor. Alla använda källor refereras. All information som presenteras, med undantag av obestridda/uppenbara fakta, har dubbelkontrollerats om inget annat anges. Sammanställningen gör inte anspråk på att vara uttömmande och bör inte tillmätas exklusivt bevisvärde i samband med avgörandet av ett enskilt ärende.

Informationen i sammanställningen återspeglar inte nödvändigtvis Migrationsverkets officiella ståndpunkt i en viss fråga och det finns ingen avsikt att genom sammanställningen göra politiska ställningstaganden.

Refererade dokument bör läsas i sitt sammanhang.