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Guidance Document 3.0

Syrians Under Temporary Protection Working in
Turkish Supply Chain

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What can we do as amfori BSCI Participants or as producers

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1. Objective

This document provides guidance for amfori BSCI participants and Turkish producers to help understand and identify possible abuses and exploitation of Syrian workers within their supply chains in Turkey. Further to this, it will provide guidance on how best to identify and mitigate such abuses should they occur.

This guidance will mainly focus on Syrians working under temporary Protection (TP) in Turkey. However, it is important to keep in mind the continued influx of migrants and refugees to the region who need assistance. In addition to this, Syrians continue to migrate to Lebanon and Jordan to seek a better life as well as to other 'safe havens' that include some European countries. It is important that amfori BSCI participants who source from Turkey and other countries take this into consideration when conducting their

own due diligence and to work closely with their producers with the help of this guidance.

The key focus will be on the current working conditions of Syrians under TP, including:

- Facts & Figures
- Developments to date by the Turkish Government
- Work permits
- Remediations & Improvements for producers and participants
- Policy suggestions
- What can be done to improve the situation?

2. Facts & Figure

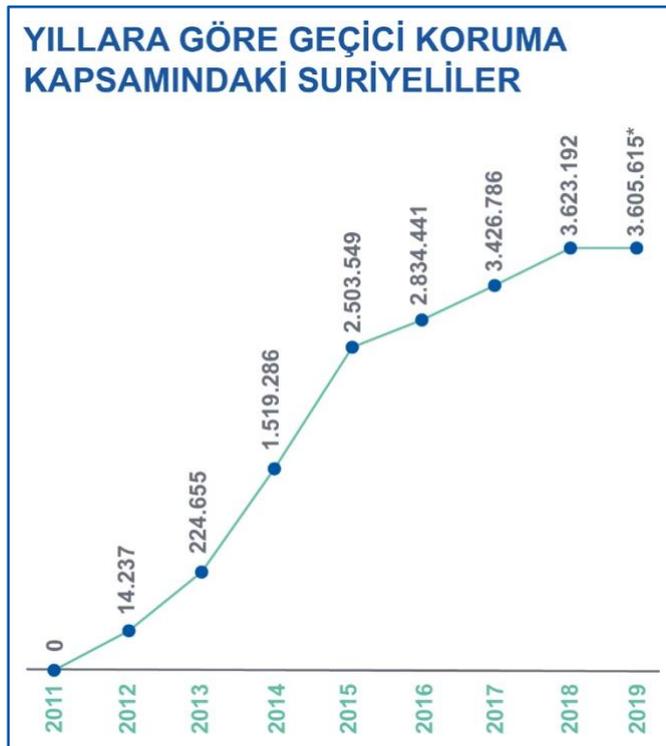


Figure 1: Number of Syrians (under temporary protection) by years

Data source: Directorate General of Migration Management (DGMM), as of April 25, 2019

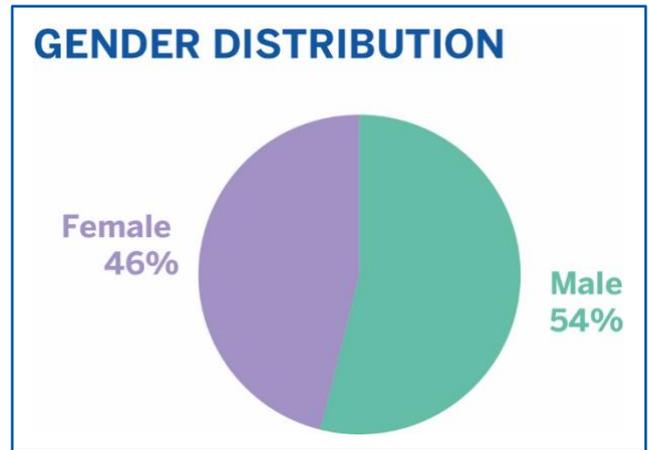


Figure 2: Gender distribution



Turkey has the largest refugee population in the world. **Nearly 4 million of those are Syrians under TP.**

KEY LOCATIONS

Almost 50 percent of all refugees in Turkey are registered in four key provinces: Gaziantep, Hatay, Istanbul and Sanliurfa.

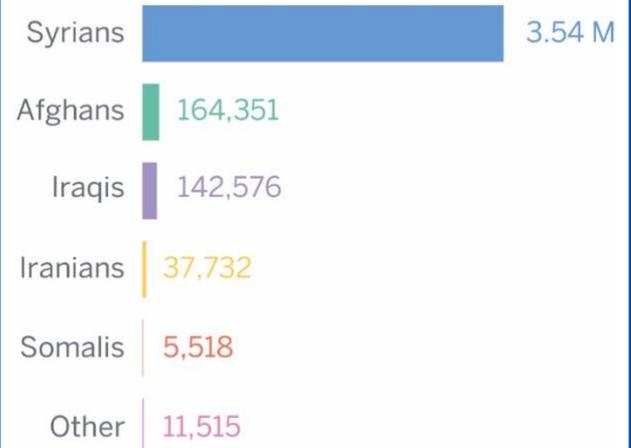
YOUTH REFUGEES

Approximately one million refugees in Turkey are aged between 15 and 24, of which 60 percent are male.

Figure 2: Key locations and youth refugees

Data Source: UNHCR

POPULATION BREAKDOWN



* Data source for Syrian Population: DGMM as of 2 August 2018.
* Data source for Non-Syrian Population: UNHCR proGres 31 July 2018.

Figure 4: Asylum Seekers in Turkey by country of origin

Sectors in which Syrians Work

Syrians work mostly in the textile, construction and manufacturing sectors. This creates vulnerability and the opportunity for exploitation in terms of unregistered employment



Distribution by Cities of Syrians (Under TP)

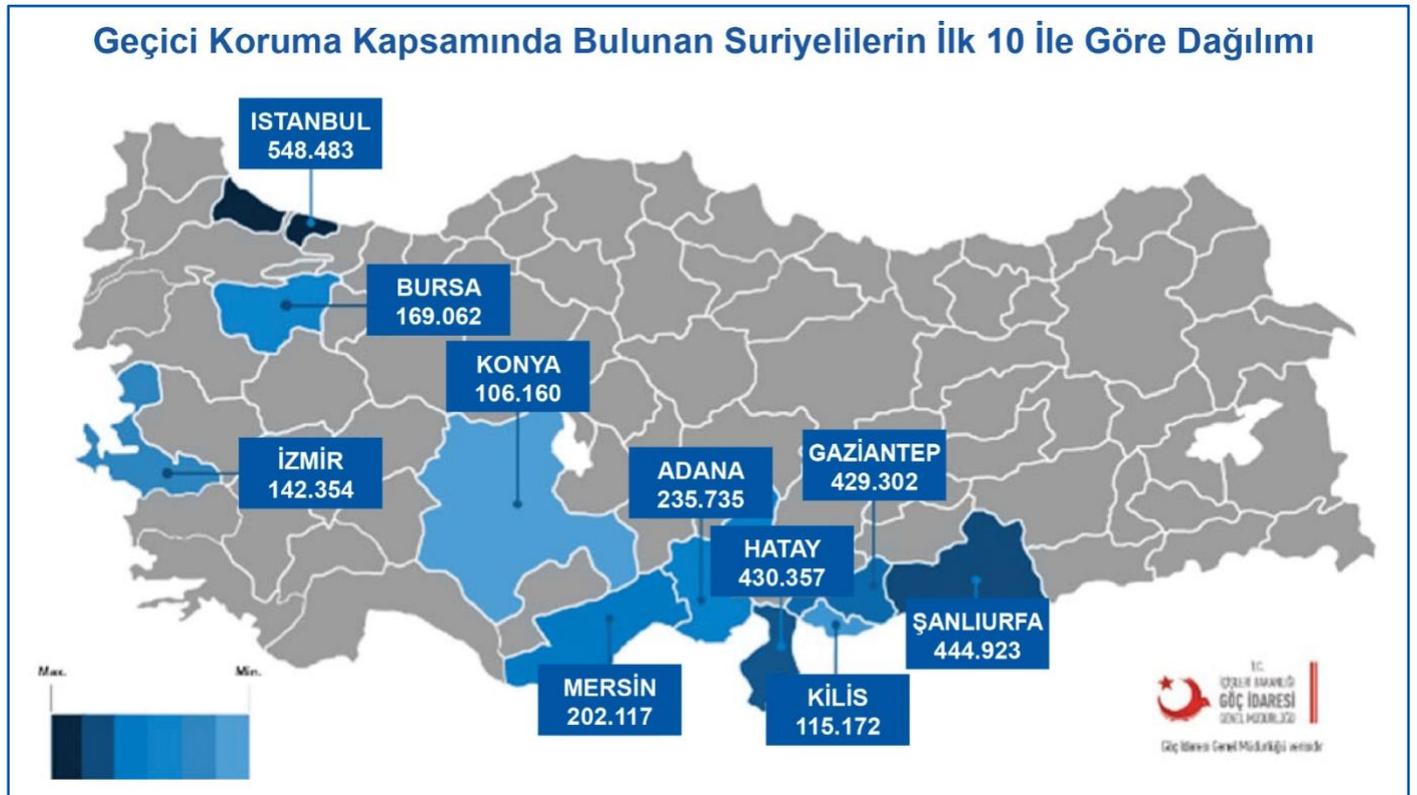


Figure 5 : Syrians Under Temporary Protection - Distribution for the first 10 cities

Data source: Directorate General of Migration Management, as of April 25, 2019

i Camps

There are 26 camp areas in 10 cities

136.880 live in camps as of Feb 2019. That is just under 4% of registered Syrians in Turkey.



Figure 6: schools, mosques; trade, police and health centers, press information centers, playgrounds, TV rooms, potable water systems, sewerage systems and some equipment such as transformers and generators are provided by funds from the Prime Ministry;

i The numbers of Foreigners Granted Work Permit

According to statistics by the General Directorate of International Labour Force, 87,182 foreign nationals have been granted a work permit between the years of 2011 and 2017. The Department of Presidential Communication declared that, between the dates of Jan 2016 and November 2018, a total of 32.199 Syrians have received work permits.

In terms of numbers, they were followed by Georgians with 7,317 work permits granted, Kyrgyzstanis with 6,360, Ukrainians with 5,761, and Chinese with 4,288. (Source: General Directorate of International Labour Force).

3. Key Points We Need to Know

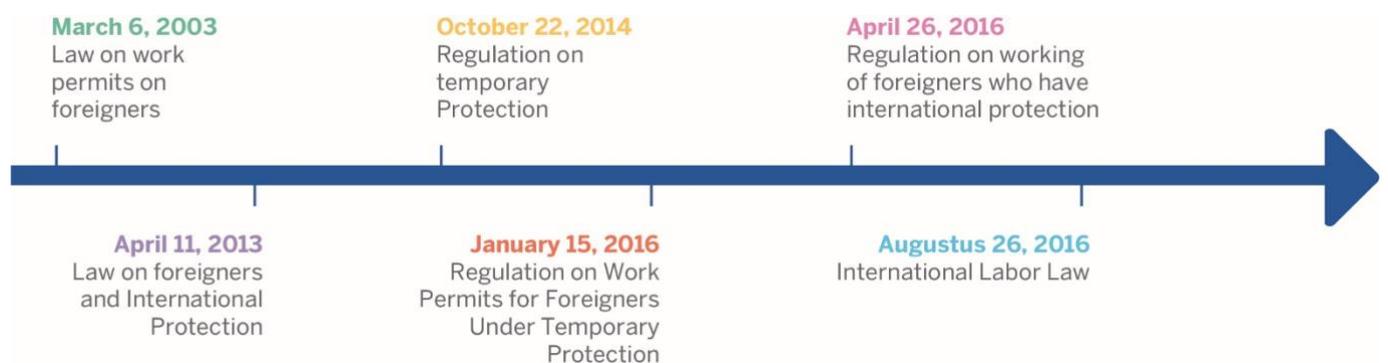
1. **Legal Status of Syrians in Turkey.** Turkey has made a geographical distinction by only accepting people coming from Europe as 'refugees' and classifying those from elsewhere 'conditional' refugees. Syrian nationals, as well as stateless persons and refugees from Syria, who came to Turkey due to events in Syria after 28 April 2011 are provided with temporary protection (TP) by the Government of Turkey. The Directorate General of Migration Management (DGMM) is the responsible governmental body for all asylum procedures in Turkey, including the temporary protection regime. As part of this regime and under normal circumstances, Syrians who seek protection from the Turkish authorities are admitted into Turkey. Once in the country, they can then seek and receive TP from the Government of Turkey. Normally, they are not sent back to Syria unless they themselves request to do so.
2. **Work Permit Application Conditions.** Syrians under TP are granted temporary protection from the Directorate General of Migration Management (DGMM) under the Ministry of Interior. They can apply for a work permit after the TP status has been valid for 6 months. Only the employer can lodge an application for a work permit with the Ministry of Family, Labour and Social Services by clicking this [link](#).
3. **Workplace Quotas.** In a single workplace, the number of persons employed under TP cannot exceed 10% of

the employees who are Turkish Nationals. However, this can be flexible if the factory is not able to employ Turkish workers in the last 4 weeks through the Turkish Employment Agency (ISKUR). This 10% quota is also applied to Syrian employers who start a business in Turkey.

4. **An Employer Must Ensure Certain Conditions are Met.** To be granted a work permit, the employer must provide a “fixed-term contract” that outlines the functions of the job and provides the employee with the minimum wage (2020.91 TL per month for 2019). The employer is also responsible for depositing insurance premiums for workers (22.5% insurance premiums for employer) and for ensuring that all workers should be treated as equals with equal rights. The employers must pay for the application fee per year -2019. (283.20 TL for the application fee + 89 TL for the official documentation fee).
5. **Work Permits are Geographically Restricted.** A person under TP can only work in the province that is indicated as their province of residence on their temporary protection document. To work in a different location, the person must apply to change their province of residence. Changing city of residence may be allowed for the reasons of family unification (with certain degree family members), health, education and employment. It may also be possible on other grounds if approved by DGMM. However, as shown in “Figure 5”, the number of registered refugees in Istanbul is nearly 600.000. It is therefore difficult to change the province of residence to Istanbul and this increases the risk of exploitation.
6. **Work Permits are Limited to one Job.** Syrians under TP may only lodge an application to work in a single job. In case of a transfer to another branch of the same company a new work permit needs to be obtained. If a Syrian working under TP needs to travel for business to another city, they need to obtain travel permit document from Provincial Directorate of Migration Management (PDMM).
7. **Work Permits are Time Limited.** A work permit is initially issued for the duration of one year. To extend the work permit a new application must be lodged. The renewal process can be initiated 60 days prior to the end of the validity period and must be requested before the expiration of the valid permit.
8. **Exceptions to the Rules.** There is an exemption for work permits regarding seasonal jobs in agriculture and livestock/animal husbandry. For those working under TP, work permit exemption is accepted if they meet the terms set out below:
 - a) The foreigner has a temporary identification document/foreigner credentials, which states that they are under temporary protection, and a foreigner identity number.
 - b) The minimum temporary protection period of six months is completed before the date of application for work permit exemption.
 - c) The application is made in the province where the foreigner is given the permit to stay, according to their temporary protection records, and only for employment in seasonal jobs in agriculture and livestock/animal husbandry

4. Developments to Date

The Ministry of Family, Labor and Social Services (MoFLSS) has published:



Important documents and guidances:

Regulation on Work Permits for Foreigners under Temporary Protection (January 2016): A document written in Turkish guiding employers on how to do regarding work permits.



Implementation Guide Regarding the Work Permits of Foreigners Provided with Temporary Protection: General Directorate of International Labor Force has published a guide including rules and procedures on how to apply for work permits in Turkish.



Guidance on Web Based Application System: General Directorate of International Labor Force has published a visual guidance written in Turkish guiding employers on how to register the workers online and get work permits from the government.



Sample of Contracts for the workers under temporary protection: A sample of employment contracts for definite period both in Turkish and Arabic in the same contract.



An Updated “E-Permit Automation System” for Foreigners’ Work Permit Application: dated 26.02.2018

A visual document prepared by MoFLSS in Turkish guiding employers on how to register the workers online and get work permits from the government.



5. What steps can an amfori BSCI participant take to prevent abuses and exploitation of Syrians under TP in their supply chain in Turkey?



Step 1 – Risk identification and management

With an understanding of the heightened risk of exploitation that exists for Syrians under TP working in Turkish supply chains, amfori BSCI participants should engage in special efforts to reduce that risk. To that aim, they should:

- classify producers as significant business partners and define the monitoring strategy accordingly.
- define internal procedures to handle the relationships with significant business partners in the most effective way.
- decide on a risk management approach that best fits their vision of implementing the amfori BSCI system.

To manage the risk of exploitation of these vulnerable workers in their supply chain, amfori BSCI participants must be aware of the different levels of risk that prevail:

- on the level of their producers
 - in the operations of producer’s significant business partners. Namely labour brokers, labour subcontractors, farms and production subcontractors
- Both levels typically include one or more of the following risk elements:
- unethical recruitment practices (e.g. passport retention, recruitment fees, lack of contracts in local language)
 - forced labour (e.g. forced overtime, withholding of payment)
 - child labour
 - discrimination (e.g. unequal payment or treatment)
 - remuneration (e.g. payment under minimum wage, no overtime fees)
 - no access to social security and legally-mandated benefits (leave)
 - working without permits

To identify risk areas, amfori BSCI participants can use the below tool:

Supply chain actor / % of workforce	Syrians under temporary protection				Syrians without Passports or Legal Identification
	Total	Women	Young workers	Other vulnerable workers	
	%	%	%	%	%
Producer's own business					
Labour broker					
Labour subcontractor					
Farm					
Production subcontractor					
Other business partner					

Step 2 – Strategy

Based on step 1, an amfori BSCI participant should develop a strategy to mitigate the risk of harm to Syrians under TP. The strategy should address risks in its own business and risks in the operations of their business partners.

A company executive should approve the strategy and communicate it internally, as well as to significant business partners. This will facilitate the implementation and give credibility.

Step 2.1 – Measures to prevent internal risks

amfori BSCI participants who source from Turkey and whose business partners are likely to employ refugees, migrants and persons under temporary protection status should familiarize themselves with new regulations published by the Ministry of Family, Labor and Social Services (MoFLSS). Subsequently, they should develop policies and procedures or revise their current system.

amfori BSCI participants should define a strategy for their business to increase the transparency on significant business partners' recruitment and employment practices by:

Developing an internal policy – Commit to a policy of responsible recruitment and decent employment practices, particularly outlining the most vulnerable groups such as refugees and migrants, pointing out the need for equal employment rights compared to national employees (e.g. minimum wage, equal working hours, non-discriminative behaviour)

Defining concrete targets – Better manage potential risk and prevent violations through concrete targets, such as:

- number of producers that have mapped out recruiting agencies and/or labour sub-contractors they may use (see supply chain mapping in the amfori BSCI Platform)
- number of producers that have requested that their significant business partners sign the amfori BSCI Code of Conduct and receive audits
- number of producers trained on responsible recruitment (see the amfori Academy)

Communicating commitment – Voice your commitment to responsible recruitment and decent employment to significant business partners to ensure that the rights of Syrian workers are protected and as an imperative to comply with fundamental human rights.

Developing internal procedures – Outline how related departments will deal with cases in which adverse impacts and violations during the recruitment or employment phase have been identified

Step 2.2 – Measures to prevent risks of business partners

amfori BSCI participants should develop measures to reduce and prevent the risk of the involvement of their business partner in recruitment and employment practices that harm workers. To that end, the amfori BSCI participant should pay special attention to all policies and procedures related to employment decisions and ask their producers to develop and focus on the following:

Recruitment policy – Adhere to the principles of non-discrimination and responsible recruitment for migrant workers and workers under TP (for more information [see Annex 17](#) of the amfori BSCI System Manual). This includes expectations concerning recruitment directly by the company or indirectly by labour brokers or recruiting agencies and remuneration practices such as:

- Recruitment fees to be absorbed by the producer (not workers)
- Transparent communication of fees charged to workers for general services (e.g. child care)
- Provision of written contracts to workers
- Respect of legal requirements on contract arrangements and wage levels
- The right to verify the recruitment procedures of the business partner

- Unilateral contract termination in case of failure in operating transparently

Recruitment procedure – Ensure that recruitment is performed by the HR department including verifying legal working age, verifying validity of work permits and to apply for a new permit at no cost for the workers.

Employment contracts – Use contracts that explain rights and obligations with clarity and in a language that the worker understands.

Contract termination – Terminate contracts in line with principles of non-discrimination and clarify financial entitlements accrued by workers.

[See annex 1: Suggested Policy for Persons Under Temporary Protection Working in Turkey](#)

Step 3 – Monitoring

amfori BSCI participants should regularly monitor their significant business partners to verify the implementation of their policies and procedures related to recruitment and management of Syrians under TP.

The most severe risk that an amfori BSCI participant could encounter are:

Child Labour	Forced labour	Employment of illegal migrants
<p>Currently around 100,000 children are in the registered labour force in Turkey, with much higher estimates for unregistered employment. Many Syrian children under temporary protection are often displaced or unaccompanied in Turkey and thus require protection.</p> <p>amfori BSCI participants need to remain vigilant and engage constructively with their suppliers to ensure that children, including underage refugee and migrants, are not employed under any circumstances. The Labour Act of Turkey prohibits the employment of children who have not completed the age of 15.</p>	<p>Syrians under TP that are requested to pay illegal fees, forced to perform overtime hours or hand over their personal documents and possessions to the employer are at high risk of forced labour.</p> <p>amfori BSCI participants should remain vigilant on the conduct of their business partners towards the amfori BSCI Code of Conduct by communicate the Code accordingly and supporting supplier with capacity building.</p>	<p>In case of employment of illegal migrants, there are administrative fines. For the year of 2019, the employers should pay 8821 TL for each migrant who does not have a work permit. In addition to the this, the illegal workers should pay 3527 TL.</p> <p>Once Syrians enter Turkey, firstly they need to get their residence permit and then, after six months, they are eligible to work in Turkey. The employers must apply for the work permit on behalf of the workers.</p> <p>Workers are only allowed to work in the province where they received their residence permit.</p>

If identified in the course of an amfori BSCI audit, child and forced labour represents a Zero Tolerance and will trigger a process of immediate alert and remediation.

Step 3.1 – Monitoring strategy and approach

amfori BSCI participants should regularly verify the implementation of their policies and procedures related to safeguarding the rights of Syrians under TP in their supply chain. The monitoring strategy should be aligned with the overall sustainability strategy. To that end, amfori BSCI participants should:

Take the RSP (Responsible Holder) for strategic business partners – This allows you to define the monitoring strategy.

Increase the scale of monitoring – Focus on the conduct of significant business partners to protect the rights of any Syrian worker, especially during periods where seasonal migrant labour is more likely.

Intensify due diligence – Closely follow up on producers' recruitment and employment practices that require special scrutiny (e.g. review available information on workforce composition and (in)direct recruitment practices in audit report, pay attention to age verification mechanisms, contract agreements, dormitories, compensation in accordance with the minimum wage requirements and potential salary deductions)

Step 3.2 – Monitoring of business partners

To verify the implementation of their policies and procedures, amfori BSCI participants can use the following options to conduct effective monitoring:

Voluntary preparatory tools – Use these tools to gather information against the principles of the amfori BSC Code of Conduct and as supporting measure to audits. The following tools are available:

- **Self-assessment questionnaire:** Helps to raise awareness of social compliance issues and

Step 4 – Continuous Improvement

amfori BSCI participants should ensure they are continuously improving shortcomings that contribute to increased risk or adverse impact to workers. This needs to be achieved inside their organisation whilst supporting their business partners to follow up with their own shortcomings and remediation efforts:

Step 4.1 – Measures to facilitate internal continuous improvement

amfori BSCI participants should promote the continuous improvement of their performance. This includes to:

Acknowledge and correct own contributions to adverse impacts and risks – Perform root

prepares producers for the complete amfori BSCI 2.0 audit (**template 11** in the amfori BSCI System Manual)

- **Pre-qualification assessment (PQA):** Use PQA to get an initial understanding of the potential risks of entering into business with a new business partner (**template 10** in the amfori BSCI System Manual)
- **Buyers' checklist:** Used this during commercial visits to potential or existing business partners to capture any obvious social performance deficiencies (**template 7** in the amfori BSCI System Manual)

Grievance mechanism – Maintain a Grievance Mechanism according to the principle of confidentiality and explained to all workers in a language understandable to them (see **annex 4** of the amfori BSCI System Manual).

Third party amfori audit – Conduct and follow-up quickly on audits and demand the use of only qualified auditors to detect abusive recruitment and employment practices. Criteria that applies to qualified auditors:

- **Culture:** A good understanding of migrant workers' respective languages and cultures.
- **Laws:** A good understanding of migration policies in the relevant country and in relation to neighbouring countries.
- **Gender:** Female auditors should interview female workforce.
- **Language:** Auditors should have working knowledge of the Arabic language or have a translator join the audit.

Internal audit and (commercial) factory visits

– Visits can be used to gather information through buyers, the purchasing team, internal auditors, agents or similar actors

cause analysis, reviews and adjustments of internal processes and practices on a regular basis to enable timely backstopping and correction that takes into consideration learnings

Establish internal planning system – Follow-up on their performance as well as their producers.

Foster industry collaboration – Exchange experiences and leveraging efforts with peers in the amfori BSCI system and beyond

Engage national, regional and international stakeholders – Use all available support when sourcing from countries with a high incidence of refugee and migrant labour. Engage with NGOs, INGOs, trade unions, government, civil society and community representatives as well as the amfori Country Representative. Participants should work towards demonstrating that they are on top of issues by conveying responsible business practices and reassuring stakeholders of their willingness to demonstrate transparency and effect meaningful change. A defensive approach, rather than a proactive one, may lead to significant and long-lasting loss of reputation

Step 4.2 – Measures to facilitate continuous improvement of business partners (producer)

amfori BSCI participants should support a culture of continuous improvement on producer level that goes beyond cosmetic changes. They should work towards sustainable, positive change that takes into consideration the complicated network of issues that could arise. This includes:

Auditing – Closely monitor working conditions of migrants through auditing and other monitoring measures

Remediation Plan – Systemically track the progress of the producers' performance, and if used efficiently, a remediation plan may serve as

the key communication channel between producer and participant, increasing transparency on the part of the producer. amfori BSCI participants should actively support their producers in implementing the plan.

Participate in constructive dialogue with producer – Proactively follow-up on progress of producer and foster improvement by inviting produces to relevant training in the amfori Academy

Request that producers:

- establish an internal management system that is regularly updated based on the severity of the issue, including policies, procedures, internal monitoring, risk assessment and remediation in a step-by-step process allowing for significant improvements
- support the integration of migrants in the Turkish communities by assisting and encouraging Syrian workers to engage with Turkish nationals and communities (e.g. directing them to language classes or offer vocational training opportunities) which empowers workers to safeguard their interests, have better knowledge of their rights and give them the opportunity to seek assistance if needed.
- perform meaningful stakeholder and community engagement to remain abreast of changes to legislations, to identify opportunities for conveying a critical view or opinion via a collective voice and to highlight the 'rights-based' approach for workers under temporary protection in Turkey.

Step 5 – Remediation

All amfori BSCI participants should ensure remediation of risks to workers, including Syrians under TP, in a timely manner.

Step 5.1 – Remediation of internal risk

amfori BSCI participants should assess whether and, in which way, the business has contributed to the risk of human rights violation or adverse impacts. To that aim, the amfori BSCI participant should:

- assess the root causes of the issue(s).
- identify if purchasing practices have contributed to the heightened risk of human rights violation or adverse impacts (e.g. short notice orders or change in volumes).
- define corrective steps and assign a responsible person for their implementation.

- develop internal procedures on how to deal with the remediation of human rights violations.
- perform a systematic follow-up and review the measures taken

Step 5.2 – Remediation with business partners (producers)

If any risks of human rights violations or abusive recruitment and employment practices are identified in the operations of producers, the amfori BSCI participant should promote its remediation. This includes:

- To work collaboratively with the business partner towards remediation.

- To assign relevant amfori Academy courses to concerned producers (e.g. responsible recruitment and grievance mechanism).
- To request that producers:
 - react promptly and show collaboration.
 - seek immediate and appropriate protection for victims (e.g. child worker or worker without permit).
 - cooperate with legal authorities and safeguard victims' access to legal assistance, if needed.
 - assess the root causes of the issue in a holistic manner.
 - take precautionary steps to avoid the discrimination or dismissal of Syrian workers.
 - define a clear timeline and remediation steps.
 - allocate (financial) resources and put in place a system to follow-up on remedial actions
 - use direct employment as much as possible
 - rely on licensed recruiting agencies and monitor their practices
 - assist migrant workers in completing the required registration processes, in line with national legislation
 - work towards long term remediation for the victim (e.g. compensation)
 - define corrective steps and assign a responsible person for their implementation
- only cut business ties as a very last resort and after making sure victims' situations are

safeguarded (e.g. reintegration of child in the family; obtaining work permit for unregistered workers etc.)

In the event of severe violations of the amfori BSCI Code of Conduct, an amfori BSCI audit will trigger a Zero Tolerance alert. Such alert facilitates collaboration between a producer and amfori BSCI participants to immediately address the issue (for more information see [Annex 4](#) of the amfori BSCI System Manual). If an amfori BSCI participant faces this situation, he should:

- participate in the conference call, which creates the ad-hoc remediation group with other linked participants facilitated by the amfori Secretariat
- put the protection of the victims first by refraining to share Zero Tolerance alert information with the concerned producer, unless otherwise agreed upon by the ad-hoc remediation group after the conference call
- cooperate within the ad-hoc remediation group to and communicate collectively to the producer
- commit to verification in due course that the Remediation Plan has been successfully implemented (by means of a Zero Tolerance investigation or an amfori BSCI audit)
- follow closely up on the improvement of the producer's performance and give feedback on the implementation of the Remediation Plan

amfori BSCI resources

- [Responsible Recruitment to End Worker Exploitation](#)
- [Responsible Recruitment Guidelines for amfori BSCI Participants](#)
- [amfori External Grievance Mechanism](#)
- [Forced Labour and Modern Slavery - Video Series](#)
- [How to Address Modern Slavery in Your Company and Supply Chain - Workshop](#)
- [Successful Reporting under the UK Modern Slavery Act](#)

6. What steps can a producer take to prevent and remedy harm to Syrians under TP.



This section of the guidelines is aimed to help producers implement practices in their businesses to prevent and remedy possible harm to Syrians under TP. It also aims to help producers define practices to monitor their business partners.

Step 1 – Risk identification

Producers that are linked to amfori BSCI participants should assess the risk that Syrians under TP working for them are victims of exploitation. Producers should assess the risks present:

- In their own business;
- In the operations of significant business partners. These include labour brokers, labour subcontractors, farms and production subcontractors.

To identify risk areas, producers can use the below tool:

Supply chain actor / % of workforce	Syrians under temporary protection				Syrians without Passports or Legal Identification
	Total	Women	Young workers	Other vulnerable workers	
	%	%	%	%	
Producer's own business					
Labour broker					
Labour subcontractor					
Farm					
Production subcontractor					
Other business partner					

The cost of breaking the law.	Producers who employ foreigners without a work permit are subject to penal provisions in accordance with Article 21 4817, Turkish Law on Work Permits for Foreigners. Infringement could result in the producer being fined 8,821TL per individual without a work permit for 2019. It could also result in the worker themselves being fined 3527TL. This is a very heavy price for any employee to pay.
How can you help?	<p>In cases where persons hold legal documentation but lack the formal registration documents, all producers are advised to:</p> <ul style="list-style-type: none"> - Refer the individual to the Directorate General of Migration Management (DGMM) under the Ministry of Interior, the official institution that receives and processes applications for temporary protection status; - If the person already has temporary protection status but lacks a valid work permit, the producer should refer to the Ministry of Family, Labour and Social Services (MoFLSS) to jointly file with the worker the necessary documents for a work permit; - Refer the person to the NGOs and support service organisations available to them (Annex 2). <p>This is applicable only to those refugees, migrants and persons under temporary protection with a legal form of identification.</p>

Step 2 – Strategy

Based on step 1, a producer should develop a strategy to mitigate risk of harm to Syrians under TP. The strategy should address risks in its own business and risks in the operations of their business partners.

A company executive should approve the strategy and communicate it internally as well as to significant business partners. This will facilitate the implementation and give credibility.

Step 2.1 - Measures to prevent internal risks

All producers of amfori BSCI participants that employ or plan to employ refugees, migrants and persons under temporary protection should familiarize themselves with new regulations published by the Ministry of Labour (MOL) and develop policies and procedures or revise their current system in accordance.

Attention should be paid to all policies and procedures related to employment decisions including:

- **Recruitment policy** – Adhere to principles of non-discrimination and responsible recruitment for migrant workers and workers under temporary protection (for more information see Annex 17 of the amfori BSCI System Manual)

- **Recruitment procedure** – Verify legal working age as well as the validity of work permits or apply for a new permit at no cost to the workers.
- **Employment contracts** – Use contracts that explain rights and obligations with clarity and in a language understandable to the worker.
- **Contract termination** – Terminate contracts in line with the principles of non-discrimination and clarify financial entitlements accrued by workers.

[See annex 1: Suggested Policy for Persons Under Temporary Protection Working in Turkey](#)

Step 2.2 – Measures to prevent risks of business partners

Producers that have identified risks in the operations of their business partners can adopt the following practices:

- **Labour brokers, recruiting agencies** – the contract between producer and business partners should include reference to the principles of responsible recruitment ([see Annex 17](#) of the amfori BSCI System Manual) and the indication that the producer will absorb the applicable costs of recruitment of all workers, including Syrian nationals.

- **Labour and production contractors** – the contract between producer and business partners should indicate the expectations concerning their recruitment and remuneration practices such as:
 - Recruitment fees to be absorbed by the business partners (not workers)
 - Transparent communication of fees charged to workers for general services (e.g. canteen, child care)

- Provision of written contracts to workers
- Respect of legal requirements on contract arrangements and wage levels
- The right to verify the recruitment procedures of the business partner
- Unilateral contract termination in case of failure in operating transparently

Step 3 – Monitoring

All producers of amfori BSCI participants should increase the scale of monitoring, including vigilance on the conduct of significant business partners to protect the rights of any working Syrians under temporary protection.

The most severe risk that a producer could encounter are:

Child Labour	Forced labour
<p>Currently around 100,000 children are in the registered labour force in Turkey, with much higher estimates for unregistered employment. Many Syrian children under temporary protection are often displaced or unaccompanied in Turkey and thus require protection. All producers need to remain vigilant and engage constructively with their suppliers to ensure that children, including underage refugee and migrants, are not employed under any circumstances. The Labour Act of Turkey prohibits the employment of children who have not completed the age of 15.</p>	<p>Syrians under TP that are requested to pay illegal fees, forced to perform overtime hours or hand over their personal documents and possessions to the employer are at high risk of forced labour. All producers should avoid these practices and remain vigilant on the conduct of their business partners.</p>

If identified in the course of an amfori BSCI audit these any of these risks represents a Zero Tolerance and will trigger a process of immediate alert and remediation.

Step 3.1 – Internal monitoring

Producers should regularly verify the implementation of their policies and procedures related to recruitment and management of Syrians under TP. This can be done by means of:

- **Grievance mechanism** – Maintain a system that adheres to the principle of confidentiality and explained to all workers in a language

understandable to them. See Annex 4 of the amfori BSCI System Manual.

- **Assessment** (e.g. through interviews) - Check if workers have paid recruitment fees or contracted debt related to recruitment services.
- **Corrective measures** – Record and make public any corrective measures and apply in the case of a breach of relevant policies and procedures

Step 3.2 – Monitoring of business partners

Producers should have check points to monitor the practices of labour and production subcontractors, farms and other significant business partners. They should also keep records of how these business partners manage their own social responsibility and potential grievances from their own workers. Monitoring can be conducted through:

- **Random verification** – Check documents and procedures used by business partners with specific attention to:
 - Age verification
 - Contract arrangements with Syrians under TP
 - Payment of salaries and possible deductions
- **Internal audit** – Audit against the principles of the amfori BSCI Code of Conduct
- **Third party audit**

Step 4: Continuous Improvement

Producers take steps to make long-lasting changes in its business as well as to foster the integration of Syrians in local communities. Below are examples:

- **Participate in amfori training** to improve the business social management system
- **Supporting Integration into Turkish Communities**

Producers linked to amfori BSCI participants are advised to make all possible efforts to assist and encourage Syrian workers to engage with Turkish nationals and communities by directing them to places that teach the Turkish language and offer vocational training opportunities. Speaking the local language will empower workers to safeguard their interests and have better knowledge of their rights – and give them the opportunity to seek assistance if needed. Public education centres and municipalities in Turkey currently

provide these classes free of charge for refugees, migrants and persons under temporary protection.

- **Stakeholder/Community Engagement**

All amfori BSCI producers should aim to foster good relations with national organisations and develop local government contacts with persons working on the issue of people under temporary protection in Turkey. This will not only enable producers to remain abreast of changes to legislation, it will also allow them to identify opportunities for conveying a critical view or opinion via a collective voice. Engaging will allow producers to highlight the ‘rights-based’ approaches being implemented in a socially responsible manner.

Step 5 – Remediation

All producers linked to amfori BSCI participants should actively follow up on findings identified in audits or assessment and develop remedial measures for risks to workers, including Syrians under TP, in a timely manner.

Step 5.1 – Remediation of internal risk

If risks are identified in the business of the producer, they should:

- take precautionary steps to avoid the dismissal of Syrian workers
- assess the root causes of the issue
- define corrective steps and assign a responsible person for their implementation

In the event of severe violations of the amfori BSCI Code of Conduct, an amfori BSCI audit will trigger a Zero Tolerance alert. Such an alert facilitates collaboration between a producer and amfori BSCI participants to immediately address the issue. If a producer faces this situation, it should:

- react promptly and establish dialogue with amfori BSCI participants
- seek immediate and appropriate protection of victims (e.g. child worker or worker without permit)
- not cut ties with the victims before appropriate protection measures are in place (e.g. reintegration of child in the family; obtaining work permit for unregistered workers etc.)
- make (financial) resources available to address impacts and compensate victims, if relevant
- work towards long term remediation for the victim
- if needed, cooperate with legal authorities and safeguard victims’ access to legal assistance

- follow-up systemically on remedial actions and review measures taken

Step 5.2 – Remediation with business partners

If risks are identified in the operations of business partners, the producer can:

- inform the business partner of the issue and work collaboratively towards remediation
- only cut business ties as a very last resort and after making sure victims' situations are safeguarded.

amfori BSCI resources

- [Responsible Recruitment to End Worker Exploitation](#)
- [Training on responsible recruitment](#)
- Training Handout for amfori BSCI Producers on Responsible Recruitment
- amfori External Grievance Mechanism
- [Forced Labour and Modern Slavery - Video Series](#)

Annex 1: Suggested Policy for Migrants, Refugees and Persons Under Temporary Protection

I. FOR amfori BSCI PARTICIPANTS

POLICY FOR REFUGEES WORKING UNDER TEMPORARY PROTECTION

With this policy, amfori BSCI participant [insert participant name] commits to remain diligent in taking responsibility that all displaced refugees in their supply chain in the countries from which [insert participant name] sources will be employed in a way that safeguards their legal rights, worker rights, and human rights.

Within this scope, [insert participant name] commits to monitor, as endorsed in the amfori BSCI Code of Conduct, that the activities of all producers and their supply chains are carried out in a manner that is observant of the amfori BSCI Code of Conduct, local laws, regulations, and the published guidance documents.

The implementation of this policy is supported by relevant procedure and reference documents, where the process is explained step by step.

The procedure document includes the steps below:

- As per the defined policy, identify the organisational team that will work on this issue and their designated tasks;
- A list of training courses the organisational team needs to take. Training must include the below as a minimum:
 - amfori BSCI Code of Conduct, particularly “Introduction to Social Management Systems” and “Fair Remuneration and Decent Working Hours”;
 - Relevant local laws;
 - Guidance documents published by the ministry;
 - amfori BSCI Guidance Documents, such as the Responsible Recruitment Guidelines;
- Communication of the policy and procedures to relevant parties (e.g. producers, other departments);
- Step-by-step implementation of the policy and procedures, as per the training received;
- Ensure continual dialogue and consultation with workers, community organisations, and other stakeholders to receive feedback to evaluate the effectiveness of the process;
- Conduct regular reviews in order to keep the process current and relevant.

The realisation of this commitment is undertaken by the personnel or team designated for Corporate Social Responsibility within [insert participant name].

II. FOR PRODUCERS

POLICY FOR REFUGEES UNDER TEMPORARY PROTECTION

With this policy, we, as [insert participant name], commit to:

- employ all displaced nationals in our supply chain in a way that respects their legal, worker, and human rights;
- implement our commitment in a manner that is observant of the amfori BSCI Code of Conduct, customer expectations, local laws, regulations, and the published guidance documents
- be monitored as per the amfori BSCI Terms of Implementation

This policy will be reflected in our procedures related to workers' recruitment, management, and termination as well as in the procedures for selection and management of recruiting agencies and labour subcontractors, if applicable.

Relevant procedures will be set out based on these principles:

Transparency:

- Job seekers, including Syrians under TP, receive accurate information on employment conditions (e.g. payment, duties, and responsibilities) before they leave their location of origin
- Workers, including Syrian nationals, receive the contract terms in a language they understand
- Recruitment does not include any form of coercion to force workers into employment

Security:

- Workers, including Syrians under TP, are not subject to any form of coercion in the work relationship
- Workers, including Syrians under TP, can keep their passports and personal possessions without risk of retention or loss
- Workers, including Syrians under TP, are free to resign respecting the legal notice period

Employer Pays:

- Workers, including Syrians under TP, are not charged for costs related to recruitment
- Workers, including Syrians under TP, don't get deductions from their wages to compensate recruitment costs

The implementation of this policy will be supported by an organisational team assigned to this task.

The team will:

- communicate policies and procedures to relevant parties (e.g. workers, lower tiers, other departments);
- implement policy and procedures and oversee their effectiveness
- conduct regular reviews and update the procedures when necessary

Date:

Signature:

Annex 2: NGOs and Support Service Organizations for Migrant, Refugees and Persons Under Temporary Protection (in alphabetical order)



HAYATA DESTEK (SUPPORT TO LIFE)

An independent humanitarian organization founded with the principle aim of helping disaster affected communities meet their basic needs and rights. They are conducting their activities since 2005 with principles of humanity, impartiality, neutrality, independence and accountability. Currently, their primary areas of work are Emergency Assistance, Refugee Support, Child Protection in Seasonal Agriculture and Capacity Building.

Hayata Destek İstanbul Ofis

Cenap Şahabettin Sok, No. 42
Koşuyolu Mahallesi
34718 Kadıköy İstanbul

Phone: +90 (216) 336 2262

Email: info@hayatadestek.org



ILO

ILO has adopted a five-year (2017-2021) comprehensive, holistic and integrated programme of support aimed at strengthening the labour market and business development environment through the stimulation of decent work opportunities, inclusive socio-economic growth and the reinforcement of governance systems and structures.

The programme builds on ILO interventions on the Syrian refugee crisis in Turkey since 2015, and since 2017 also guides interventions supporting non-Syrian refugees, promoting comprehensive short- and medium-term employment-rich measures to be implemented within the framework of Turkey's overall response and the 3RP, and consisting of the following three pillars:

1. Increase the availability of a skilled, competent and productive labour supply to facilitate access to decent work for Syrian refugees and Turkish host communities
2. Support local economic development in specific sectors and geographic locations to stimulate job creation and entrepreneurship opportunities for Syrian refugees and Turkish host communities,
3. Provide support to strengthen labour market governance institutions and mechanisms to assist Turkey in implementing inclusive development strategies.

ILO Ankara International Labor Office

Ferit Recai Ertuğrul Caddesi, No: 4
06450 Oran Ankara

Phone: + 90 312 491 98 90

E-mail: ankara@ilo.org



IOM (International Organization for Migration)

The International Organization for Migration (IOM) – the UN Migration Agency opened its first offices in Turkey in 1991, following the aftermath of the first Gulf War. The Mission's activities began with resettlement for Iraqi refugees, and were later expanded to migration management programmes. IOM's partnership with the Republic of Turkey was formalized in November 2004 when Turkey was granted member status to IOM. The partnership between IOM and Turkey continued since then, including support drafting the Law of Foreigners and International Protection, as well as establishing the Ministry of Interior's Directorate General for Migration Management in 2013.

Following the devastating earthquake in Van in 2011, IOM Turkey began our emergency response programmes which have since expanded in response to ongoing regional conflicts and crises, notably the 2012 Syrian Crisis and the 2015 Mediterranean Crisis.

IOM assists migrants by providing policy and technical guidance to assist voluntary return and reintegration (AVRR), counter-trafficking activities and general assistance for stranded and vulnerable migrants, including unaccompanied minors.

IOM Turkey continues to support the Turkish government to strengthen the National Referral Mechanism for Trafficked Persons and to establish a National Referral System for AVRR. In order to further assist migrants, IOM Turkey aims to:

strengthen institutional capacities of government stakeholders

enhance cooperation and coordination at national and regional levels

initiate a needs-based approach to ensure protection of vulnerable migrants entering irregularly

IOM Mission to Turkey

Birlik Mah. Şehit Kurbanı Sok. No: 24
Çankaya/Ankara Türkiye

Phone: +90(212) 454 30 00

E-mail: ankmission@iom.int

IOM Istanbul Sub Office:

Barbaros Bulvarı, Orhan Birman İş Merkezi, Kat: 2, No: 149 Balmumcu / Beşiktaş / Istanbul Turkey

Phone: +90 (212) 293 50 00

E-mail: iomistanbul@iom.int

IOM Gaziantep Sub Office

Güvenevler Mah. 29069. Sok. No: 15 Tugay, Şehitkamil / Gaziantep Türkiye

Phone: +90 (342) 220 45 80



MÜLTECİ DESTEK DERNEĞİ
REFUGEE SUPPORT CENTER

MUDEM

Refugee Support Center was founded in Ankara, Turkey in 2014 to carry out activities at home and abroad designed to address the challenges faced by asylum-seekers, refugees, immigrants, trafficking victims, international protection applicants and stateless persons. RSC is an impartial and a not-for-profit association which principally aims to support meeting of the life-sustaining needs of the refugees, provide legal advice on access to social rights, make disbursements of aid for urgent needs and strengthen relations between civil society organizations and public organizations working in the field.

Üsküp Cad. Çevre Sok. 6A/6
Çankaya Ankara

Phone: +90 312 427 2 02

Email: destek@mudem.org



REFUGEES AND ASYLUM SEEKERS SUPPORTING AND SOLIDARITY ASSOCIATION

The association was established in 2014 to seek solutions to the problems of people who have left their country and are in need of international protection.

We are supporting people in need with our staff of different nationalities

We do not discriminate on the basis of language, religion, race, gender, age, disability, political discrepancy and other reasons.

We work in cooperation with the private sector, NGOs and public institutions and organizations to help solve problems about vital needs and create social inclusion.

Mülteciler ve Sığınmacılar Yardımlaşma ve Dayanışma Derneği

Turgut Reis Mah. Fatih Bulvarı, Postcode: 34930

No: 306 Sultanbeyli/İstanbul

Call Center: 0 850 939 76 59

E-Mail: info@multeciler.org.tr



TURKISH EMPLOYMENT AGENCY (İŞKUR)

Turkish Employment Agency works under the Ministry of Family, Labour and Social Services. Turkish Employment Agency established for aiding activities of protecting, improving, generalizing of employment and preventing unemployment, and for executing unemployment insurance services has obtained a structure that enable it to implement active and passive labour force policies alongside its classical services of finding jobs and employees within an extended mission area.

Web page: <https://www.iskur.gov.tr/iletisim>

Phone: 444 7587

UNHCR

Since 1960, the UN Refugee Agency (UNHCR) has been working in close cooperation with Turkey on asylum and refugee issues. Turkey and UNHCR signed a Host Country Agreement on 1 September 2016, which formalizes and strengthens this existing collaboration. UNHCR's Turkey operation is one of its largest operations globally with an office in Ankara and field presence in İstanbul, İzmir, Gaziantep, Hatay, Şanlıurfa and Van.

The Government of Turkey leads the response to protect and assist refugees and asylum-seekers in Turkey. The United Nations High Commissioner for Refugees (UNHCR) provides direct operational support, capacity building and technical advice to the Turkish authorities. As the refugee agency, UNHCR also coordinates the efforts of UN agencies and partners to support Turkey's refugee response and to avoid gaps in assistance.

UNHCR - Birleşmiş Milletler Mülteciler Yüksek Komiserliği ANKARA
Address: Tiflis Cad. 552. Sok. No:3 Sancak Mah.
06550 Ankara

To get in touch with UNHCR for individual support and assistance, please contact the UNHCR-ASAM Counselling Line for refugees and asylum-seekers in Turkey.

The UNHCR-ASAM Counselling Line can be reached on 444 48 68. It is available from 9.00 to 17.00 on Mondays to Thursdays, and from 9.00 to 16.00 on Fridays. You'll be able to receive counselling in Arabic, Persian, Turkish or English.

Alternatively, you can reach the Counselling Line via email (unhcr-asam.line@sqdd-asam.org) and fax (0 312 491 55 82).



UNITED WORK

United Work Reintegration and Placement Services is a non-profit organization that is running a social responsibility project funded by the Dutch Government aiming to support Syrian refugees being employed in Turkey.

United Work functions as a non-profit organization offering complimentary search and selection services based on job descriptions companies provide, organizing interviews, along with pre-job trainings focusing on enhancing soft skills, on improving cultural learning and on social and work life adaptation and work permit consultancy.

United Work offers various programs; targeting white collars, blue collars looking for a job, and the blue collars before job start. The duration and the focus vary according to the program. The method of coaching is in classes and always interactive benefiting from games, individual worksheets, exercises, questionnaires' on a large scale. At the end of the program candidates are expected to be;

- be more aware of cultural differences between Syrian, Turkish and European cultures,
- discover more about themselves in terms of their talents, values, goals, abilities etc.,
- realize the importance of employee skills in daily business life,
- understand how to pitch and present themselves self effectively,
- be efficient in how to write a CV and prepare a CV in a professional way,
- recognize the main principles of job interview process and gain the soft-skills to be successful at work.

İstanbul HQ

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