

POLICY PAPER: TURKEY

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DISCLAIMER

The country-specific policy paper provides the main points regarding the policy rules that are applied by the Commissioner General when assessing requests for asylum from a specific country.

A country-specific policy paper begins with a brief, simplified summary of the complex situation in a country of origin. The situation outline only covers the asylum-related aspects of the situation in that country. A non-exhaustive overview is then provided of the at-risk groups in the country of origin. The focus lies on the at-risk profiles that the CGRS encounters during its day-to-day work. In addition, it only covers the policy themes that are relevant for the country of origin or any special policy rules that apply to that particular country. Subsequently, a country-specific policy paper does not contain a complete overview of all of the possible issues that may be faced by the citizens of the relevant country of origin.

The policy implemented by the Commissioner General is based on a thorough analysis of accurate and up-to-date information on the general situation in the country of origin. This information is collated in a professional manner from various, objective sources, including the EASO, the UNHCR, relevant international human rights organisations, non-governmental organisations, professional literature and coverage in the media. When determining policy, the Commissioner General does not simply examine the COI Focuses, drawn up by Cedoca and published on this website, as these deal with just one aspect of the general situation in the country of origin. The fact that a COI Focus could be out of date, does not necessarily mean that the policy that is being implemented by the Commissioner General is no longer up-to-date.

The policy paper does not reflect the complexity of the asylum application assessment process. When assessing an application for asylum, the Commissioner General not only considers the actual situation in the country of origin, at the moment of decision-making, he also takes into account the individual situation and personal circumstances of the applicant for international protection concerned. Every asylum application is examined individually. An applicant must comprehensively demonstrate that he has a well-founded fear of persecution or that there is a clear personal risk of serious harm. He cannot, therefore, simply refer back to the general conditions in his country, but must also present concrete, credible and personal facts.

A policy paper only has an informative value and is published without obligation and in order to provide information. No rights, of any nature, can be derived from the content of a country-specific policy paper. The information is of a general nature and is not adapted to applicants' personal or specific circumstances. A country-specific policy paper cannot therefore be used as a resource for corroborating an application for asylum or an appeal against a decision made by the Commissioner General.

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For a better understanding of the policy themes that may be dealt with in a country-specific policy paper, see web page "About the CGRS/Policy".

1. SITUATION OUTLINE

The security conditions in Turkey are still primarily influenced by the struggle between the Kurdistan Workers' Party - *Partiya Karkerên Kurdistan* (PKK) – and the Turkish armed forces. Peace talks have been taking place between the two parties since the end of 2012 and a ceasefire came into force on 21 March 2013. In addition, several extreme left-wing organisations and Islamist groups can also be considered a possible threat to internal security in Turkey. The changing situation in neighbouring Syria also affects the security conditions in Turkey.

2. PERSECUTION IN THE CONTEXT OF THE REFUGEE CONVENTION

The Commissioner General considers that the situation described in point 1 could potentially lead to political and/or ethnic tensions, particularly with the profiles of certain extreme left-wing or Kurdish minority activists. However, it should be noted that there is no group persecution of the latter.

However, applications are examined on a case-by-case basis and refugee status can be granted to applicants who have presented specific individual fears or facts from which it can be deduced that there is a fear of persecution.

The problems continue to exist where it comes to respect for fundamental human right and the Rule of law (in particular the reform of the penal justice system, the struggle against impunity for abuses by State agents and domestic violence against women, as well as the restrictions on freedom of expression, the media, the Internet and the right of assembly and association for political and/or social purposes. The Commissioner General examines applications for international protection relating to this situation on a case-by-case basis and refugee status can be granted to applicants who have presented specific an individual fear or facts from which it can be deduced that there is a fear of persecution.

Furthermore, honour crimes, although limited in number, are a phenomenon that could occur in certain regions of Turkey, and affect mainly women. All asylum applications mentioning honour crimes are examined on an individual basis and the need for international protection is assessed with the utmost care.

3. SUBSIDIARY PROTECTION

The Office of the Commissioner General believes that the situation described in point 1 has not reached such a level of intensity that, in Turkey, there is currently a real threat to a civilian's life or person as a result of blind acts of violence during an armed internal or international conflict in the sense of article 48/4, § 2, c) of the Aliens Act of 15 December 1980. Therefore, the status of subsidiary protection may not be granted on this basis.

4. EXCLUSION

The Commissioner General examines whether applications by members of armed groups such as the PKK or of organisations involved in terrorist acts, fall within Article 1F of the Refugee Convention. If there are strong reasons to believe that the applicant has been directly involved in committing a crime against peace, a war crime or a crime against humanity, a serious crime under common law or actions contrary to the aims and principles of the United Nations, he will be excluded from the protection measure of the Refugee Convention and/or subsidiary protection.