



Response provided by the Danish Refugee Council to the Public Consultation by the Danish Ministry of Foreign Affairs on the “Regional Migration Governance Programme - Türkiye and the Western Balkans (2025 – 2030)”

DRC is grateful for the opportunity to provide input to the draft programme document in this public consultation and have the following comments:

Overall:

- The Danish Refugee Council (DRC) appreciates that the programme identifies diverse drivers of cross-border movement of people in mixed migration contexts, as well as risks faced along the route and in Turkey and Western Balkans. The emphasis on legal pathways for accessing protection and strengthening livelihood opportunities are welcome, as essential to addressing key vulnerabilities and increasing the capacities of asylum seekers and migrants, in addition to addressing the risks of human trafficking.
- The programme is well-integrated with EU policies. The emphasis on integrated border management, countering smuggling and combating trafficking, asylum processing, and labour market access aligns with ongoing EU initiatives.
- DRC appreciates that the programme aims at building synergies with relevant programmes in countries of origin and with partners implementing the “Whole-of-Route” programme, specifically in relation to collection of disaggregated qualitative and quantitative human rights and gender related data. We would encourage setting up a clear framework for data harmonisation, exchange, and coordination mechanisms across the different migration governance initiatives.
- While it is commendable that the programme includes both refugees and migrants, there is a lack of clarity regarding the definition of “migrant.” Clear definitions are essential, as access to services and protection varies significantly depending on legal status. In Türkiye, for example, refugees under Temporary Protection have free access to healthcare, whereas those under International Protection (non-Syrians) receive this benefit only for one year. At the other end of the spectrum, irregular migrants are entirely excluded from essential services, including primary healthcare, education, and financial assistance. To fully reflect the complexity and variety of risks and challenges faced by people on the move, and thus the complexities of rights-based, orderly migration management, it would be useful to streamline the terminology across the document, adequately reflecting the involvement of and support to “refugees, asylum seekers and migrants”, over referring to “mixed migrants” or only “migrants” (e.g. 3.3.1 and 4.3)

Comments related to proposed programming in the Western Balkans:

- As the sustainability of the program results relies on national ownership and buy-in, DRC finds that the program would benefit from a strengthened role of national and local civil society actors in informing and influencing laws and policies, as well as fostering an enabling environment for inclusion.
- The document highlights human rights risks (such as Gender-Based Violence, refoulement, labour exploitation, smuggling and trafficking) but does not leverage CSOs as protection actors. CSOs are often on the frontlines providing access to reliable information, documenting abuses, medical aid, serving as watchdogs and policy advocates.
- As per DRC's experience supporting CSOs in the Western Balkans over several years, CSOs play critical roles in governance and protection mechanisms. In the Western Balkans, CSO networks have played a critical role in migration programmes, in close cooperation with the respective Central and Local Authorities, ensuring access to reliable information on legal pathways and on smuggling risks to refugees, asylum seekers and migrants, providing legal aid, supporting anti-trafficking initiatives, livelihood opportunities, community integration projects, border monitoring support. Insufficient CSO involvement may lead to policies that overlook migrant voices and needs. In the present draft programme document, no mechanism is specified supporting CSOs in their essential migration role in the Western Balkans, limiting their ability to contribute effectively. DRC recommends revisiting this point for a closer integration of CSOs in governance and protection mechanisms.
- The program could benefit from strengthening the active involvement of the affected communities in informing and shaping policies. The involvement of affected as well as host communities is essential to overcoming barriers in integration, considering that increasing anti-foreigner sentiment in major host and transit countries has been contributing to further movement and challenging integration initiatives.

Comments related to proposed programming in Türkiye:

- The programme document outlines a comprehensive set of interventions to promote access to asylum for irregular migrants. For Türkiye, it is understood that IOM will mostly provide protection for victims of transnational crimes, victims of human trafficking and smuggling while also delivering capacity development trainings to the Presidency of Migration Management (PMM). Furthermore, UNHCR will focus on improved access to registration and protection by asylum seekers. However, it is important to note that many Syrians also engage in migration to third countries such as Europe. The programme document would benefit from further consideration of protection/legal interventions to support access to asylum and legal protection to Syrian refugees (TP status) as well.
- The document focuses on border management and access to asylum documentation; however, limited mention is made of protection for refugees/migrants in detention/removal centres. There have been numerous reports evidencing rights violations in detention centres including lack of access to lawyers, denied information on rights/entitlements, ill treatment, and persons being forced to sign voluntary return papers. The programme may consider adding a component for protection partners who can provide legal representation and aid to migrants in detention so that they can access their rights (such as appeal wrong deportation decisions etc.) or better integrating references to other programmes that deliver this service.
- In terms of increasing the component around access to livelihood support and economic recovery, in the context of Türkiye, it would be valuable for any design to consider an integrated programmatic modality

between economic recovery and legal assistance to allow refugees to apply for and obtain work permits so that they can access formal jobs/decent work opportunities. Most refugees/migrants lack access to work permits which in turn puts them at risk of exploitation and abuse from employers.

- On page 6, under the section on Türkiye's local integration ("harmonisation") policy, it is stated that "The legislation has recently changed, so Syrians are now able to take up formal employment without having to apply for a work permit." This likely refers to the amendment published in the Official Gazette on 15 October 2024 (Number: 32693) concerning the Regulation on Amending the Implementation Regulation of the International Workforce Law. The amendment primarily extends work permit exemptions for certain categories of workers, allowing them to work for longer periods without reapplying for an exemption. However, initial analysis indicates that most refugees do not fall within these exempted categories. The change mainly applies to highly skilled workers and specific professional groups, whereas most Syrians are under Temporary Protection work in agriculture or seasonal/daily labour. As a result, most Syrian refugees still require a work permit to access formal employment.
- It is appreciated that the programme includes dialogue on promoting the integration of migrants into the labour market. However, it is important to acknowledge that the policy context in Türkiye does not actively support such integration. Refugees face significant barriers in obtaining work permits, making access to formal employment extremely difficult, while irregular migrants are entirely excluded unless they undergo some form of regularisation. As a result, many remain trapped in cycles of poverty, vulnerability, and exploitation, both economic and otherwise. This situation is exacerbated for Syrian refugees, who lack legal pathways to citizenship and therefore continue to face systemic disadvantages in the labour market.
- The description of border security measures taken by Turkish authorities and neighbouring countries may benefit from more robustly addressing the humanitarian and human rights implications. While the measures are framed as necessary to counter terrorism, smuggling, and irregular migration, they risk exacerbating protection concerns for refugees and asylum seekers. The construction of physical barriers, such as the three-meter-high wall and high-tech surveillance systems, significantly restricts access to asylum, potentially violating international asylum law. DRC recommends the inclusion of further analysis of how these measures impact people in need of international protection, including those fleeing conflict and persecution who may be left with no legal or safe options for seeking asylum.
- Similarly, the document would benefit from further analysis relating to the evolving instability in Syria following the fall of the Assad-led government, including for those previously affiliated with the regime who may now face persecution, as well as civilians caught in ongoing violence and insecurity. Additionally, these measures disproportionately impact other vulnerable groups, such as Afghans fleeing the Taliban regime, who already face significant barriers to protection in Türkiye.
- DRC applauds the programme aim of enhancing asylum systems and increasing registration figures, however, the programme would benefit from further clarity on addressing systemic barriers to asylum access at the policy level. DRC Türkiye and civil society partners have observed that both Syrian and non-Syrian asylum seekers face significant challenges in accessing procedures, with Provincial Directorates for Migration Management routinely refusing new applications. The current practice of allowing only "highly vulnerable" individuals to apply is inconsistently applied across provinces, leading to concerns about arbitrary decision-making and the absence of standardised criteria for vulnerability assessments.

- The inclusion of an integration or "harmonisation" aspect in the programme is a positive step given the worsening social situation between refugees and host communities. However, DRC strongly recommends adding or refining the articulation and/or indicators for this outcome to consider relevant protection concerns generated by the application of the "harmonisation" policy:
- However, DRC suggests refining or qualifying this approach as captured in Outcome 3. The current application of "harmonisation" (implemented by the Government of Türkiye through the "closed neighbourhood" policy since 2021), which aims to reduce refugee concentration in certain districts and neighbourhoods by promoting interprovincial transfer and relocation, has exhibited significant negative effects. By restricting foreign residents from settling in neighbourhoods where the foreign population exceeds 20%, the policy has contributed to rising housing costs and limited accommodation options for refugees. Additionally, proximity to other refugees is not the sole determinant in their choice of residence; affordability and access to livelihood opportunities play a critical role. Because protection status is contingent on maintaining a registered address, those unable to secure housing in designated "open neighbourhoods" risk losing access to public services and social assistance. This may cause increased vulnerability, potential detention, and, in the longer term, pressure to engage in onward movements or return to Syria despite ongoing instability.

Comments related to data collection with and for people on the move:

- DRC applauds the strong focus on data collection and analysis, which is essential for evidence-based migration governance.
- DRC encourages the further inclusion of CSOs in data collection efforts. CSOs are often better positioned to reach people on the move, particularly those in irregular situations who may be less inclined to engage with intergovernmental or governmental agencies. CSO involvement would enhance the quality, accessibility, and depth of data collected, ensuring that protection risks, human rights concerns, and the lived experiences of refugees, asylum seekers, and migrants are adequately captured. A participatory approach to data collection, involving CSOs and affected communities themselves, would also contribute to a more nuanced understanding of migration dynamics and improve policy responses.
- DRC suggests including reflections on support and advocacy for greater data transparency from the Government of Türkiye. The Government of Türkiye has maintained a highly restrictive approach to data transparency, especially concerning migration. Although some statistics are published monthly by the PMM, the level of disaggregation is minimal, and key indicators necessary for a thorough analysis remain inaccessible – this complicates the effective application of gender and human rights-based approach lenses to available data. Moreover, in recent years, the depth and width of publicly available migration-related data have diminished, further restricting civil society's ability to conduct independent oversight and advocacy. Without public access to data, any efforts to enhance quantitative and qualitative human rights and gender data collection may face substantial limitations.