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**Southeast Turkey Protection Working Group
Meeting Minutes
9 November 2016**

Agenda Item	Summary of Discussions	Action Point / Time Frame
Objectives of the meeting	<ol style="list-style-type: none">1. Establish a shared understanding of the role of coordination2. Agree on the structure and functioning of the PWG3. Identify priority tasks to be completed before December meeting	
Welcome and overview of meeting agenda	<ul style="list-style-type: none">• Administrative follow up (minutes, action points, announcements)• Update on inter-agency coordination changes in Turkey (what is coordination/objectives of coordination?)• Vision for protection sector coordination• Key protection concerns and operational challenges (immediate priorities)• Way forward• AoB	
<u>Introduction</u>	<ul style="list-style-type: none">• Inter-agency Protection Coordinator introduced herself to the participants and briefly updated them about the changes on coordination efforts in Turkey. She stressed that from now on the coordination efforts will be much more action oriented with the help of dedicated coordination personnel.	



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<p><u>Administrative follow up</u></p> <p><i>Updates on participants list and minutes of meeting</i></p> <p><i>Action points from the last meeting</i></p>	<ul style="list-style-type: none">• Participant list of the Southeast Turkey Protection Working Group is in the process of to be updated with complete contact details for each member.• Draft meeting minutes will now be shared on the Monday following the meeting. Group members are expected to review the draft minutes and provide comments or requests for revisions either via email or in the beginning of the next meeting, so that they may be finalized and endorsed by the group.• Group members had no comments or requests for revision for the October meeting minutes and they were officially endorsed.• <u>October Action Point 1: Disability Health Report.</u> Handicap International Inclusion Coordinator Tom Palmer updated the group on efforts underway to further develop guidance on how refugees can get a Disability Health Report. The guidance prepared by UNHCR Policy Development Unit (PDU), which includes the list of hospitals that issue health reports, has already been shared with group members by email (Monday November 7), but PWG members are being asked for feedback so that the guidance may be revised and expanded. Feedback has already been received from the Case Management Task Force. PWG members are asked to share the following:<ol style="list-style-type: none">1. Are there parts of the existing note that are <u>confusing or unclear</u>?2. Is there addition information that you would like to be <u>added</u>?3. If you or your organization has <u>experience</u> helping refugees get disability reports, what were your experiences? Were there specific barriers or challenges?4. If your organization has <u>resources available</u> to assist refugees in getting disability reports (cash to cover travel or translation costs, staff available to accompany, etc.), please	<p><i>Soft copies will be shared with participants via e-mail.</i></p>
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indicate.

PWG feedback will be shared with UNHCR PDU for revision of the note and an Annex with typical obstacles and proposed solutions, including available resources will be added based on member input. Feedback to be shared with Tom Palmer (inclusion.ns@hi-emergency.org).

Deadline is Tuesday November 15.

- **October Action Point 2: IOM Family Assistance Program leaflets.** IOM informed the group that there are two types of leaflets now available for the FAP:
 1. Leaflets targeting I/NGOs to inform them about the programme and are available in English, Turkish and German.
 2. Leaflets targeting refugees, to explaining the programme and how to apply. These are available in Arabic.
- Samples were shown and a signup sheet was shared where members could order leaflets for their organizations and distribution. IOM underlined that dissemination of the brochures and FAP programme information is very important because middlemen have been exploiting refugees by charging fees for the free FAP application process.
- **October Action point 3: Presentation by ECHO on their protection framework.** The framework is still being finalized; the presentation will be scheduled for a later date.



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**Legislative Updates
from UNHCR**

UNHCR Assistant Protection Officer shared two legislative updates:

1. According to Temporary Protection Regulation (TPR) and its amendments, Syrian nationals arriving from 3rd countries would not fall under the protection scheme specifically set out in TPR. By virtue of Circular No. 2016/22 of DGMM dated 20/10/2016, the condition of arriving from Syria to go benefit from temporary protection in Turkey is lifted for those who cannot be admitted to a third country. Consequently:
 - Those who would like to repatriate to their country of origin and travel to a third country will be subject to similar proceedings as before,
 - Those who came to Turkey with visas or else have been living in Turkey on residence permits shall be pre-registered upon the expiry of their visas/residence permits,
 - Those who were admitted to Turkey irregularly but do not wish to go back to their country of origin and/or cannot be admitted to a third country shall be pre-registered by PDMMs

Refugee Rights Turkey told that, they have been counseling Syrian refugees who are denied registration on grounds of arriving from a third country to apply for international protection. The organization enquired whether individuals who have already applied shall withdraw from their applications. UNHCR explained that, Syrian refugees are under temporary protection in Turkey. Their individual applications for international protection are not processed as they fall under a different category under Turkish law. Therefore, they could avail themselves with a view to get registered under TP.

Another questions concerned those who were admitted to Turkey by virtue of visas obtained abroad. Shall these individuals await the expiration of their visa period before requesting to be

UNHCR will prepare a table which includes different scenarios for different profiles and share with participants. The outcome and benefits will be analysed after the new circular.



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registered under TP?

During the meeting, UNHCR representative told that this shall not be a requirement. In reference to the circular; expiration of visas seems to be a requirement however individuals shall not be discouraged to approach PDMMs as soon as possible taken into account the current lengthy waiting periods for full registration.

UNHCR further clarified that, this circular is an internal document of DGMM and must have already been circulated among all PDMMs.

2. The latest CoM Decree published in the O.J. on 29 October 2016 (no. 29872) brought some amendments to the LFIP (no.6458). A new category is added under foreigners against whom a deportation order can be issued (kindly see subparagraph k of Article 54). Deportation orders may be issued concerning IP applicants and status holders falling under this category, alongside those who pose a threat to public order, public security or public health and who are leaders, members or supporters of terrorists or benefit-oriented criminal organizations, at any stage of their IP procedures (kindly see paragraph 2 of Article 54), even before the finalisation of the appeal proceedings.
3. UNHCR briefed the members as to the decision of the Constitutional Court (CC) dated 01/11/2016.

H. S. (App. No. 2016/22512, dated 2/11/2016)

The applicant is a Syrian national who entered into Turkey on an unidentified date. On 10/12/2015,



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during a search conducted by the law enforcement officers at the Ankara bus terminal, the applicant was caught on account of being in possession of forged identity document. He was put under administrative detention due to providing conflicting information in his interview and with the suspicion of crossing to conflict zones in Syria and joining to the terrorist organisations. He is still under administrative detention in Gaziantep. On 11/12/2015, Ankara PDMM issued a deportation order pursuant to Article 54/1/d (*constituting a threat to public order and security or public health*) of the LFIP. Applicant's appeal at the Ankara 1st Administrative Court with a request to annul the deportation order is still pending. The applicant claimed that he had sought asylum in Turkey due to the unstable situation and the sectarian pressure against Sunnis in his country. He also claimed that he did not engage in any illegal activity in Turkey, he was caught while getting ready to go to Hatay for business purposes and that he would be subject to pressure and persecution in Syria, if he is to be deported. He further claimed that following the entry into force of the CoM Decree (KHK/676), lodging an appeal at the administrative courts against a deportation order issued pursuant to Article 54/1/(b), (d) and (k) of the LFIP would not suspend the execution of the deportation order and that the deportation order issued against him can be executed any time and in practice action for annulment is no longer an effective remedy.

The CC noted that before the amendments brought with the CoM Decree, under Article 53/3 of the LFIP, it was envisaged that "the foreigner shall not be deported during the judicial appeal period or ... until after the finalisation of the appeal proceedings". Thereby, "an automatic suspension" of some sort was foreseen for the appeals against deportation orders. However, with the amendments, the automatic suspension mechanism is lifted for foreigners who "are leaders, members or supporters of terrorist or benefit-oriented criminal organizations", "constitute a threat to public order and security or public health" and "are assessed to have links with the terrorist organisations identified by international institutions and organisations". In the current situation,



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<p>Updates from WFP about ESN</p>	<p>lodging of actions for annulment at the administrative courts would not affect execution of deportation orders. In the present case, it is understood that since a deportation order is issued for the applicant on account of constituting a threat to public order, public security or public health, lodging of an action for annulment at the administrative court will not suspend the execution of the deportation order. The CC concluded that execution of the deportation order may lead to irreversible consequences since the applicant is a national of Syria, he presented the claims related to his individual condition, the action for annulment lodged at the administrative court is still pending and the internal conflict and instability in Syria are ongoing. <u>The CC granted stay of execution of the deportation order.</u></p> <p>Available in Turkish at: http://kararlaryeni.anayasa.gov.tr/BireyselKarar/Content/aa1fa49c-8f5f-4e8c-8206-b4a0c7038277?wordsOnly=False</p> <p>UNHCR advised that, those who are at risk of deportation shall be referred to Bar Associations or be assisted to receive legal assistance. Available remedies are no longer effective for those who fall under Article 54 1 (b), (d) and (k) hence complaints may be directly lodged with the CC. Such cases shall also be reported to UNHCR SE at RIFAIOGL@unhcr.org.</p> <ul style="list-style-type: none">• <u>The emergency social safety net (ESSN) program is tentatively scheduled to begin countrywide roll out on November 28.</u> Pilot program is still ongoing in Ankara and will be established in Sivas soon too.• It is anticipated that many refugees will find the ESN application form difficult to fill out and they will likely seek help from NGO and outreach staff. It is important for organizations to be ready.	
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<p>DGMM Verification Exercise Updates from UNHCR</p>	<ul style="list-style-type: none">• To aid preparedness, WFP is running information sessions that are open to all interested organizations' field staff. The sessions will introduce the ESSN program, including the application form. Sessions started this week in Sanliurfa, Hatay and Gaziantep. Additional training sessions will follow.• Including non-Syrians to ESSN is still under discussion.• Coordination related with ESSN is still under discussion in national level. It seems an ESSN task force may be established.• There will be video and leaflets about ESSN and will be ready at the end of the month. They will be shared after approval by the government. • A map illustrating the tentative roll out plan/dates of the DGMM Verification Exercise Phases were shared with the participants. Soft copy to follow with meeting minutes. The tentative starting location is Kahramanmaras in Mid-December.• The southeast will be covered in the later stages of rollout; areas with smaller refugee populations will begin earlier. There will be a media campaign about verification too, but it is planned in later stages.• UNHCR clarified that verification is not related with pre-registration and also pre-registered case load will not be part of the verification.• UNHCR stated that there will be consequences if refugees if they do not have their registration verified.• UNHCR Ankara will organize information sessions on verification when it starts in the southeast.	<p><i>UNHCR will share a leaflet on this when it is finalized along with a soft copy of the most recent roll out map.</i></p> <p><i>It will include the benefits and consequences of participating in the verification process or not for refugees.</i></p>
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Special Needs Fund (SNF) partners and ECHO activities in lead up to ESSN

- Cash-based intervention (CBI) organizations and ECHO are working on SNF use in CM activities. ECHO wants I/NGO's to make recommendations. The trend of use SNF will be analyzed accordingly.
- CARE stated that they would like to transform Case Management Task Force to an official WG but they don't want to change its grass root base as none of the NGO participants are leading. CARE said it can be led by UNHCR but it should stay like this way. But it is open to further discussions.

Update on interagency coordination changes in Turkey by new chair

- New chair asked the participants to share their opinions about the PWG meetings, what worked and what didn't work earlier. Chair also underlined that real work of the Working Group is not during meetings, but in the time between them. Problems can be identified during the meeting and a task force can be created from who are willing and capable to achieve their task in 30 days before the next meeting.
- Objectives of coordination are underlined such as: establishing an understanding of context, prioritization among concerns, deciding who is doing what, when and where, tracking progress against targets, avoiding gaps and overlaps and advocacy.
- Handicap International said that advocacy is hard as an individual agency, so it is important to have advocacy component in coordination efforts; a united PWG voice carries more weight than that of any one member. Chair underlined that as a sub-national WG we have limits on the type of advocacy we can do and should support national level advocacy efforts through raising issues to national level and providing information to develop an evidence-base. UNHCR highlighted the need for systematic information sharing on problematic issues, which requires members'



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<p>Proposal and discussion of structure and functioning of Southeast Turkey protection sector coordination.</p>	<p>commitment. It has been underlined that membership is not passive.</p> <ul style="list-style-type: none">• Identifying gaps and mobilizing resources to fill them is another function of coordination.• As a result of previous operational reviews of interagency coordination in Turkey changes are taking place in the structure and resourcing at both National and sub-national levels. Discussions are still ongoing so final structure cannot be shared now, but it will be shared when it is finalized.• Participants underlined the importance of interactions between WGs. Sometimes the same issue is discussed in other WGs. If there are interactions, it can be avoided. An Inter-sector WG has been discussed; updates will be shared on decisions regarding the mechanism for inter-sector coordination.• Proposed structure for IA protection coordination in southeast Turkey was presented for discussion. <p><u>Protection Working Group (PWG):</u> It is in the heart of protection coordination; membership is open to all active protection actors in the region.</p> <p><u>Protection Core Group (CPG):</u> It is a small advisory group with representation from the protection sub-sectors (CP and SGBV) and PWG members with an operational presence that gives them a broad strategic view of the context and response (for example, through geographic coverage or diversity of programming) and includes one member with technical legal expertise. It should have 7 members, with three fixed members (PWG, SGBV and CP WG co/chairs) and four seats (nominated and elected by PWG members, including the legal seat) to be held on a 6 month rotational basis. Terms of reference for the CPG will be prepared based on the meeting's</p>	<p><i>CHAIR's note: revision with group to be chaired by the PWG chair and have seven members, including the SGBV SWG co-chair (UNFPA), the CPSWG Co-chair (UNICEF), UNHCR and four NGO members, one of</i></p>
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discussion and shared so interested group members can nominate themselves for consideration, to be followed by election by PWG members.

- The CPG will address both strategic issues and sudden changes in the operational context. As a smaller group, it has the ability to convene on short notice when needed. The CPG is not a decision making body, but rather serves an advisory function. CPG recommendations and outcomes will be shared back to the PWG for consideration or endorsement.
- For CPG membership, a minimum commitment will be required (regular participation, a designated back up, contribute to tasks, etc.). Representation is on the organizational level, not individual, and elected organizations must assign a second person as a back-up to their representing individual.

Technical advisor: DRC's co-chair status discussed and clarified that there was no consultative process, but nobody opposed when it was announced in August. It was voiced that the support provided by DRC was dependent on an individual and that that individual has now left the operation. It was suggested and agreed that the same process for PCG membership should now be followed to select a new technical advisor. The change in the role's name from 'co-chair' to 'technical advisor' was highlighted, with emphasis that this role is to provide technical guidance in support of work being carried out by the group. It is not a coordination role. It was raised and agreed that both protection and information management technical support are needed.

Task forces: Task forces under the PWG will be task –oriented and time-bound. They will be formed when specific tasks are identified by the PWG and will only exist until the completion of the assigned task(s). Task force membership is voluntary and PWG members are encouraged to commit themselves if they have with the time, interest and skills required to support completion of the identified task. Task forces are free to organize themselves as they wish in order to complete the task; results will be shared back to the PWG for review, feedback and eventual endorsement and adoption. This system of working with task forces allows work to be

which must have legal expertise.

Chair's note: DRC was not present in the meeting, so the chair followed up with DRC afterwards. DRC confirmed that they were nominated previously and, as no other agency expressed interest, they were selected by default. The chair is willing to honor this previous selection on condition that DRC can fill it in a timely manner. DRC will report back shortly on this matter. The process agreed in the meeting will be followed for the next rotation of the position, avoiding any future such lack of clarity.



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completed by small, efficient teams, yet also allows all PWG members an opportunity to identify and prioritize the work of the sector, contribute to work being done and benefit from the results.

Case conference groups: There are currently three regional groups (Gaziantep, Sanliurfa and Hatay) where case workers / social workers meet to discuss challenges that they are facing in developing case plans and solving issues in individual cases. It was proposed to call these groups 'case conference groups' to help distinguish them from task forces and working groups and to clarify their specific work.

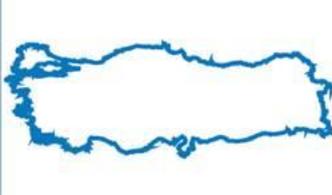
- It was raised and agreed that the name change should only be made after consultation with the groups. The PWG chair is scheduled to meet with these groups during each of their respective upcoming monthly meetings. Terms of reference for these groups will be created.

MHPSS focal point: A designated MHPSS focal point was proposed, in order to help facilitate coordination between the PWG and the MHPSS SWG. It was agreed that the focal point would represent the PWG in the MHPSS SWG and would share any PWG updates in the MHPSS meeting and vice versa. It was agreed that the focal point agency should have PSS programming and be a member of both groups.

- A call for interest was put to the group, to which Handicap International expressed interest and, with no dissent from the group, **Deniz Zayim, HI Community MHPSS Programme Manager, was elected.**
- A point of clarification was made between the work of the PCG and that of task forces. The PCG has an ongoing advisory function and will meet monthly the week after the PWG meeting, in addition to ad hoc meetings when needed in response to changes in the operational context. Members will be called upon to assist in creating first drafts for some administrative tasks such

PWG terms of reference will be shared the week of the 21st, followed by call for nominations.

Chair's note: suggest that the MHPSS Focal Point is also on a six month rotational basis.



<p>Open discussion on priorities for PWG and further clarification of roles, responsibilities and functioning of PWG.</p>	<p>as terms of reference, concept notes or summary papers. Their input is supportive, not decision-making. Task force work is more technical in nature and focused on specific areas. For example, gathering data and conducting analyses on specific issues and possibly sending recommendations to national level for the creation of tools or guidance to be used sector- and country-wide.</p> <ul style="list-style-type: none">• It was clarified that standard and policy setting happens in the national level PWG, whereas sub-national PWGs focus on identifying and resolving implementation challenges and feeding back to the national level group what those challenges are.• It was raised that some PWG members may not be familiar with acronyms and terminology used in humanitarian work. All members should be mindful to avoid using such terminology without explanation. It was suggested and agreed to start a glossary of terms to help all members become more familiar. Without this familiarity, members may not fully understand what is being discussed or feel intimidated to participate in group discussions.• It was raised and agreed that the PWG has so far not sufficiently engaged members working in areas outside of Gaziantep, although some organizations travel from Sanliurfa and Hatay to attend. All acknowledged that this is the Southeast Turkey PWG, not the Gaziantep PWG, and we need to better represent the needs and concerns of all protection actors in the southeast.• It was proposed that having thematically based meetings may help organizations make informed decisions about when it would be more worthwhile for them to travel to attend a meeting and they can follow by emailed meeting minutes the rest of the time. Another proposal was to decentralize the meetings by holding them in other locations on a rotational basis.	<p><i>Begin a glossary of terms and place on the PWG shared drive before the December meeting.</i></p>
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<p>Community Centre Workshop Report update.</p>	<ul style="list-style-type: none">• The implications of different group names were clarified. ‘Working Groups’ can only be formed with the approval of the Syria Response Group and the Resident Coordinator (the highest representative of the UN in Turkey). ‘Task forces’ can be formed at sub-national level, but focus should be on the task and its completion, rather than creating a group, to avoid conflict over the group’s location in the overall coordination structure.• All inputs regarding PWG roles and responsibilities will be reflected in new terms of reference (ToR) for the group, to be drafted by the PWG chair and shared with the group members for review and endorsement in the December meeting at the latest.• The report for the Community Centre Workshop held by the PWG last July is in its final stages of completion. The minimum standards and guidelines have slowed the completion of the report.• The completed community centre map was shared and feedback on errors received.• The team working on the report to this point has invested much time and effort and, to speed the finalization of the report, it has been decided to reform the above mentioned sections to ‘minimum actions’ and general guidance.• The draft report was shared by email with all PWG members on Monday November 4. This is the last opportunity for all PWG members to review and provide inputs on the report. Revisions are especially appreciated for the inclusiveness guidance note in Annex II, section C (engaging host community members and persons with disabilities).• The <u>deadline for feedback was extended to Friday November 18</u>. Feedback is to be sent to the	<p><i>PWG chair to draft terms of reference (ToR) and share with group for review and endorsement by December meeting at latest.</i></p>
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<p>Discussion and identification of priority tasks and issue areas for Southeast Turkey PWG.</p>	<p>PWG chair at mackinno@unhcr.org. The report will be revised according to inputs and share back to the PWG, including with the updated community centre mapping, the following week.</p> <ul style="list-style-type: none">• Updating the 4Ws matrix was recognized as a top priority to be completed before the next meeting. A new template has been shared by the national Information Management Working Group (IMWG) that will now be used by all sectors and in all areas of the country.• The template does not include fixed activities and sub-activities. These fields need to be standardized (a fixed drop down menu rather than free text) so that the inputs can be analyzed and mapped. The previous PWG 4Ws used free text for these fields.• An email will be sent to all PWG members requesting volunteers to help draft proposed activities and sub-activities for the 4Ws. This will be done in coordination with the national PWG. Once a final draft is agreed, it will be shared with all PWG members to test if they can categorize their programmes with the suggested activities/sub-activities. Feedback will be used to revise and finalize the lists.• The selection of activities/sub-activities for the 4Ws is important as it will also affect Activity Info for 2017, where actors will be expected to report. It will also be used to analyse gaps and overlaps in the sector.• The next step after finalizing the activities/sub-activities will be to write guidance so that all members understand their meaning and report their activities in the same way. A task force will likely be formed to help with this task.• The community centres map will be shared in soft copy after identified errors are corrected. An Excel directory will also be developed and shared. The existence of a previously used online	<p><i>Volunteers to meet on Tuesday November 15 and share proposal with national level PWG.</i></p> <p><i>Soft copy to be shared ASAP after revisions made. Follow up with IMWG on online mapping tool. Request support from IMWG or technical Advisor for CC directory creation.</i></p> <p><i>PWG chair to create a Google Drive for PWG and send link to share with members.</i></p>
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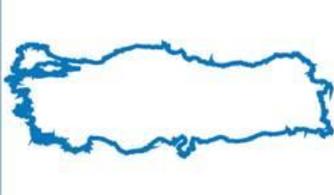
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<p>AOB</p>	<p>mapping tool for community centres was raised and the chair agreed to follow up with IMWG members in Ankara.</p> <ul style="list-style-type: none">• The group discussed and proposed options for creating a shared drive to store key documents and resources. It was established that Google Drive is more secure than Dropbox and the vast majority of group members are familiar with the use of Google Drive. It was agreed that Google Drive will be the platform for the PWG shared drive. <p>Group members raised the following areas for consideration as PWG priorities:</p> <ul style="list-style-type: none">• Increased knowledge about the verification process.• More and more consistent information on updates from other provinces, such as Osmaniye.• Concerns regarding ESSN and its impact on protection programming and the protection environment. This was proposed as the thematic topic for the December meeting.• Referral pathways as a priority area for attention, including supporting non-protection actors (especially those conducting household visits) to properly refer protection cases.• Risk analysis was raised as a priority area for PWG capacity building.• Systematic sharing of training needs and capacities as well as feedback on UNHCR's training of trainers (ToT).• Sector-wide tools for referral, service mapping, gaps analysis, etc. to avoid duplication and ensure alignment amongst actors.• Organizations do not need to send large numbers of staff to the PWG meetings. Information should be shared within organizations and it is possible for staff members to be listed on the PWG contact list as 'CC only' to indicate that they want to receive emails for information	<p><i>Chair's note: since ESSN is moving very quickly, and much work is already being undertaken to assess and analyse the impacts, it may make more sense to use the December meeting to address strengthening case management in anticipation of a large increase in cases identified and referred with the roll out of both the ESSN and the verification processes.</i></p>
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<p>UNHCR participatory assessment (PA) initial findings.</p>	<p>purposes, but will not be attending meeting.</p> <ul style="list-style-type: none"> • The PWG chair commits to share the minutes of the meeting by the following Monday at latest and, when possible, the Friday following the Wednesday meeting date. • Reminder emails will be sent to group members on Friday requesting input for the disability report and the community centre workshop report with instructions for deadlines and how to submit feedback. <p>UNHCR shared some of their initial findings in their participatory assessments (PAs) with Syrian and non-Syrian refugees in Southeast Turkey. The PAs are focus group discussions (FGD) that invite refugees to share the challenges that they are encountering and to propose solutions. The FGDs are conducted with separate groups for men, women, girls and boys. UNHCR and partners have been working together to carry out the assessments.</p> <p>Findings so far include:</p> <ul style="list-style-type: none"> • Non-Syrian refugees (including Iraqi, Afghan and Iranian) in Gaziantep are reporting high levels of frustration because Syrians are perceived to be getting more support and attention. They feel discriminated against because most programmes are only for Syrians. Afghans are the most frustrated among them. This highlights the need to serve all refugees, not just Syrians, with our programming. • PA findings will be shared by UNHCR when the process is complete and findings are finalized. 	
<p>Participants</p>	<p>AAR Japan, ABA ROLI, CARE, CRS, GC, GIZ, GOAL, HI, IBC, IMC, IMPR, IOM, IRC, MC, MHD, UTBA , SCI, SGDD-ASAM, TRC, UNFPA, UNHCR, UNICEF, WFP, WVI and YUVA.</p>	



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Next meeting	<ul style="list-style-type: none">• Next meeting will take place on 14th of December 2016.	
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