

TURKEY

May 2017

Access to Justice and Legal Remedies in the Current Legal Framework

- The endorsement of the Law on Foreigners and International Protection (LFIP) in April 2014 introduced a specific provision **reinforcing access to justice and legal remedies**, including *pro bono* legal assistance for asylum applicants and refugees as well as judiciary review by the Administrative and Magistrate Courts in the appeals procedure. The LFIP is complemented by other legislation already recognizing the right to legal aid for persons seeking international protection in Turkey.
- The right to **submit individual applications to the Constitutional Court** strengthened available legal remedies: In 2010, pursuant to Constitutional amendments, any person whose fundamental rights and freedoms, as set forth in the ECHR and guaranteed by the Constitution, have been infringed upon by a public authority can apply to the Constitutional Court.

UNHCR Strategy and Activities

- On 28 February 2017, UNHCR signed a Memorandum of Understanding (MoU) with the Justice Academy of Turkey, the national institution in charge of designing programmes and projects to enhance the technical knowledge of judges and prosecutors. With this MoU, both Parties committed to cooperate in the framework of a workplan developed to expand know-how concerning adjudication as relates to refugees in private law, criminal law and administrative law in Turkey. Within this framework, several joint activities such as workshops and seminars are being organized. Curriculum and reference materials targeting judges and prosecutors will be designed as part of this initiative.
- Between October and December 2016 five site visits were conducted in Konya, Sanliurfa, Hatay, Istanbul and Mugla to identify gaps and challenges on asylum-seekers' and refugees' access to justice and to discuss proposed solutions with administrative, civil and criminal law judges, as well as prosecutors. The visits were conducted in cooperation with the Justice Academy, and with the participation of six prosecutors and 24 judges from 12 different provinces, two rapporteurs from the Council of State and the Constitutional Court, and three judges from the Justice Academy. A two-day meeting was held on 2-3 February 2017 to analyze the findings of these visits and propose a way forward.
- In March, 98 lawyers and intern lawyers from the Konya Bar Association, including law faculty students and NGO staff were trained on International Protection to spur their engagement in refugee protection.
- In line with the MoU signed with the Union of Turkish Bar Associations, UNHCR is currently establishing a pool of interpreters to support lawyers with their oral and written interpretation needs as relates to their work with refugees. The pool will be based in Ankara and will be equipped to receive calls from across the country whenever interpretation is needed in legal representation.

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