

SYRIAN CHILD WORKERS IN TURKEY

The war which erupted in Syria in 2011 caused an ever-growing humanitarian crisis in the region. This article focuses on the economic exploitation faced by children who fled Syria along with the multifaceted problem of child labor predating Syrians' arrival to Turkey based on data provided by field research conducted by Hayata Destek/Support to Life (STL), a humanitarian aid agency carrying out operations for Syrian refugees since 2012. The author argues that it would not be accurate to tackle the issue of child labor among Syrians without taking into consideration the structural disparities already existing in Turkey.

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As of 2016, five years of the humanitarian crisis following the war in Syria have passed, and 4.8 million Syrians have fled the war and sought refuge in neighboring countries.¹ 2.7 million Syrians are officially registered in Turkey, half of which are children, according to UNICEF.² As the conflict continues to escalate, the number of Syrian refugees is expected to rise in the upcoming months.³

This article focuses on the impacts this crisis has had on children who fled Syria with their parents, and more specifically on the economic exploitation they face. As might be expected, children constitute one of the most vulnerable groups who are foremost affected by conflict, especially when coupled with displacement and the struggle to survive in another country.

Since the very beginning of the conflict in Syria, neighboring countries have been host to Syrian refugees, bearing on the one hand the social and economic burden of the largest humanitarian crisis of our era, and on the other hand confronting the deepening of their already existing inequalities. Being one of the countries in the region with the highest number of refugees – 56 percent of the total number of registered Syrian immigrants worldwide – Turkey has been going through a very difficult social, economic, and humanitarian test in the past few years.⁴ Although assuming the title of world’s largest refugee hosting country brings a certain prominence to the Turkish state, what is being offered to the refugees in terms of accessing their basic rights and needs continues to be an ever growing discussion. In other words, Turkey’s open door policy and its compliance with the *non-refoulement* principle was a crucial first response to this large scale crisis, but what awaits the refugees behind that door remains a relevant question.⁵

Due to the prevailing poverty among Syrians in Turkey primarily arising from displacement, unemployment, and lack of adequate social protection mechanisms, refugees are increasingly relying on child labor. The pressure to contribute to the family income results in children taking up heavy and dangerous works in sectors varying from services to seasonal migratory agriculture, and from small industry to street sales. The working conditions of children will be elaborated on in the following sections of this article, yet it is worthwhile to mention at this stage that with

¹ “Syria Regional Refugee Response,” *UNHCR*, data.unhcr.org/syrianrefugees/regional.php

² “Türkiye’deki Suriyeli Çocuklar,” [Syrian Children in Turkey] *UNICEF*, April 2016, unicef.org.tr/files/bilgimerkezi/doc/T%C3%BCrkiyedeki%20Suriyeli%20%C3%87ocuklar_Bilgi%20Notu%20Nisan%202016_1.pdf

³ “3RP 2016 Mid-Year Report,” *3RP Regional Refugee and Resilience Plan 2016-2017*, <http://www.3rpsyriacrisis.org/>

⁴ “Economic Survey of Turkey 2016,” *OECD*, <http://www.oecd.org/turkey/economic-survey-turkey.htm>

⁵ *Non-refoulement* is a concept which prohibits States from returning a refugee or asylum seeker to territories where there is a risk that his or her life or freedom would be threatened. For more information on *non-refoulement* principle see UNHCR publication entitled “The scope and content of the principle of *non-refoulement*.”

very long hours under unhealthy circumstances, the conditions are too tough even for adults to bear.

Aside from the protracted war in Syria, the extent of the issue of child labor highlights the necessity of abandoning an emergency intervention approach to the Syrian crisis. Rather, a more sustainable and far-reaching solution to empower Syrians to both access their social and economic rights and increase their resilience is needed.

Children’s Economic Exploitation in Turkey: Before and after the Syrian Crisis

While tackling the issue of child labor among refugees in Turkey, it is essential to take into consideration the child protection risks and the state’s failure to prevent the long-existing problem of children’s economic exploitation.

Reflecting on the potential solutions to tackle the issue of child labor – not only among refugees but also for the already existing one million child workers preceding the arrival of Syrians – it is essential to frame this issue as a form of exploitation and approach it within the broader context of social inequalities in Turkey. Considering the structural problems lying at the root of existing disparities in Turkey, it would be misleading to frame the issue of child labor among refugees as a mere result of population influx following the war in Syria.

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Child labor in different sectors has been a long-standing, pervasive problem in Turkey – predating the arrival of Syrian refugees. According to the State Institute of Statistics’ (TUIK) most recent survey which dates back to 2012, there are approximately one million children working in dangerous or unhealthy conditions in Turkey, of which 400,000 are employed in seasonal agricultural work, which is considered one of the three worst forms of child labor.⁶ Even though we do not have updated official data, it is not difficult to estimate that these figures have drastically worsened with the arrival of 1.4 million Syrian children. In particular, recent news on the presence of massive Syrian child labor in the supply chains of major international brands gives us concrete insight into the extent of the problem. Being the third largest supplier of textiles to Europe, the Turkish textile industry increasingly relies

⁶ Turkey ratified ILO Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Convention no 182) in 2001.

on Syrian children's cheap labor, which is becoming an integral part of the global supply chain used by European brands.⁷

“The informal and insecure nature of the labor market is one of the underlying reasons for the prevalence of child labor among refugees in Turkey.”

The informal and insecure nature of the labor market is one of the underlying reasons for the prevalence of child labor among refugees in Turkey. Since the very beginning of the population influx to Turkey from the border cities, refugees have been mostly employed in informal jobs. Results of field research conducted by Professor Kuvvet Lordoğlu in five different border cities – Şanlıurfa, Hatay, Kilis, Mardin, and Gaziantep – suggest that the majority of Syrian refugees work informally as unskilled laborers in low-paid jobs that are often unwanted by the local population.⁸ Although the Turkish state took a positive step by passing the Labor Law granting Syrians the right to work following intense public debates at the beginning of this year; only those working with contracts are eligible to apply for an employment permit along with other restrictions. Syrian still face a lot of challenges in finding stable and secure jobs. It is a common observation of non-governmental organizations (NGOs) working in the field of refugee protection that a vast majority of Syrians in Turkey are still facing difficulties in obtaining employment permits, and hence access their right to decent work.

With an informal economy rate approximately 29 percent, Turkey ranks first among the Organisation for Economic Co-operation and Development (OECD) countries.⁹ The OECD's economic survey results for 2016 suggest that the majority of low-educated workers are informally employed in Turkey. Considering that Syrians are entering a precarious labor market in which secure jobs in the formal sector are not available for adults, child labor constitutes one of the most common coping mechanisms.

The story of Hamza working 12 hours a day to make 400 shoes daily in a warehouse with a salary below the minimum wage in southern Turkey covered by Patrick Kingsley in *the Guardian*, is far from being an exception among Syrian children.¹⁰

⁷ Behzad Yaghmaïam, “World Humanitarian Summit: Syrian Child Refugees in Turkey,” *the Globalist*, 23 May 2016, www.theglobalist.com/world-humanitarian-summit-syrian-child-refugees/

⁸ Kuvvet Lordoğlu, “Suriyeli Göçmenlerin Emek Piyasasındaki Konumu: Hatay, Kilis, Gaziantep, Şanlıurfa ve Mardin Örnekleri” [Syrian Migrants in Labour Market: The Cases of Hatay, Kilis, Gaziantep, Şanlıurfa and Mardin], *Saha*, January 2016, www.hyd.org.tr/attachments/article/184/HYD_saha2.pdf

⁹ “Economic Survey of Turkey 2016,” OECD, <http://www.oecd.org/turkey/economic-survey-turkey.htm>

¹⁰ Patrick Kingsley, “From war to sweatshop for Syria's child refugees,” *The Guardian*, 6 May 2016, www.theguardian.com/world/2016/may/06/war-to-sweatshop-for-child-refugees

Hayata Destek/Support to Life (STL), a national humanitarian aid organization based in Turkey, carried out research in Hatay and Şanlıurfa, two border cities hosting the highest number of Syrians. Data from surveys, focus groups, and in-depth interviews have shown that 95 percent of Syrian breadwinners work as unskilled laborers in temporary jobs, which constitutes one of the fundamental reasons children engage in income-generating activities. In Şanlıurfa, 15 percent of Syrian households have at least one working child, and in Hatay the rate rises up to nearly 24 percent. The average age of a working child is 14 in Şanlıurfa and 15 in Hatay. Between 70 and 80 percent of Syrian children residing in these cities work at least six days a week, with 90 percent of them working more than eight hours a day.¹¹ Upcoming results from the key informants (who were all teachers or workers from the Syrian community) reveal that the main reasons for child labor are poverty and poor employment opportunities for adults, and not being able to attend school.

STL also carried out an extensive study on the conditions of Syrians residing in Istanbul with a contribution by Professor Ayhan Kaya. The results of the “Vulnerability Assessment Report on Syrian Refugees in Istanbul” revealed that for Syrians living in big cities,

“At least one child works in almost every third Syrian household in Istanbul.”

the household income remains below the family expenditure, which constitutes the root cause for letting their children work. At least one child works in almost every third Syrian household in Istanbul. With regards to the main sectors in which children are being employed, half of the respondents stated that their children are engaged in the textile sector, both confectionary and shoe production. One third of working children are employed in the service sector including kiosks, grocer shops, catering facilities, cafes, and restaurants, and almost one fifth are engaged in the industrial sector, ranging from furniture production to automobile factories.¹²

The conditions of child labor among Syrian refugees are also determined by the obstacles in accessing education. UNICEF states that more than 500,000 out of 850,000 school-age Syrian children do not have access to education in Turkey.¹³ Although they have the right to an education, the economic burden of schooling, absence of an adequate education system to accommodate refugee children, and the

¹¹ “Türkiye’de Çocuk İşçiliği Sorunu,” [Child Labour in Turkey] *Hayata Destek*, 11 March 2016, www.hayatadestek.org/media/files/Turkiyede_Cocuk_Isciligi_Sorunu_Suriyed.pdf

¹² “Vulnerability Assessment of Syrian Refugees in Istanbul,” *Support to Life*, April 2016, <http://openaccess.bilgi.edu.tr:8080/xmlui/bitstream/handle/11411/823/Vulnerability%20assessment%20of%20Syrian%20refugees%20in%20%C4%B0stanbul%20April%202016.pdf?sequence=1&isAllowed=y>

¹³ “Türkiye’deki Suriyeli Çocuklar,” [Syrian Children in Turkey] *UNICEF*, April 2016, http://unicef.org.tr/files/bilgimerkezi/doc/T%C3%BCrkiyedeki%20Suriyeli%20%C3%87ocuklar_Bilgi%20Notu%20Nisan%202016_1.pdf

“Turkey’s legal framework fails to protect a vast majority of working children from exploitative working conditions.”

lack of information among parents, impedes children’s basic right of going to school. A report titled “On the Brink of a Lost Generation,” prepared by Kaya Heyse from Open Society Foundation also lists economic hardships as one of the primary reasons for children not enrolling in school, along with language barriers and psychosocial impacts.¹⁴ In another survey conducted by STL with

working children in Urfa, children stated the main obstacles that prevent them from going back to school: 79 percent said that their work prevented them from attending school, 14 percent cited poverty, and seven percent said that their families do not value education. On the question related to reasons for sending their children to work, respondents noted families’ financial situation; lack of employment opportunities for adults; schools being too far away; and parents’ preference of sending their children to work rather than passing time in the streets.¹⁵ Child labor and the lack of access to education among Syrian children are self-perpetuating problems.

Education for Syrian children is not only crucial for their psychosocial development and recovery, but also for them to be aware of their rights and to protect from different forms of abuse, such as early marriage and child labor. An article titled “Education for Syrian Refugee Children” published by Human Rights Watch highlights the challenges faced by Syrian families stating that, “they fled to protect their children’s lives, but that their children’s futures are now at risk.”

The Impacts of Child Labor: Too Serious to Ignore

As already mentioned, child labor – both among refugees as well as host communities – is one of the many results of social and economic disparities. It deeply harms children’s mental, social, physical, and psychological wellbeing, depriving them of the basic requirements for their development.

In this section, the results of the research carried out by STL with child workers on their working conditions as well as their wellbeing will be shared.¹⁶ Within the scope of this research, 46 Syrian working children attended focus group discussions in a STL Community Center in Şanlıurfa in 2015. The children worked in a large

¹⁴ Kaya Heyse, “On the Brink of a Lost Generation,” *Open Society Foundation*, 2016, http://aciktoplumvakfi.org.tr/pdf/On_the_Brink_of_a%20Lost_Generation.pdf

¹⁵ “Child Labour Programme, Manual for Caseworkers,” *Support to Life*, 2016, (Unpublished report).

¹⁶ “Child Labour Programme, Manual for Caseworkers,” *Support to Life*, 2016, (Unpublished report).

variety of places and industries including sewing and carpentry workshops; tailors; cafeterias and restaurants; farming; printing houses; construction; hair dressers; groceries; bakeries; small shops; and factories. 24 percent of those interviewed were the sole breadwinners for their families, and the majority of respondents have other working children. 84 percent of the 46 Syrian children were working to support their families, while only 16 percent out of them said that they were working to learn a profession. These figures are not only important to show that Syrian children are trapped in this labor system, but also to falsify the common belief that children's engagement in economic activities is also beneficial for them as they are learning skills or working towards a profession. With the exception of one 17-year-old boy, more than half of the working children surveyed who were not attending school, stated that they would like to go back to school.

“Turkey’s lack of social and financial capacity to protect both Turkish and Syrian children from economic exploitation implies the need for the international community to play a more active role.”

When it comes to working conditions, most of the children say that they were working 12 hours per day, while the others were working for eight hours per day with breaks lasting one hour or even less. As for payment, 61 percent of the children received less than 100 Turkish lira per week, although some received much less. Needless to say, the longevity of the working hours goes beyond the legal working time and the amount paid remains below the minimum wage.

Different forms of abuse are also very common in the work place. 33 percent of children are shouted at by their bosses either daily or more than once a day, and one respondent is beaten at least once a week for no reason. 30 percent of working children suffer from physical pain in their backs, legs, eyes, or all over their bodies, while 32 percent of respondents feel tiredness, fatigue, or unexplained pains. Yet, only one child had visited a doctor to deal with these pains.

The above figures would suffice to reveal the inhumane working conditions children face. If not, the striking numbers in Corporate Murders report published in 2016 by the Workers' Health and Occupational Safety Council (ISIG) would do so. According to this report, workplace accidents have killed at least 194 child workers – 19 of them were Syrian refugee children.¹⁷

¹⁷ “2016 yılının ilk beş ayında en az 18, son üç buçuk yılda ise en az 194 çocuk işçi yaşamını yitirdi.” [At least 18 child workers lost their lives in the first five months of 2016, in the last 3,5 years 194 child workers lost their lives] The Workers' Health and Occupational Safety Council (ISIG), January 2016, www.guvenlicalisma.org/index.php?option=com_content&view=article&id=17477:2016-yilinin-ilk-bes-ayinda-en-az-18-son-uc-bucuk-yilda-ise-en-az-194-cocuk-isci-yasamini-yitirdi-isig-meclisi&catid=153:cocuk-iscilik&Itemid=242

Remedies to Solve the Problem of Child Labor: We Do Not Have a Magic Wand, but We Do Have Responsibility

This brief analysis on refugee child labor in Turkey intends to show the multilayered nature of the problem. By the same token, the remedies to solve this deeply rooted problem need to take into consideration various aspects of the issue without falling into the trap that short-term interventions will address the matter genuinely. There is no doubt that the ultimate solution to child labor among refugees along with other child protection risks faced by Syrian children worldwide would be the end of the conflict and prevailing peace in the region. Since this would entail a discussion going beyond the scope of this article, I will content myself with providing an overview of the key responsible parties and some recommendations as a starting point.

First of all, the state's responsibility of introducing and implementing necessary policies to promote the wellbeing of its citizens and those living in its territories needs to be emphasized. In addition to this, relevant measures and legal regulations to access basic social rights should also be guarded by the state. With regards to child protection, Turkey ratified the UN Convention on the Rights of the Child (UNCRC) in 1994 and integrated the convention's core principles into its national legislation. Article 32 of the convention clearly underlines that states must recognize a child's right to protection from economic exploitation and be responsible for taking the necessary legal, administrative, social, and educational measures to ensure the implementation of this article.

In line with the UNCRC, the Turkish state also took the necessary steps to ensure that a child's rights are protected at the constitutional level, with the recognition that "every child has the right to adequate protection and care and the government is responsible to protect children against neglect and abuse" (Article 41), and the declaration of the state's obligation "to support children dependent on protection" (Article 61). In addition to constitutional provisions, child protection is also covered by Turkish laws, with the Child Protection Law of 2005, as well as the Penal and Civil Codes.¹⁸ Though these can be considered positive steps, child labor still remains a gray area legislatively speaking. Under Article 71 of the Labor Law, the minimum working age in Turkey is 15, children under the age of 16 are prohibited from employment in arduous or dangerous work, and the minimum age for hazardous works is 18. However, businesses with less than three employees, farms with less than 50 employees, and domestic services are exceptions to this law which means that the regulations for child labor do not apply in these circumstances. Keeping in mind the high rate of informal employment as previously mentioned, it can be suggested that Turkey's legal framework fails to protect a vast majority of working children from exploitative working conditions.

¹⁸ For further information on legal framework for child rights please see; unicef.org.tr/sayfa.aspx?id=24&dil=en&d=1

Another critical discussion revolves around the implementation of the laws protecting children. Even though there is room for improvement and clarification in terms of legal framework, in the absence of structured mechanisms for the proper implementation of the law, child labor will continue to be an ongoing problem. The figures on inspections shared by the Ministry of Labor and Social Security (MoLSS) deserve attention in emphasizing the failure to implement laws. Accordingly, the number of labor inspectors authorized to conduct inspections decreased from 1,099 to 970 in 2014, whilst the number of working children was increasing drastically with the arrival of Syrian refugees. In 2013, 23,504 workplaces underwent business inspections involving 2,209,565 workers, including 397 children – 49 of the businesses were fined on the basis of employing workers under minimum age.¹⁹ A representative from the MoLSS who attended a conference hosted by STL, Istanbul Bilgi University, and UNICEF entitled “Child Labor in Turkey: Situation of Syrian Refugees and the Search for Solutions,” stated that in 2015 the number of businesses fined for violating the ban on employing child labor decreased to 27.²⁰ The Republican People’s Party’s (CHP) Istanbul deputy, Onursal Adıgüzel, submitted a parliamentary question to the MoLSS on the subject on child labor in Turkey, and based upon their answer, 232 businesses were fined on the grounds of employing children.²¹ At this point, it would be meaningful to compare the benefit that employers are making out of exploiting child labor with the amount of the fines paid. The difference would probably be far from being deterrent.

In addition to the need for legal regulations and effective inspections for keeping children away from the labor market, Syrian adults’ access to registered and regular jobs as well as social services – closely interlinked with the access to temporary protection measures – is another very crucial step to prevent families’ dependency on child labor.

Turkey’s lack of social and financial capacity to protect both Turkish and Syrian children from economic exploitation implies the need for the international community and international NGOs to not only play a more active role in joining advocacy efforts led by national NGOs, but also increased pressure to impact global and national policies effecting Syrians.

¹⁹ “2014 Findings on the Worst Forms of Child Labor,” Bureau of International Labor Affairs US Department of Labor, <https://www.dol.gov/ilab/reports/child-labor/findings/2014TDA/2014TDA.pdf>

²⁰ “Child Labour in Turkey: Situation for Syrian Refugees and the Search for Solutions’ Conference Report,” *Support to Life*, 10 March 2016, http://www.hayatadestek.org/media/files/Child%20Labour%20in%20Turkey_Situation%20of%20Refugees%20and%20The%20Search%20For%20Solutions%20Conference%20Report.pdf

²¹ Written Parliamentary Question no 7/6526, 25 November 2016 <http://www2.tbmm.gov.tr/d26/7/7-6526s.pdf>
The answer to the mentioned written parliamentary question; <http://www2.tbmm.gov.tr/d26/7/7-6526sgc.pdf>

It is of utmost importance for private sector companies to be in compliance with the national legislation on child labor, as well as the UN Guiding Principles on Business and Human Rights. This outlines the business sector's responsibility to respect human rights, and hence children's rights in each level of their supply chains.²²

Last but not least, individual initiatives should also make important changes in terms of raising awareness and assuming responsibility for the elimination of child labor. In a consumer-driven society, individuals have both considerable power as well as a duty to monitor policy makers to take effective steps in addressing the problem. Combating child labor begins with knowing where the problem is, because being aware of the issue means no longer ignoring it.

²² "Guiding Principles on Business and Human Rights: Implementing the UN 'Protect, Respect, and Remedy' Framework" *UN Human Rights*, 2011, www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf