

FRANS TIMMERMANS
First Vice-President

Brussels, **13 MARS 2017**
Ares (2016) 6451459

Dear Honourable Member,

I would like to thank you and the co-signatories for your letter of 14 November 2016 also addressed to High-Representative Mogherini, Commissioner Bieńkowski, and Commissioner Hahn, regarding schooling and labour conditions of Syrian children refugees in Turkey as well as your proposals aiming to strengthen the respect for human rights protection. Please accept our apologies for the delay in replying to you.

The Commission follows the situation of children rights in Turkey closely and has regularly pointed that child labour and exploitation of refugee children and the need to tackle it as a matter of priority. In its 2016 Report on Turkey¹, the Commission reported that child labour persists, including in some of its worst forms.

Turkey is party to the UN Convention on the Rights of the Child. Article 22 of the Convention requests States to ensure that a child who is seeking refugee status in accordance with applicable international or domestic law shall receive appropriate protection and humanitarian assistance. Turkey is also a party to the ILO Convention 182 on Worst Forms of Child Labour and to Convention 138 on minimum working age. Therefore, Syrian children and adolescents in Turkey are legally protected against child labour through international conventions and national legislation that implements those conventions. Turkey is responsible for the implementation and enforcement of its domestic legislation. Furthermore, Turkey has adopted legislation giving Syrian refugees access to the labour market.

The provisions of the Turkish labour law regulating employment age and the prohibition of the employment of children prohibit the employment of children in Turkey. It is up to the Turkish authorities, such as the labour inspection services, to ensure the effective implementation of such legal provisions.

The Commission remains fully committed to ensure full implementation of the EU-Turkey Statement. The Statement is part of EU's comprehensive approach on migration, as set out in the European Agenda on Migration, addressing all aspects of the migration challenge. The

¹ https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2016/20161109_report_turkey.pdf

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Statement has proven to play an important role in replacing disorganised, chaotic, irregular and dangerous migratory flows with organised, safe and legal pathways to Europe for those entitled to international protection in line with EU and international law.

The fifth report on the progress made in the implementation of EU – Turkey statement² - published on the 1st of March 2017 - concludes that despite challenging circumstances, the implementation of the Statement has continued to be consolidated and has confirmed the trend of a steady delivery of results, albeit in the face of many challenges. A substantial decrease in the number of irregular crossings from Turkey to the Greek islands since the activation of the Statement has been recorded, and, subsequently, the loss of life has been stemmed.

Instead, Syrians, including Syrian children, continue to be resettled directly from Turkey to Europe. According to the latest progress report, almost 3,600 Syrians have been admitted to the EU Member States and Associated States under the EU-Turkey Statement.

The Statement provides for the return of all irregular migrants and asylum seekers crossing from Turkey to the Greek islands after 20 March 2016, in cases where applications have been declared inadmissible or unfounded. All applications need to be treated individually and due account must be given to the situation of vulnerable groups, in particular unaccompanied minors for whom all decisions must be in their best interests. These measures are carried out strictly in accordance with the requirements of EU and international law and in full respect of the principle of non-refoulement.

The EU continues to support the efforts made by the Turkish Government to enrol refugee children in schools, notably through the Facility for Refugees in Turkey which aims to provide humanitarian aid, education and health, socio-economic support for refugees and host communities in the country. On education, two contracts were signed in December 2016 to build and equip 70 new schools which will benefit 50,000 Syrian children. It comes on top of a 300 million euro contract with the Turkish Ministry of National Education providing access to education for almost half a million Syrian children. In addition, the Commission is rolling out the Emergency Social Safety Net (ESSN) – the EU's largest-ever humanitarian programme, which aims to provide up to one million of the most vulnerable refugees with monthly cash transfers. An overview of projects for refugees in Turkey, including on education, can be found at

http://ec.europa.eu/enlargement/news_corner/migration/index_en.htm.

In regards to policy coherence regarding Corporate Social Responsibility, it forms part of EU strategies, including trade and investment agreements with third parties. In 2016, the European Commission held a public consultation on the methodology for reporting non-financial information following article 2 of Directive 2014/95/EU on disclosure of non-

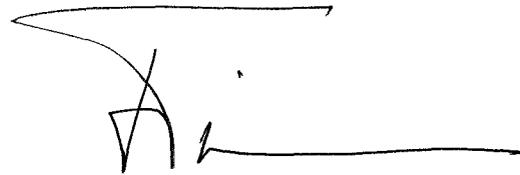
² https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20170302_fifth_report_on_the_progress_made_in_the_implementation_of_the_eu-turkey_statement_en.pdf

financial and diversity information by certain large undertakings and groups. These non-binding guidelines will be published in spring 2017³.

In addition, the EU has recently modified its public procurement legislation; respect for core labour standards in the public procurement supply chains is part of this.

I hope these elements answer the questions and concerns you expressed.

Yours faithfully,

A handwritten signature in black ink, consisting of a stylized 'F' and 'T' followed by a horizontal line.

Frans TIMMERMANS

³ http://ec.europa.eu/finance/company-reporting/non-financial_reporting/index_en.htm#news