



InfoNote: GÖKSEM (Referral Centers for Irregular Migrants)



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Association for Solidarity with Refugees

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Mültecilerle Dayanışma Derneği

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The **Association for Solidarity with Refugees (Mülteci-Der)** is an independent, rights-based civil society organization established in 2008, dedicated to advocating for the rights of refugees, migrants, and asylum seekers in Turkey. As part of its mission, **Mülteci-Der** provides legal aid, supports vulnerable individuals, and works to ensure that Turkey's policies and practices align with international human rights standards. The organization is an active member of several national and international networks, including the **European Council on Refugees and Exiles (ECRE)** and **Türkiye Mülteci Hakları Koordinasyonu (Turkey Refugee Rights Coordination)**.

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1. Introduction

Turkey occupies a singular position in the global architecture of forced migration management. As both a party to the 1951 Convention Relating to the Status of Refugees, albeit with a geographic limitation restricting full refugee status to those fleeing events in Europe and as one of the world's largest refugee hosting state, the country's detention and processing infrastructure has assumed extraordinary international significance. The 2016 EU-Turkey Statement, the ongoing Syrian displacement crisis and sustained human mobility pressure from Afghanistan, Iran, Iraq and sub-Saharan and north Africa have collectively shaped a detention and processing regime of considerable complexity and contested legality.

As one of the world's largest immigration detention systems, it is governed primarily by Law No. 6458 on Foreigners and International Protection (LFIP), enacted in 2013. Within this architecture, the GÖKSEM (Geri Gönderme Kabul ve Sınır Merkezleri - Pre-Acceptance/Referral Centers for Irregular Migrants) constitute a distinct but interconnected layer of detention infrastructure. While it was never launched "officially", the governmental authorities started to refer to them as of December 2023¹. They are designed to hold apprehended irregular migrants for the completion of administrative procedures -criminal interrogation and health checks- prior to transfer to permanent Removal Centers (Geri Gönderme Merkezleri, GGM).

This report provides an integrated legal and operational assessment of the GÖKSEM network. Drawing on the available regulatory framework, civil society documentation, international monitoring reports and comparative migration law, it examines: a) the legal basis for GÖKSEM operations under Turkish national law; b) their compliance with international human rights obligations; c) the procedural adequacy of referral and screening mechanisms; and d) structural deficits in transparency, access and oversight.

¹ ECRE, *AIDA Turkey Country Report 2024 (2025)*, p. 143 <https://asylumineurope.org/wp-content/uploads/2025/07/AIDA-TR_2024update.pdf>.

2. Methodology

This assessment draws on the in-house legal expertise of Multeci-Der, a rights-based civil society organization that has provided legal support to migrants, refugees and asylum seekers for almost twenty years. Alongside this accumulated institutional knowledge, the report employs a qualitative desk-research methodology, synthesizing data from official government publications, legislative texts and reports from international monitoring bodies. The primary legal instruments analyzed include the Turkish Law on Foreigners and International Protection (LFIP) and its relevant secondary regulations. To ensure a balanced perspective, the report incorporates findings from the Council of Europe's Committee for the Prevention of Torture (CPT), the European Council on Refugees and Exiles (ECRE) and human rights organizations operating within Turkey.

3. National and International Legal Framework

The legal environment governing GÖKSEM centers is layered: Turkish national law provides the primary operational mandate while international obligations -treaty and customary- constrain the permissible scope of that mandate. This section provide an overview of the most significant instruments in each category.

3.1. Turkish Domestic Law

The cornerstone of Turkey's contemporary migration and asylum law system is Law No. 6458 of 2013 on Foreigners and International Protection² (LFIP, *Yabancılar ve Uluslararası Koruma Kanunu*), which entered into force in full on 11 April 2014. The LFIP was a transformative instrument, consolidating and modernising a previously fragmented regulatory framework and establishing the Presidency of Migration

² Yabancılar ve Uluslararası Koruma Kanunu, no. 6458, 2013
<<https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=6458&MevzuatTur=1&MevzuatTertip=5>>.

Management (PMM) as the civilian-led authority responsible for migration management, transferring competence from the security apparatus (Ministry of Interior, gendarmerie and police) to a dedicated bureaucratic body³.

Articles 53 to 72 of the LFIP govern administrative detention and removal. Article 57 authorizes administrative detention of foreigners for whom a deportation decision has been issued, where circumstances -including risk of absconding, use of false documents or failure to comply with departure obligations- are present. The maximum initial detention period is thirty days, extendable to a total of six months by magistrate decision, with a further possible extension to twelve months in specific circumstances. Removal Centers (GGM) are the designated facilities for such detention⁴.

GÖKSEM centers, by contrast, do not appear expressly by name in the LFIP's primary text. Their legal basis is arguably located in Article 57/2 (introduced by a legislative decree in 2019) and in PMM administrative circulars and internal regulatory documents. Article 57/2 provides for the possibility of holding certain categories of foreigners in designated facilities at or near the border while identity and status checks are conducted. The compressed timescales and the practical difficulties of conducting meaningful status determination in border facilities generate significant tension with both the LFIP's procedural guarantees and international standards.

Together with LFIP, the Regulation on the Implementation of the Law on Foreigners and International Protection⁵ elaborates on conditions applicable to administrative detention, including provisions on notification of detention, consular access, legal representation and administrative review. Whether and to what extent these protections apply in GÖKSEM contexts -as distinct from formal GGM detention- is a matter of interpretive dispute that has significant practical consequences for detainee rights.

³ Global Detention Project, *Turkey Country Report* (2021)

<<https://www.globaldetentionproject.org/countries/>>; Ayşen Üstübcü, 'The Impact of Externalized Migration Governance on Turkey: Technocratic Migration Governance and the Production of Differentiated Legal Status', *Comparative Migration Studies*, 7.1 (2019), p. 46, doi:10.1186/s40878-019-0159-x.

⁴ YUKK, p. Art.57.

⁵ Yabancılar ve Uluslararası Koruma Kanununun Uygulanmasına İlişkin Yönetmelik, 2016 <<https://mevzuat.gov.tr/mevzuat?MevzuatNo=21460&MevzuatTur=7&MevzuatTertip=5>>.

3.2. International Human Rights and Refugee Law

Türkiye acceded to the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol with a geographic limitation, pursuant to which full Convention protection is available only to persons fleeing events occurring in Europe. Refugees from non-European countries are instead processed under a parallel regime of conditional refugee status and temporary protection (particularly relevant for Syrians under the Temporary Protection Regulation⁶). Despite this limitation, the core principle of non-refoulement - the prohibition on return to a territory where a person faces persecution or serious harm - is widely understood to operate independently of any geographic limitation as a rule of customary international law.

The European Convention on Human Rights (ECHR) provides a separate and overlapping framework of protection. Türkiye is a party to the ECHR and subject to the jurisdiction of the European Court of Human Rights. Article 3 (prohibition of torture and inhuman or degrading treatment), Article 5 (right to liberty and security, including the right to challenge the lawfulness of detention), and Article 13 (right to an effective remedy) are directly implicated by GÖKSEM operations. The ECtHR has consistently found violations of these provisions in Turkish migration detention cases, most prominently in *M.S.S. v. Belgium and Greece* (concerning systemic detention conditions) and in a series of cases against Türkiye directly.

The UN Convention Against Torture (UNCAT) and the International Covenant on Civil and Political Rights (ICCPR) impose complementary obligations. The UN Committee Against Torture has noted Türkiye's failure to provide effective procedural safeguards in migration detention contexts, including in its 2016 Concluding Observations⁷. The ICCPR's Article 9 guarantees -including the right to be informed of reasons for detention

⁶ Temporary Protection Regulation, no. 2014/6883, 2014

<<https://mevzuat.gov.tr/mevzuat?MevzuatNo=20146883&MevzuatTur=21&MevzuatTertip=5>>.

⁷ OHCHR, *Concluding Observations on the Fourth Periodic Reports of Turkey*, CAT/C/TUR/CO/4 (2016)

<<https://www.ohchr.org/en/documents/concluding-observations/catcturco4-concluding-observations-fourth-periodic-reports-turkey>>.

and to challenge detention before a court- mirror and in some respects exceed ECHR Article 5 protections.

4. Operational Background and Institutional Purpose

GÖKSEM centers are administered by the Presidency of Migration Management (PMM), the civilian body established under the LFIP and operating under the authority of the Ministry of Interior. The PMM's institutional mandate encompasses the full spectrum of migration management functions: border management, status determination, registration, accommodation and removal. GÖKSEM facilities represent the earliest point in the formal migration management chain; the locus at which individuals first encounter state authority after irregular entry or apprehension near the border.

Geographically, GÖKSEM facilities are concentrated in the border provinces and metropolitan cities. Some facilities are co-located with or physically proximate to formal GGM removal centers while others operate as standalone border posts with holding capacity⁸. The precise number of operating GÖKSEM facilities is not publicly disclosed by the PMM however a report by European Commission indicates there were 26 GÖKSEM facilities at the end of 2025⁹.

The stated institutional purpose of GÖKSEM centres is threefold: (i) the initial identification and registration of apprehended individuals; (ii) a rapid preliminary assessment of protection needs, particularly to identify persons requiring immediate referral to the international protection system; and (iii) a triage function, sorting individuals into tracks including referral to GGM removal centres for those for whom administrative detention and removal is envisaged, referral to satellite cities for those

⁸ Global Detention Project, *Turkey Country Report*; ECRE, *AIDA Turkey Country Report 2024*.

⁹ European Commission, *EU Support to Refugees in Türkiye - Theory of Change (2025)*, p. 39 <https://enlargement.ec.europa.eu/document/download/99c1bfa3-1853-42ff-ae3b-59622f7bdab1_en>.

granted conditional refugee status or temporary protection or release pending further processing¹⁰.

The legal characterisation of GÖKSEM centres as 'reception' rather than 'detention' facilities has been a persistent source of controversy. Turkish authorities have emphasised the short-term and transitional character of these facilities, arguing that individuals are held only for the time necessary to complete identity and status checks before being transferred to an appropriate facility or released¹¹. By contrast, civil-society organisations and monitoring reports have argued that, in practice, GÖKSEM and analogous pre-removal holding facilities may amount to de facto detention, especially where individuals are confined pending status checks, access to lawyers is obstructed, or no effective avenue exists to challenge their confinement¹². If such holding is characterised as detention in substance, the safeguards of Articles 57–60 LFIP and Article 5 ECHR become applicable.

The AIDA Turkey Country Report has consistently documented that the distinction between 'reception' and 'detention' in the context of these border facilities is operationally illusory: movement is restricted, communication with the outside world is limited and legal access is minimal. The ECtHR's jurisprudence¹³ on what constitutes a 'deprivation of liberty' under Article 5 (which focuses on the concrete situation of the individual rather than the legal characterisation by the state) lends strong support to the argument that GÖKSEM holding, where individuals are confined in practice and unable to leave pending processing, may constitute detention in the Convention sense.

¹⁰ ECRE, *AIDA Turkey Country Report 2024*.

¹¹ T.C. Konya Valiliği İl Göç İdaresi Müdürlüğü, 'Valimiz İbrahim Akın, Düzensiz Göçmen Ön Kabul ve Sevk Merkezi'nde (GÖKSEM) İncelemelerde Bulundu', 1 October 2024 <<https://konya.goc.gov.tr/valimiz-ibrahim-akin-duzensiz-gocmen-on-kabul-ve-sevk-merkezinde-goksem-incelemelerde-bulundu>> [accessed 15 March 2026]; Ministry of Interior Presidency of Migration Management, 'Turkey Is a Model Country for the World in Migration Management', 9 May 2025 <<https://en.goc.gov.tr/minister-of-interior-ali-yerlikaya-turkey-is-a-leading-model-for-migration-management-globally-merkezicerik>> [accessed 18 March 2026].

¹² ECRE, *AIDA Turkey Country Report 2024*; Global Detention Project, *Turkey Country Report*.

¹³ European Court of Human Rights, *Factsheet: Migrants in Detention* (2023) <https://www.echr.coe.int/documents/d/echr/fs_migrants_detention_eng> [accessed 19 March 2026].

5. Process in Practice

The operational sequence within GÖKSEM centers, from initial apprehension to transfer or release, can be reconstructed from testimonial evidence, civil society documentation and the regulatory framework, though the absence of systematic official reporting means that significant variation between facilities is likely.

Irregular migrants are typically apprehended either at the border by gendarmerie or border police or during interior enforcement operations. The period between apprehension and GÖKSEM arrival which frequently involves overnight or multi-day holding in police or gendarmerie facilities is particularly opaque and has been associated with allegations of physical mistreatment and the absence of procedural safeguards¹⁴. Upon arrival, individuals undergo biometric registration followed by a preliminary interview conducted by PMM personnel to establish migration history, reasons for entry, and potential protection needs.

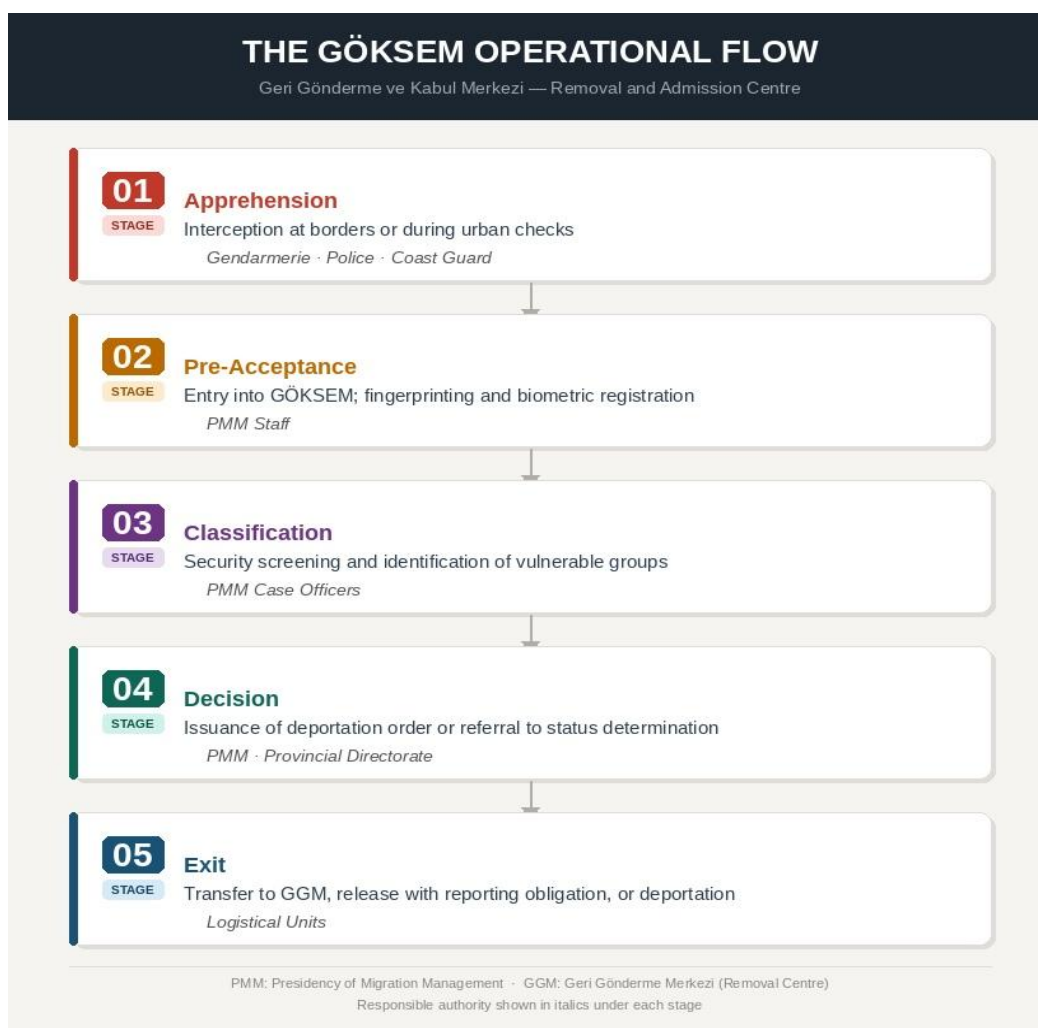
The preliminary screening at GÖKSEM centres is not a full refugee status determination but a threshold assessment intended to channel individuals toward formal international protection procedures under Part Two of the LFIP (Articles 61–95). In practice, this mechanism is substantially compromised by three structural failures. First, interpretation services are frequently inadequate or absent for languages beyond Arabic, and are generally unavailable for Farsi, Dari, Pashto, Tigrinya and other common languages of new arrivals, a barrier that is not merely communicative but legally determinative. Second, the physical and psychological conditions of GÖKSEM holding, documented as involving overcrowding, insufficient sanitation limited food and water, and inadequate medical access, create an environment in which individuals are poorly positioned to advocate for their rights or coherently present a protection claim. Third, the absence of independent legal representation at the screening stage leaves individuals

¹⁴ Human Rights Watch, *Submission to the United Nations Committee Against Torture on Türkiye* (2024); ECRE, *AIDA Turkey Country Report 2024*; Global Detention Project, *Turkey Country Report*.

dependent on the knowledge and institutional diligence of PMM officials, whose operational incentives are not structurally aligned with the identification of protection needs. Duration of stay varies considerably: individuals from countries with active readmission agreements move through the system faster than those from conflict zones, who nominally require more complex protection screening.

Following screening, individuals are assigned to one of several onward tracks: registration as an international protection applicant and transfer to a reception and accommodation centre; registration for temporary protection and direction toward a satellite city for Syrian nationals; transfer to a formal GGM removal centre where deportation is considered appropriate; or, exceptionally, release pending further processing.

INFOGRAPHIC: THE GÖKSEM OPERATIONAL FLOW



6. Critical Assessment

Reports of rights violations against migrants and refugees in Turkey, particularly in detention centers are extensively documented by national and international organisations and civil society bodies alike. Based on the findings of the Union of Turkish Bar Associations' Migration and Asylum Commission¹⁵, lawyers handling migration and asylum cases in removal centers across Turkey consistently report five categories of serious procedural violation. First, clients are routinely deported before the seven-day appeal period has expired or while revocation cases are actively pending before administrative courts, in direct violation of the automatic stay-of-execution provision under LFIP Article 53(3). Second, voluntary return documents are frequently obtained through coercion, including physical violence, denial of food and water, deception, or outright forgery, rather than reflecting genuine and informed consent. Third, lawyers face systematic obstruction when attempting to access their clients, including false claims that the client is not present at the facility, transfer of detainees to distant centers immediately upon a lawyer initiating contact and unlawful refusal of requests to examine files or obtain procedural receipts. Fourth, the notification procedure, the legally required mechanism by which lawyers inform the administration of a pending revocation case, is inconsistently applied across provincial directorates, with some facilities exploiting formalistic requirements to carry out deportations outside working hours when notifications cannot be submitted. Fifth, criminal complaints alleging torture and ill-treatment are effectively neutralised through a pattern of non-prosecution: prosecutors request investigation permits that governorates systematically refuse to grant while deported individuals are frequently unable to pursue remedies from abroad due to practical and legal barriers to obtaining powers of attorney in their countries of return.

GÖKSEM centers compound these existing violations with a distinct set of structural concerns. The speed and opacity of the pre-acceptance phase render legal rights practically inaccessible, and the rapid processing of individuals generates serious non-refoulement risks by limiting the time available to identify protection needs or mount a

¹⁵ Union of Turkish Bar Associations, *Report on Unlawful Deportation Proceedings* (Ankara, 2024) <<https://tbbkitaplari.barobirlik.org.tr/DownloadPdfFile?fileName=695.pdf>>.

legal challenge. Transparency and independent monitoring present a further critical gap: while the PMM publishes general deportation statistics, the specific data on GÖKSEM facilities is not disaggregated from broader detention data, making it practically impossible for independent monitors to assess the legality of detention durations or the scale of protection failures. The absence of systematic official reporting, combined with restricted independent access to the facilities, means that the full extent of procedural violations within the GÖKSEM network remains structurally under documentable.

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Mültecilerle Dayanışma Derneđi / Association for Solidarity with Refugees is a civil society organization that has been carrying out rights-based work since 2008 to ensure asylum seekers, refugees, and migrants affected by forced migration can access their rights and services with dignity, in line with universal human rights, as well as international and national law.

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