

T.C.
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AVRUPA ARAŞTIRMALARI ENSTİTÜSÜ
AVRUPA SİYASETİ ve ULUSLARARASI İLİŞKİLER ANABİLİM DALI

**THE EU'S AND TURKEY'S POLICY RESPONSES TO
THE SYRIAN REFUGEE CRISIS**

YÜKSEK LİSANS TEZİ

Denizhan Ege ŞAKRAK

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Danışman: Doç. Dr. Suna Gülfer IHLAMUR ÖNER

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TEZ ONAY SAYFASI

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ABSTRACT

This masters thesis aims to analyze the EU's and Turkey's policy responses to the Syrian Refugee Crisis. The thesis introduces the main issues and problems indicated by the EU and Turkey within the context of the responsibilities of international society towards the refugees and Turkish-EU policy responses in the field of migration and asylum. This study will evaluate whether the EU's and Turkey's policies are adequate to bring effective solutions for Syrian refugees or not. The relationship between Turkey and the EU has an extremely long history. It has been affected positively or negatively at times. Syrian refugee crisis affected both Turkey, as a neighboring state and the EU as an international actor. In this regard, Turkey and the EU developed their migration and asylum policy. Moreover, the relationship between Turkey and the EU has been dramatically affected by Syrian refugee crisis. Even though there are many problems in the relationship between Turkey and the EU, Turkey-EU relations continued as both actors sought to deal with the Syrian refugee crisis.

ÖZ

Bu yüksek lisans çalışmasının amacı Avrupa Birliği (AB) ve Türkiye'nin Suriye Mülteci Krizi'ne yönelik politikalarını incelemektir. Tez, uluslararası toplumun mültecilere karşı sorumlulukları ve göç ve iltica alanındaki Türk-AB politikaları bağlamında AB ve Türkiye tarafından belirtilen temel meseleleri ve problemleri ortaya koymaktadır. Bu çalışma, AB ve Türkiye'nin politikalarının Suriyeli mültecilere etkili çözümler sunmak için yeterli olup olmadığını değerlendirecektir. AB ve Türkiye arasındaki ilişki çok uzun bir geçmişe sahiptir. Bu ilişki zaman zaman olumlu ya da olumsuz olarak etkilenmiştir. Suriye mülteci krizi hem komşu devlet olarak Türkiye'yi hem de uluslararası bir aktör olarak AB'yi etkilemiştir. Bu bağlamda, Türkiye ve AB göç ve iltica politikalarını geliştirmiştir. Ayrıca, Türkiye ile AB arasındaki ilişki Suriye mülteci krizinden çarpıcı biçimde etkilenmiştir. Türkiye ile AB arasındaki ilişkide birçok sorun olsa da, Türkiye-AB ilişkileri her iki aktörün de Suriye mülteci krizini çözmek için çaba göstermelerinden ötürü devam etmiştir.

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I commemorate the brilliant architect of my lucid thought the great leader Mustafa Kemal Atatürk, who entrusted the future of our country to us, and his comrades in arms with respect, mercy, and gratitude. Being aware of Atatürk's trust in the Turkish youth, I dedicate my thesis to the cherished memory of Mustafa Kemal Atatürk.

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INTRODUCTION

The Syrian civil war started in 2011, and today it became a multi-actor proxy war. The Syrian crisis has reached its eight year. The war is defined as one of the most serious political and humanitarian crises in modern history. The Syrian refugee crisis is a long-standing crisis and an obstacle in the way to a political solution in Syria. Though there are efforts to reach a political solution in Syria today, achieving peace and stability remains a distant goal. Moreover, the long-term implications of the crisis on the people and for the region will be felt more profoundly in the coming years.

Since 2011, millions of Syrian people have become refugees and are internally displaced. At this juncture, the thesis hopes to make a contribution to the scholarly debate by focusing on the refugee crisis and revealing/evaluating what the EU and Turkey did or did not do and discuss alternative policy suggestions. Therefore, the thesis will present the main issues and problems addressed by the EU and Turkey within the context of the responsibilities of international society towards the refugees and the EU's and Turkey's policy responses to Syrian refugee crisis in the field of migration and asylum.

The thesis will explain the EU's and Turkey's policy responses to the Syrian refugee crisis and answer the questions: "How did the EU and Turkey respond to the Syrian refugee crisis" and "Is the EU's and Turkey's asylum and migration policies sufficient to bring a solution for Syrian refugees in Turkey or not".

Moreover, the thesis aims to answer the following sub-questions such as: "When and how did the Syrian refugee crisis start and how did it evolve?", "How did Turkey, as one of the neighboring countries, respond to the crisis?", "How did the EU respond to the crisis?", "What are the major problems that Syrian refugees encounter in Turkey?", "How do the EU and Turkey collaborate for the resolution of the Syrian refugee crisis?" When trying to understand the policy responses of Turkey and the EU it is necessary to understand both the EU's and Turkey's migration and asylum regimes that informed the EU's and Turkey's policy responses to the Syrian refugee crisis.

Particularly, the impact of the EU's migration and asylum policies, regulations and norms on Turkey's migration and asylum regime needs to be elaborated upon. Therefore some additional questions are: "What is the role of the EU in shaping Turkish immigration policy as an international entity/actor?", "How does the EU migration and asylum policy affect Turkey's migration and asylum policy?".

I have chosen this subject because the Syrian refugee crisis is a milestone both for Turkey and the EU for shaping and transforming their asylum and migration policies. The subject also has importance because it ensures that the EU and Turkey have a connection. In the past, time to time, the relations between the EU and Turkey were at a dead end. The EU and Turkey have sustained their relationship since the Syrian war started and the refugee crisis occurred. Even some chapters could not be opened due to the Cyprus-Turkey problems, unopened chapters were opened and meetings accelerated. Turkey and the EU conducted negotiations, and developed their asylum and migration policies under official agreements. The thesis has an essential meaning because it focuses on Turkey's and the EU's transforming and changing asylum and migration policy. Turkey's internal politics are affected by the refugee crisis and equilibrium in Turkish politics is influenced by this. The EU's policies are also affected by Syrian refugee crisis.

The thesis aspires to contribute to the scholarly debate on different aspects of the Syrian refugee crisis by focusing on the EU's and Turkey's policy responses to the crisis. The thesis seeks to discuss the policy responses and the impact of the Syrian refugee crisis on Turkish-EU relations from a social constructivist perspective by focusing on norms, values, ideas, identity, interest, social interaction, etc. This study uses multiple lines of inquiry including a literature review of secondary sources as well as review of EU Councils, reports by the EU Parliament related to acts of Council and Commission (since Parliament reports are draft for EU legislation and Commission reports give opinion on the agenda of Council Summits), European Union strategies and action plans, the Stockholm Programme 2010-14, the Hague Programme 2005-09, the Tampere Programme 1999-2004 and other EU documents on migration and asylum. The thesis also refers to the UNHCR sources, official meetings in Dublin in 1990, in London in 1992, with Tunisia and Libya in 2011 in order to overcome challenges after

Arab Uprisings and evaluate the region, and in Moscow, Sochi, and Tehran in 2019 in order to create a solution and peace in Syria by removing terrorism.

The thesis is based on an extensive research on official documents and policies of the EU and Turkey over the years – before and after the eruption of the crisis. Statistical data on the number of irregular migrants, refugees and asylum-seekers and factual evidence on the experiences of migrants and asylum-seekers are also referred to both in the EU member states and in the Turkish context. As Turkey is home the largest number of refugees in the world, composed mainly of Syrian refugees, there is particular emphasis on the main experiences of Syrian refugees in Turkey.

In the late 1980s and early 1990s, political changes in the world caused increasing migration and irregular migration from Asia, the Middle East, and Africa to Turkey and to Europe. Changing dynamics and patterns of migration led to formulation or revision of migration and asylum policies, which led to changes in both the EU's and Turkish migration and asylum system. The thesis explores different legal regulations in the EU and Turkey. Turkey's immigration policy-making is evaluated within the scope of Turkey's EU bid. Within this context, the relation between membership process and immigration partnership is also analyzed in terms of its impact on the prospects for Turkey's EU membership.

As a neighboring state, Turkey has taken a significant responsibility in the Syrian refugee crisis since it has erupted/emerged. Because of rising violence, bomb attacks against civilians by the regime, and the growing involvement of terrorist organizations and non-state actors, millions of Syrians had to leave Syria and demanded asylum from Turkey and other neighboring states. Turkey applied an open-door policy and new policies and developed previous laws for Syrian refugees in Turkey. This thesis explores the impact of the Syrian refugee crisis on the Turkish-EU relations and the cooperation between Turkey and the EU regarding migration and asylum by referring the latest policy developments, meetings, and summits. Within this context, the Readmission Agreement in 2013 and Joint Action Plan in 2015 are assessed.

The thesis consists of an introductory part and four chapters. The first chapter of the thesis aims to explain the theoretical framework, which is social constructivism. Social constructivism allows us to emphasize the role of norms, identity, security, culture, expression, and language in explaining policy responses of international actors. The second chapter seeks to discuss the Syrian refugee crisis and its reasons. Besides, the impact of the Syrian refugee crisis on Turkey and particularly after the march of the refugees in 2015 on the EU are explained. In the third chapter, the EU's policy response to the Syrian refugee crisis is explained. In this chapter, the EU's efforts to bring a migration and asylum policy until the 1990s and from the 1990s and for Syrian refugee crisis are clarified. In the fourth chapter, Turkey's response to the Syrian refugee crisis is stated. Before, migrations to Anatolia and Turkey since the late Ottoman Empire and early Turkish Republic are discussed with a view to better evaluate Turkey's experience with migration in general terms and besides forced migration in particular as a land of asylum. Within the same chapter, Turkey's migration and asylum policy evolution in time and Turkey's attempts to handle Syrian refugee crisis concerning migration and asylum are also explained. The thesis ends with a concluding chapter based on research findings seeks to provide a comparative analysis of Turkey's and the EU's policy responses and their implications.

I. CONCEPTUAL AND THEORETICAL FRAMEWORK: SOCIAL CONSTRUCTIVISM

This chapter explains the theoretical framework of the thesis. In this chapter, social constructivist theory will be explained. Identity and security issues will be evaluated to better indicate the EU's and Turkey's policy responses to the Syrian refugee crisis in the following chapters.

The European integration has affected labor migration patterns since its inception. Migration is a critical issue for the EU, not only in the form of labor migration but with its political, environmental, social dimensions, and irregular character. The migration issue has a very notable impact on the EU's relations with third countries and different international actors.

1.1. Social Constructivist Perspective

Before discussing the social constructivist perspective, IR theorizing and the Great Debates will be shortly expressed with a view to better explain the emergence of constructivism. There are four crucial debates. The first debates started before World War II between idealists and realists. After this, the second debate which is between traditionalists and behavioralists, reached a peak as of the late 1960s (Lake, 2013, p. 569). In the 1970s, the third debate started between radicalism, realism, and liberalism (Waever 1996 cited in Lake 2013, p. 570). In addition to this, in the 1980s, the fourth debate started between the constructivists, neorealists, and neoliberalists (Lake, 2013, p. 570).

Namely, some scholars argue that fourth debate took place during the 1980s between constructivism, neorealism, and neoliberalism (Waever 1996 cited in Lake 2013, p. 570). It may be considered as a continuation of the first debate. On the other hand, others accept the third debate (or fourth and fifth debate occasionally) as eroding the positivist as the followers to the behaviorists and are declared counter to reflectivists

every so often. This assigned an ontological meaning mainly (Keohane, 1988 and Lapid, 1989 cited in Lake, 2013, p. 570).

In the 1980s, positivists created mainstream IR theorizing. Reflectivists hardly created a single school. Also, other theories emerged such as (Adler, 2013; Wendt, 1987, 1999 cited in Lake, 2013, p. 570) constructivism, (Ashley, 1986; Devetak, 1996 cited in Lake, 2013, p. 570) post-modernism, (Brown, 1994; Linklater, 1992 cited in Lake, 2013, p. 570) critical theory and (Enloe, 1990; Tickner, 1992 cited in Lake, 2013, p. 570) feminist perspectives. The third debate is between positivists and post-positivists. It queries the validity of existing IR theories and brings different viewpoints. According to it, criticisms against positivism was brought by post-positivist. Post-positivists focused on epistemological hypothesis, tangible realities, and beliefs. “No approach won this debate, although the positivists remained ensconced at the center of the field” (Lake, 2013, p. 571).

Constructivism emerged within the context of the fourth debate. Alexander Wendt mentioned that the critical IR theory is composed of constructivists, feminists, neo-Marxists, post modernists and others (Wendt, 1995, p. 71). Their typical argument is that international politics has a social structure rather than a materialist one. Moreover, this structure affects not only the behavior of the actors but also their identities and interests. By asserting this conjecture, critical IR theory opposed firstly to the materialism and secondly to rationalism (Wendt, 1995, p. 71-72).

The Cold war came to an end after the collapse of the Soviet Union. In International Relations (IR), the new working area emerged which investigates ideational and societal factors such as identity, culture, norm, rules, and institutions. In this respect, the empirical research increased, and constructivism gained a critical position in IR theorizing (Lapid and Krotowill 1996 cited in Küçük 2009, p. 777). In this respect, social constructivism pays attention to ideational factors in the creation of a social world without rejecting material factors (Küçük, 2009, p. 777).

The constructivists brought new explanations for traditional problems and matters by analyzing them ontologically at first. Constructivism evaluated anarchy and

hegemony differently from neorealist and neoliberal discussions (Küçük, 2009, p. 785). In this context, contrary to the neorealist and neoliberal approaches that refer to anarchy and the sovereign state as bases in international relations, constructivism formed new fields of study by making an investigation into the cultural infrastructure of anarchy and generation of hegemon state. Secondly, constructivists produced the new working areas related to foreign and security policies, environment, human rights, citizenship, regional integration, international and transnational organization, ethnicity, nationalism, gender, and democratization (Küçük, 2009, p. 785). In these studies, norm, identity, language, social interaction, and inter-subjective issues are within the scope of social constructions and analytical categories (Küçük, 2009, p. 785).

Constructivism asserts that there is an objective reality. It also accepts that knowledge is interpreted and constructed by people (Andrews, 2012). In addition, there are three essential features of social constructivism according to constructivists. Firstly, social constructivism assumes that society and individuals construct each other perpetually. “Human agents construct social reality and reproduce it on their daily practices” (Jackson and Sørensen, 2003 cited in Karacasulu and Uzgören, 2007, p. 32).

In social constructivism, “agents do not exist independently from their social environment” (Risse, 2000, p.5). Concepts, beliefs, ideas, thoughts, discourses, languages as well as signs, and signals are included in social world. Through the social world, individuals express their ideas. The expression means that individuals explain their thoughts before acts. These thoughts are transformed into acts in time. Thus, individuals gain actor status at the end (Jackson and Sørensen, 2003 cited in Karacasulu and Uzgören, 2007, p. 32). Thirdly, constructivists focus on the significance of normative or ideational and material construction in determining an individual’s identity and intention (Adler and Ruggie, 1999 cited in Karacasulu and Uzgören, 2007, p. 32-33).

According to constructivism, norms have significant position in international relations as material structures have. In the international system, there are material elements such as security and defense objectives which are borders, populations, weapons, and other physical factors. However, the critical point is related to charging

and using of these materials (Karacasulu and Uzgören, 2007, p. 32- 33). In this respect, constructivism argues that an actor's identity and interest are constituted by norms and rules, and, they can be changed in time.

Social constructivism focuses on foreign policy formulation and its transformation in time by referring to states as social actors. Moreover, foreign policies of states are open to change by domestic and external factors. Contrary to realist theories, in constructivism, the discourse on social structure is as essential as material forces. In this context, social constructivism will be used to clarify the definition and transformation of identity, interest, action, and relationships in international relations in order to explicate the EU-Turkey relationship. The focus will be on shared values such as norms, identity, interests, and security related to migration and asylum issues.

Constructivism emphasized a more ideational and holistic perspective of international relations rather than materialist and individualist side of international relations (Wendt, 1999, p. 4). Social constructivism, different from realism and liberalism, focuses on the impact of ideas on IR (Walt, 1998, p. 4). Social constructivism emerged as a response to the failure of other IR theories and perspectives to address transformations that came after the Cold War era finished. An ideational and holistic view of constructivist theory could better account for this change (Wendt, 1999, p.4). Social constructivism has three important theories; systemic, unit level, and holistic constructivist theories. According to Wendt, identity and interest can be transformed under the anarchic structure (Wendt, 1992, p. 424).

Peter Katzenstein is a representative of unit-level constructivist theory and pays attention to the domestic political condition of states (Behvaresh, 2011). Further, holistic constructivists underline the construction of identities and interests. Thus, holistic constructivism has the role of being a bridge between systemic and unit-level constructivism (Behvaresh, 2011). In social constructivism, the main points of arguments take notice of the importance of ideas, norms, thought, and social reality in IR. Social constructivism is positioned between positivist theories Wendt is one of the pioneers of systemic constructivism and focuses on the interaction between state and post-positivist theories. Constructivists argue that collective inferences, remarks, and

suppositions affect identities, interests, and behavior of political agents in a system (Adler, 1997, p. 324).

As for Wendt, an international system comprises shared culture which is generated by discursive social experiences rather than anarchy and power mechanism in international relations (Copeland, 2000, p. 188). Wendt located himself between rationalist and critical thinking by having a "via media" (Wendt, 1999, p. 40). Wendt, by generating a constructivist idea, aimed to create a bridge position between two sides (realist- liberal and rationalist- reflectivist) arising from structuralist and symbolic interactionist sociology (Wendt, 1992, p. 394). Hence, Alexander Wendt tried to bring the ideas of two sides together and introduce a middle and useful viewpoint as social constructivism by producing a stream in international relations that dependent variables are interests and identities (Wendt, 1992, p. 394). Wendt emphasized that international relations are socially constructed and this construction is specified as empirical. However, he also underlines the point that the construction process is a currently progressing process; for this reason, contemporary international relations will not be the same in the future. Therefore, international relations are open to change.

Wendt argued that the materialist and individualist theories in IR failed to anticipate the end of the Cold War (1999, p. 4). Constructivism endeavors to explain the impact of ideas and identities on the behavior of states (Walt, 1998, p. 41). Constructivism became dominant in the IR because it brought a better explanation to the end of the Cold War. However, it progressed empirical research even though the empirical research was slow at first (Wendt, 1999, p. 4). The variety of constructivist theories has approved two principal premises of constructivism (Wendt, 1999, p. 1).

Firstly, shared ideas designate constitution of human partnership rather than material forces. Secondly, common ideas shape identity and interests of intentional actors (Wendt, 1999, p. 1). Thus, the interaction between individuals, society or state and the existing system is vital because actors have their own culture, identity, norms, and structure and these features have effects on their future acts. The constructivist theory asserts that international politics has a social basis. Also, the social basis does shape not only the acts of actors but also the identity and interests of actors.

In 1992, Wendt wrote a critique of Kenneth Waltz's thoughts on anarchy in his article titled "Anarchy is What States Make of It" (Wendt, 1992, p. 395). For Waltz, the primary characteristic of international relations is based on anarchy. The main concerns of the states are survival and security and in order to protect their security and sovereignty; anarchy is permissive in international relations according to realists. On the other hand, Waltz's neorealism neglects human nature and pays attention to the international system (Walt, 1998, p. 1).

As for Wendt, anarchy is a self-help mechanism that does not include central authority and collective security. Liberals accept the neorealist causal capacity of the anarchic system. In addition, they argue that even states can collaborate if needed (Wendt, 1992, p.392). If necessary, states become egoist about their security not because they are supporters of anarchy (Wendt, 1999, p. 18). Wendt focused on the social structure of state and a social structure of international relations. Waltz does not express an opinion based on anarchy without looking at identity and interests within IR (Wendt, 1992, p. 396). Constructivism states that survival is not the sole concern of the states. Their behaviors are shaped in time as individuals based on identity and interests; then, they decide what they will do.

Furthermore, Wendt has the idea that anarchy does not exist in reality, but it is shaped and changed by states. Also, identity and interest have an effect on international relations, and they compose significant parts of interaction and results of cognitive and inter-subjective processes (Wendt, 1992, p. 394). Wendt defines the system as state-centric as Waltz does. States dominate the system as actors (Wendt, 1992, p. 392).

According to Wendt, realist hypothesis is interested in the material rather than social base which is a combination of brute material, human nature, and anarchy (Wendt, 1999, p.114). Wendt interprets anarchy as a volatile status. If identity becomes involved in the system, the system will not be anarchic anymore, and cooperation will be possible. Identity and interests are open to be evolved (Wendt, 1992, p. 424). Wendt examines "three ways in which identities and interests are transformed under anarchy." First is "by the institution of sovereignty," the second is "by an evolution of

cooperation," and third is "by international efforts to transform egoistic identities into collective identities" (Wendt, 1992, p. 395).

In this regard, in an anarchic system, if one state's ego is predatory, the other one must define security in a "self-help" mechanism or must carry the can for it. However, in the anarchy of many, the effect of aggression is linked with the collective identity (Wendt, 1992, p. 408). Collective security identity has a significant role in defining the balance of power. If identities and interests exist in the maximum insecure system, collective action will be problematic. However, if there is a powerful collective security identity, the process will be less detrimental if an offensive power occurs (Wendt, 1992, p.408). Such, after the disappearance of the Soviet threat, will the members of NATO feel insecure towards each other? Maybe, they will. However, if they define their security with one another, they will not have insecurity problems again (Wendt, 1992, p. 408). Even when the Soviet threat ends, the NATO members maintain their collective identity.

The EU can be given as the best example of the evolution of solidarity. Even the founding states started the European integration for egoistic reasons; they constructed cooperation and institutions after the inter-subjective perception and commitment. As a result, European identity was constructed. However, the continuity of the union is questioned because the member states created the cooperation following the end of World War II and within the Cold War context against the Soviet threat. Following the end of the Soviet Union the ongoing cooperation and deepening relations between the members in the EU indicates the strength of the Union (Wendt, 1992, p. 417).

Accordingly, ideas and opinions are also improved by social rather than material construction (Wendt, 1999, p. 20). Wendt also thinks material power and interests are essential. Their meaning and impact are related to the social structure of the system in which the Hobbesian, Lockean, and Kantian cultures of anarchy are dominant. The structural change indicates "changes in these cultures-like the end of the Cold War in 1989 and not to changes in material polity-like the end of bipolarity in

1991.” (Wendt, 1999, p. 20). The bipolar international structure was transformed into a multipolar one.

1.2. Identity and Security from a Constructivist Perspective

Different from other theories, social constructivism emphasizes identity, culture, and discourse. Identity is not stable; it changes all the while. For constructivism, inter-subjectivity, structure, and agents have importance because they are involved in an interaction. Discourse is also very significant while states explain their opinions, identity, and interests. According to Onuf, we take a stand about our intention in the world. Onuf mentioned about discourse and language as "talking is undoubtedly the most important way that we go about making the world what it is" (Kubalkova, Onuf, and Kowert, 1998, p. 59).

Structures are constructed by agents and interests of agents are constructed by these structures. “Agents and structures” are reciprocal constituted under codetermination (Wendt, 1987, p. 339). Wendt argues that individuals are mutable and open to being changed by interaction (Copeland, 2000, p. 210). Identity comprises the interactive process such as othering. Therefore, differences between the two identities come to light. On the other hand, states have their characteristics based on culture and identity. The cultural structure has a decisive role in creating state behavior (Wendt, 1999, p. 190). Therefore, states tend to direct their foreign policy by looking at these variables.

Constructivism brings a different approach to security and foreign policy. It asserts that states have identity and security concerns in the international system as individuals in a society. Even, it is possible to say that security and foreign policy are affected by identity and culture meaning transformation and modification (Ertem, 2012, p. 178). As for constructivism, states are social entities under IR as a social area. In this regard, international rules, norms, institutions, ideational and cognitive factors have roles in the political structure (Küçük, 2009, p. 776).

Wendt also expresses the prominence of past experiences and historic events for the formation of future attempts of states. "States will always be prudent, and

sometimes worst-case assumptions are warranted, but prudence does not mean they will (or should) throw experience to the wind. History matters." (Wendt, 1999, p. 109). Neorealists and neoliberals focus on power and interest and also institutions from the material viewpoint. However, ideas are also important, and perceptions have a role in foreign policy decision making (Wendt, 1999, p. 92).

Security is developed by expectations, threats, and common perception. In this respect, collective understandings shape the physical powers of actors in international relations regarding their social perceptions (Adler, 1997, p. 322). For instance, Turkey is seen as an asymmetrical threat to Greece with its geography, economy, and military power (Yorulmaz, 2014, p. 104). However, Turkey cannot be perceived in the same light by another state. Division of power and anarchy are not inadequate to decide about the state's positions and relations. For instance, British weapons make distinct sense for the US than the Soviet weapons (Wendt, 1992, p.397). It shows that international relations are evaluated based on identity and interest notions, and these definitions have different meanings for each state which affects the threat perceptions, friend-foe definitions and security concerns of states. In addition to this, common meanings shape our acts (Wendt, 1992, p.398).

Identity is related to how a state defines itself and how it is defined by others. Every state has its own character, geography, history, language, experiences, religion, tradition, and ethics; thus, identity is a changing variable. It is also crucial that how others define us. Herewith, the definition should be brought by self and other, secure and insecure, friend and enemy.

From the perspective of neorealists, social constructivism is associated with post-positivism with its ontological features and epistemology. Constructivism is mentioned negatively because of its empirical evidence which is seen as a deficit in order to execute a valid assumption in international relations. For the neorealists, it does not present an objective empirical research. Social constructivists bring the question to positivism and refuse to evaluate social structure within objective and empirical ways because they believe that international relations are not based on material but on social factors. As for constructivists, social interactions cannot be evaluated ontologically

under a rationalist approach. However, logical positivists reckon that practical information of truth or falsity makes its meaning more secure (Neufel, 1995, p. 27).

In addition, neo-realists criticized social constructivist because according neo-realists, social constructivists extremely mind norms and mostly international norms in international relations (Jackson and Sørensen, 2006, p. 172-173). Powerful states dominated over the less powerful states (Krasner, 1994 cited in Jackson and Sørensen, 2006, p. 173). The interests of powerful states mostly take precedence over norms. In terms of the interests of states, norms will lose their importance. The anarchy notion in neorealism appears to be uncertain for social constructivists (Copeland, 2000, p. 200).

In realism, the uncertainty of states between the present and future will continue (Copeland, 2000, p. 200). Since global politics change, this change will have an impact on the acts of states. In contrast to this review, constructivists express anarchy is more complicated than presented by the neo-realists (Jackson and Sørensen, 2006, p. 174). Moreover, Copeland points out that Wendt's definition of realism is not sufficient to clarify behavior and outcomes without mentioning the distribution of interests. However, in reality, it is not. In the system, states seek to have security in the international system. At this point, according to the realists, states can move from cooperation to conflict (Copeland, 2000, p. 199). States regard each other as a threat. Thus, they tend to be egoistic in an anarchic system. At this point, from the perspective of the realists, social constructivism is inadequate in explaining how the general order shapes states with communitarian norms (Mearsheimer, 1995 cited in Jackson and Sørensen, 2006, p.173).

Neorealists argue that constructivism is incapable of explaining the change in discourses and constructivists do not offer a clear explanation of why discourses change in time (Jackson and Sørensen, 2006, p. 174). On the other hand, constructivists claim that change in material realm causes alteration in discourse (Mearsheimer, 1995 stated in Jackson and Sørensen, 2006, p.174). Constructivists did not express enough evidence on how norms generate, how identities and interests progress (Jervis, 1998 cited in Jackson and Sørensen, 2006, p.174). Also, constructivism remained incapable of interpreting the expectations of foreign policy or international relations. On the

contrary, constructivists focus on change. Constructivists study change through social interaction (Adler, 2001 cited in Jackson and Sørensen, 2006, p.174).

1.3. The EU from a Social Constructivist Perspective

In 1951, the member states signed the European Coal and Steel Community (ECSC) Treaty to produce coal and steel among European states. As an economic entity, the EEC was established by Rome Treaty 1957. The EC was established in order to gather all the ECSC, the EEC, and EURATOM under a single roof. A council and a commission were established. Maastricht Treaty went into effect in 1993 which founded the EU officially and members decided to complete monetary union until 1999. With the Lisbon Treaty 2007, the EU aimed to have a more democratic and functioning mechanism in the decision-making process. The enlargements brought new members into the union. This process transformed the EU over time. Its goals, functions were redefined, and sphere of influence grew eventually after social interaction between policy makers in the member states. The union did not remain as the Coal and Steel Community, and it was transformed into economic, political, monetary, democratic and social terms in time which is directly related to the social structure of the EU. Values, norms, regulation, and identity of Europe were shaped by the EU politics. Such that; "Europe" is used synonymously with the "EU" (Risse, 2004, p.255).

The EU institutions mean a "sui generis" structure that other international organizations do not have (Risse and Kappen, 1996, p. 56 cited in Phelan, 2012, p. 367). European identity is a political identity that ethnonational cultural identity continues with the nation-states (and regions)-probably "a division of labor" (Waever et al., 1993 cited in Waever 1996, p. 123). Thus, European identity was generated based on the variables. In addition, the member countries avoided negative experiences such as wars and divisions in the past by creating a European identity. The EU is "a cultural community of shared values and a political community of shared democratic practices" (Prutsch, 2017, p. 5). The EU succeeded in economic progress, and it is a soft power today. From the beginning of the EU until today, the EU developed the concepts of the rule of law, justice, democracy, human and minority rights (Van Wieringh, 2005). Besides, the EU does not only work on European integration, but it also works with the

non-EU countries by shaping the European foreign policy, signing bilateral agreements with other states, and creating the European Neighborhood Policy to impose its values, economic prosperity, and welfare.

In recent years, particularly in the last two decades the European identity and solidarity has been affected by the internal transformation of the EU and developments in IR, while the political legitimacy of some of the EU's actions are questioned. Some put forward that the EU is unsuccessful to respond to and address current problems, mainly the 2008 financial crisis and the Syrian crisis. In this respect, financial and refugee crisis brought forward issues directly related with the "European values" and "the internal solidarity" about how solidarity may or should imply "solidarity without conditionality" or more precisely mutuality of liabilities and rights. The EU's ineffective policies have also been criticized regarding the Syrian refugee crisis. Because the EU accepts few numbers of refugees compared to Turkey. Even, the deaths at sea caused interrogation of the EU's restrictive policies. These approaches of the EU are close to realism rather than constructivism.

Nonetheless, the members of the EU share common ideals such as peace, freedom, justice, political, social, economic and cultural solidarity. This common belief and faith played essential roles when dictatorships in Europe changed into democratic states such as in Spain, Portugal, and Greece, and communist states as in the CEEC. Citizens protested against their governments in Poland, Spain, and the UK because their governments supported the war in Iraq. All these indicate that there is Europe is being built on shared values and a successful integration process (Van Weringh, 2005).

As Wendt emphasized the social structure of the EU changed based on intersubjectivity such as common "ideas, norms, and values" acquired by actors, in other words, member states. The European identity is formed and developed by time with new decisions, regulation, laws, treaties, and enlargements. Also, Germany and France put their differences away. With the EU, they changed the perception of enemy and otherness and renewed definitions of enemy and friend. Throughout the stages of the evolution of European integration, they emerged as the leaders of the EU. Therefore, it is possible to argue that internal and external conditions affect the identity of a state

(Katzenstein, 1996, p. 22 cited in Ertem, 2012, p. 221) or a unique entity such as the EU.

1.4.Early Republican Era and Turkey's Relationship with the EU

Mustafa Kemal Atatürk established Turkish Republic following the dissolution of the Ottoman Empire. Under the leadership of Atatürk, Turkey emerged as a modern nation state. Mustafa Kemal Atatürk aimed to create a modern and secular state structure and took Western civilization as an example such as Britain and France (Bozdağlıoğlu, 2004, p. 35). Atatürk stated that "our largest claim is to continue our nation as the most civilized and prosperous of nations. This is the progressive ideal of the Turkish nation, which has performed a true revolution not only in its institutions but also in its thought" (Karal, 1981 cited in Bozdağlıoğlu 2003, p. 46).

In order to generate secularization and freedom, a particular social and cultural transformation was needed for Atatürk (Keyder, 1997 cited in Bozdağlıoğlu 2003, p. 35). In order to achieve this objective, "[m]any Western laws and practices had been adopted... by the end of the nineteenth century. Kemalism represented intensification, radicalization, and the culmination of this trend" (Kazancıgil and Özbudun, 1981 cited in Bozdağlıoğlu, 2003, p. 36). Mustafa Kemal changed Turkish history and transformed Turkish society (Ortaylı, 2018, p. 14).

Kemalist principles such as "nationalism, republicanism, populism, secularism, statism, and revolutionism" (Rustow, 1981 cited in Bozdağlıoğlu 2003, p. 46) were firstly accepted in 1931 at the Congress of the Republican People's Party (RPP) (Cumhuriyet Halk Partisi; CHP in Turkish) (Bozdağlıoğlu, 2003, p. 46). Atatürk's principles were embodied in the Turkish constitution in 1937 (Ahmad, 1981 cited in Bozdağlıoğlu, 2003, p. 46). Afterward, they became institutionalized. The republicanism, nationalism, and secularism state that Turkish revolution rejected "the Ottoman dynasty, the Caliphate, and the unmet ideology" (Karal, 1981 expressed in Bozdağlıoğlu 2003, p. 46- 47). The revolution emerged regarding modern science and advancement, latest technology, education, ethics, besides new faith, and work life. Above all, Atatürk wanted to create a Turkish revolution on the level of "contemporary

civilization." This indicated that Atatürk made reforms in consideration of European civilization. He associated modernization with cultural westernization and civilization.

Moreover, Atatürk abolished the Caliphate on 3 March 1924 because Caliphate reflected Turkey's connection with the old structure in the Ottoman Empire, past and the Islam (Kinross, 1965 stated in Bozdağlıoğlu, 2003, 47). On November 1925, wearing fez was banned, since fez was the symbol of Islam and created a Muslim perception and identification that refused to orientate the West, the law obliged men to wear hats (Lewis, 1962 cited in Bozdağlıoğlu, 2003, p. 49). Besides, guilds and Dervish orders and indicator of these such as garb and headgear were lifted (Ortaylı, 2018 p. 365). In addition, in order to use the same standards with the West, the Hijri calendar was replaced with the Gregorian calendar. International clock (24 hours) was implemented. The desuetude of "the religion of the Turkish state is Islam" expression in the 2nd article of the 1924 constitution was lifted (Bozdağlıoğlu, 2003, p. 49). Then, Turkey became secular both legally and constitutionally.

Grand National Assembly of Turkey accepted the Turkish Civil Code (based on the Swiss civil code) on 17 April 1926 (Ataay, 1980, p. 49). The Turkish Civil Code identified the woman as equal to man. On 5 December 1934, right to vote and to be elected was implemented for Turkish women (Kömürcü, 2018). The civil code brought many regulations in an attempt to accept woman under the law. Woman gained the right to be a witness in court and woman has acquired equal rights with a man about legacy and divorce. Civil marriage became compulsory and monogamous marriage was accepted (Bilgin, 2014). Mustafa Kemal Atatürk made many reforms for women in order to give women the same rights with men in society.

In 1928, the Turkish Republic started to use international numerals instead of Arabic figures. On 3 November 1928, the Latin alphabet was accepted, and the Arabic alphabet was banned (Lewis, 1962 cited in Bozdağlıoğlu 2003, p. 4). Public is not literate in Turkey. "The Republic of Turkey was 5 years old and Atatürk changed the alphabet" (Özdil, 2018 p 167). Atatürk started a literacy campaign across the country. The total population was 13 million and in a year, 2 million people learned to read and

write (Özdil, 2018 p. 168-169). Mustafa Kemal Atatürk created the modern Turkish Republic along with Western standards.

Turkey established its structures based on Western and European identity rather than the Eastern identity. Thus, it has decided to adopt a European identity. As social constructivism argues states choose to abide by the norms not just because of their interest but also because they accept them (Alexandrov, 2003, p.36). Turkey became a member of European-based “international organizations” as the NATO, the OECD, and the European Council in the Cold War period (Çepel, 2011, p. 533). Turkey’s membership application to EC is an outcome of the Westernization process (Çepel, 2011, p. 534) and working together in European organizations.

The Ankara agreement, as “an association agreement”, started between Turkey and the EEC in 1963. In the 1960s, Turkey encountered the Cyprus problem. In 1970, The Additional Protocol was signed and in 1973, it came into force (Republic of Turkey Ministry of Foreign Affairs Directorate for EU Affairs, 2019). Imports from the EU decreased from 71% to 54% in 1973 (İlkin, 1990, p.39 cited in Bozdağlıoğlu, 2003, p. 71- 72). Because of economic and political problems, the relationship between the EU and Turkey took a negative turn. On 12 September 1980, a military coup took place in Turkey, and the relationship between the EU and Turkey was suspended (Republic of Turkey Ministry of Foreign Affairs Directorate for EU Affairs, 2019). Even, the relationships came to a halt. In 1981, Greece became a member of the EU and it started to veto decisions related to Turkey in the Council of Europe. For this reason, Turkey-EU relations were impacted as negative.

In 1987, Turkey made an application for full membership, however, Turkey's full membership application was rejected in 1989 (Bozdağlıoğlu, 2003, p. 95). Turkey's policy changed after Turkey noticed that it was not accepted and approved by the EC based on membership and identity. Turkey started to be in search of new alternative identities and political position since it could not receive an adequate feedback from the EC after the collapse of the Soviet Union. Thus, after the collapse of the Soviet Union, and end of bipolar rivalry, the EU started to question Turkey’s geographical location and strategic importance. The EU changed its policy towards Turkey. Social

constructivism can bring an explanation to the interest change of the EU. Interest transformation is possible in accordance with social constructivism.

In addition to rising nationalism in Turkey, political Islam started to gain ground in Turkey. From the 1990s onwards, political Islam started to gain electoral and political success in Turkey and the debate on Turkey's identity and where it belongs was revitalized. According to social constructivism, identity and interest may change in international politics. Pro-Islamic Welfare Party (WFP) (Refah Partisi -RP) received 19,7 of national votes and came to power in twenty-nine cities involving Ankara and İstanbul in local elections in 1994 (Bozdağlıoğlu, 2003, p. 132). In 1996, a coalition government was established with secular True Path Party (TPP) (Doğru Yol Partisi: DYP in Turkish) within the leadership of Tansu Çiller and Islamic WP within the leadership of Necmettin Erbakan (Bozdağlıoğlu 2003, p.134- 135). Therefore, political Islam started to challenge goal of Westernization and question modernizing reforms in Turkey.

In 1999, following the general elections, the Nationalist Action Party (NAP) (Milliyetçi Hareket Partisi; MHP in Turkish) come together with Ecevit's Democratic Left Party (DLP) (Demokratik Sol Parti; DSP in Turkish) and Mesut Yılmaz's Motherland Party (MP) (Anavatan Partisi; ANAP in Turkish) and formed a coalition. In 2002 elections, the newly established Justice and Development Party (JDP) (Adalet ve Kalkınma Partisi: AKP in Turkish) led by Recep Tayyip Erdoğan and RPP led by Deniz Baykal were elected (Haber Türk, n.d.). Thus, Turkey's political identity was shaped and transformed in years. Its aim was to reach contemporary civilization level but identity and foreign policy of Turkey have shifted from Western to Eastern perspective. Besides, whereas the EU developed its relationship with Turkey under alliance during the Cold War, it started to view Turkey's different identity, which is not Western, after the Cold War. In this way, the EU declared that Turkey's identity, culture, and norms are very different than that of the EU's. The EU redefined its identity, culture, and norms by mentioning Turkey's identity, culture, and norms as the "other".

Mustafa Kemal Atatürk made many reforms at short notice in compliance with his aim that Turkey should reach contemporary civilization. Until the 1990s, Turkey's

primary goal was to be approved in the Western world and the EU. However, after the Soviet Union collapsed, the EU altered its policy towards Turkey and presented contrary arguments against Turkey's membership objective. Then, Turkish politicians changed its policy from focusing on the EU to first Central Asia and then the Middle East based on its Turkish ethnicity and Islam religion.

Since 2002, the JDP had power in parliamentary. Its Islamic and right-wing structure had an effect on Turkey's foreign policies. Whereas Turkey tried to be part of the EU as a Western organization before, today Turkey aims to develop a close relationship with the Middle Eastern and Muslim states. Thus, the ruling elite's perceptions and definition of Turkey's identity changed in years. The identity alteration of Turkey also specified that the identity of a state could be produced and reproduced by international environments (Bozdağlıoğlu, 2003, p. 160).

As social constructivism states, countries define and consolidate their identity before systemic interaction (Bozdağlıoğlu, 2003, 159). States decide their interest before the interaction with others. Within a changing international context, throughout the post-Cold War years, identity of Turkey went through a certain transformation. Additionally, by looking at Turkey's change and transformation in years, it is possible to say that there are no unchanging preferences and interests. Thus, political experiences shape preferences and interest.

Regarding the EU membership perspective, modern Europe is constructed based on shared values which are democracy, human and minority rights, the rule of law, and justice. If Turkey fulfills these requirements, it should be accepted. However, Turkey cannot be accepted into the EU, if membership conditions are related to "exclusive Europe" because Turkey is mostly a Muslim country (Risse, 2004, p.155). In this regard, the construction of European identity is essential.

There are different ideas about European identity in Europe. For some, Europe is constructed for only white Christians. The EU and European identity are "hostile" to foreigners, immigrants and mainly Islam which was developed by Eurosceptical and right-wing populist parties whose power increased in Europe (Risse, 2004, p. 154).

Turkey's accession negotiations started in 2005 in the way of the EU membership, however; many European authorities maintained an anti-Turkish mood and suggested: "privileged membership" instead of full membership to the EU and open-ended talks or possible "safeguard clauses" (Ifantis, 2009, p.127). In the 1990s, transit migrants came to Turkey and tried to go to Europe irregularly which affected relationships negatively. At this moment, Turkey changed its direction from Europe to the Middle East. In the process of time, the "fortress Europe" notion became clear which means worries about immigration and the invasion of a large number of EU-foreigners (Lahav, 2004 cited in Risse 2004, p. 155) and the concern arising from possible membership of Turkey (Risse, 2004, p. 155).

Turkey can be perceived as the "other" because of its culture, security, past, and different experiences. However, these are not obstacles for Turkey to enter the EU, as long as it performs the Copenhagen Criteria if European others could enter the EU. Notably, after the 9/11 terrorist attacks, anti-Islamic thought increased in Austria, France, Germany, Holland, the UK, and the US (Ercan, 2017, p. 43). The European identity was constructed on defining others as Islam, Turks or Asians.

Even, during the Brexit referendum, Turkey's possible membership of the EU by 2020s was discussed. In the vote leave campaign, the possible future of the EU was criticized. Thus, if Turkey will possibly be one of the members of the EU, the EU's neighbors will be Syria and Iraq. Also, Brexit campaign claimed that there is a high level of criminality in Turkey (Erlanger, 2016). Moreover, in the Brexit campaign, hostility to Turkey increased. Likewise, in Brexit campaign, the concerns from possible migration flow from Turkey to the UK was mentioned even if Turkey will be the member of the EU and the UK will be still the member of the EU (Barchard, 2016). In the Brexit referendum in the UK, 52% to 48% of British people have voted to leave the EU on 23 June 2016 (BBC News, n.d.).

Through the media, Muslims are also reflected as a threat. Thus, extreme right-wing and racist ideas increased in Europe. On this basis, conservative and nationalist parties increased their votes. Even leftist parties use racist discourses in order to have

more vote (Ercan, 2017, p. 45- 46). Especially, security concerns, the rise of the new right, European identity and culture are constructed on the exclusionist definition.

In 1994, Wolfgang Schauble, the leader of Christian Democrats in the EP, declared as Turkey is not a Christian country, thus, is not a part of the Christian culture. Therefore, it could not be one of the members of the EU (Çepel, 2011, p. 536). On 4 March 1997, in European Christian Democrats Summit, Christian Democrat leaders used discourses as "our civilization is different, Turkish people are Asian" (Çepel, 2011, p. 536). In 2002, Valéry Giscard d'Estaing, who is the former president of the republic in France, remarked that "Turkey is not a European country" and if Turkey enters into the EU, the EU will break up (Jasey, 2016).

Moreover, Chancellor Angela Merkel mentioned a privileged partnership for Turkey and Nicolas Sarkozy proposed similar negotiations for Turkey regarding the EU relationship (Çepel, 2011, p. 536). In addition to this, different organizations and groups emerged in Europe such as PEGIDA "Patriotische Europäer Gegen Die Islamisierung des Abendlandes in German/Patriotic Europeans against the Islamisation of the West in English" (Grabow, 2016, p. 173). The group protests immigrants in Europe and organized attacks against Muslim people in Europe. Thus, Turkey's identity was termed as "other," and it was not approved in some quarters of the EU.

On the other hand, Turkey and the EU have a connection because of the Syrian refugee issue even today. Although, the relationship between the EU and Turkey did not make progress in the past, today it maintains regarding Syrian refugee crisis. Furthermore, the EU and Turkey made official agreements in order to bring a remarkable solution for the issue. Thus, both parties reshape their foreign policies and interests in this context today.

1.5.Turkish-EU Relations Within the context of Syrian Refugee Crisis from a Social Constructivist Perspective

In 2010, Arab Uprisings started in Tunisia and expanded to other Arab states then to Syria in 2011. Turkey applied the "open door" policy for Syrians in 2011 (Ihlamur-Öner, 2014, p. 43). Turkey approached the issue under humanitarian

perspective at the beginning because it opened its borders for people who need international protection. Turkey responded Syrian refugee crisis based on norms as is argued by social constructivism. Constructivism states that norms are as important as material structures. In addition, Turkey defined “conditional refugee” status for Syrians in Turkey under 2013 Law on Foreigners and International Protection. Temporary Protection Directive came into force in 2014. Syrians in Turkey gained basic rights after these regulations. Turkish politics gives international protection to Syrians in Turkey. Turkish migration and asylum policy towards Syrian refugees acts in accordance with social constructivism perspective. On the other hand, Turkey does not grant refugee status for people from non-EU states, also Syrians.

The EU approached the Syrian refugee crisis by accepting limited number of refugees. The EU member states could not put over a common approach to the issue. While some member states accept refugees, others do not want to open its borders for the refugees. Especially, the CEECs did not want to accept refugees in its borders. Further, the EU aimed to prevent refugees to come to the EU and apply for asylum. The EU provided limited international protection to Syrian refugees with its restrictive policies. This indicates that the EU fell short of observing its international norms and fulfilling its responsibilities regarding the Syrian refugee crisis. The EU’s identity hinges on equality, justice, rule of law, human and minority rights but currently, the EU does not approach the issue based on its founding principles. Its interest does not regard norms and identity as assumed by social constructivism.

The EU and Turkey needed to respond Syrian refugee crisis by cooperating. In 2013, Readmission Agreement was accepted between Turkey and the EU. With respect to the agreement, the EU and Turkey accepted that refugees who entered into the EU using Turkey as transit and illegal will be delivered to Turkey. At the end, visa liberalization was aimed. In 2015, between the EU and Turkey, Joint Action Plan was determined after increasing irregular migration to European borders. Turkey and the EU targeted to prevent irregular migration as well as human smuggling and trafficking. EU-Turkey Statement accepted supplementary measures in 2016. The EU and Turkey worked up to send irregular migrants from Greece to Turkey and resettle refugees from

Turkey to the EU under exchange of refugee mechanism. Thus, the aim was to prevent irregular migration.

Turkey approached Syrian refugee issue under social constructivism in a sense because it regulated open-door policy and accepted majority of Syrians in its borders. On the other hand, it abstains to fully apply 1967 protocol that caused Syrians have temporary protection and limited rights in Turkey. Therefore, Turkey also considers its national interest and does not provide refugee status for Syrians. It can be stated that Turkey's migration and asylum policy has realist characteristics. Additionally, while the EU accepts limited number of refugees, and tries to keep them in Turkey, Turkey aims to come closer to its EU membership perspective and develop its relationship with the EU. Thus, the EU and Turkey form their migration and asylum policy regarding their interests.

The EU moved away from its norms, values and principles such as equality, justice, human and minority rights by implication. The EU caused the refugees cannot apply to the EU. Further, Turkey does not comply with international law and causes Syrians to have limited legal rights in Turkey by giving conditional refugee status. Because of uncertain status and limited rights, Syrians in Turkey needed to go to the EU countries. It could be argued that social constructivist perspective can partially provide us with a response in accounting for both Turkey's and the EU's responses to the crisis. As both Turkey and the EU went through transformations, which affected their identities, they grew apart. Still, the relationship continued as they sought to address the Syrian refugee crisis. Their responses to the crisis and the impact of the crisis on their relationship pose challenging questions for the social constructivist perspective.

II. THE SYRIAN REFUGEE CRISIS

One of the most important consequences and dimensions of the Syrian crisis is the refugee crisis. The UNHCR stated that the Syrian refugee crisis is the most recent great wave of migration (Erdoğan, 2015, p. 1). Syrians, neighboring states, and migrant-receiving states in Europe, and other places started to face a significant challenge, particularly as Syrian crisis became more complicated and protracted due to increasing number of Syrian refugees accordingly and rapidly. In this chapter, after a short history of the crisis, the impact of Syrian refugee crisis on Turkey, other neighboring countries and the EU will be explained. Lastly, the general situation of the refugees since 2015 will be handled.

2.1. A Short History of the Syrian Crisis

Syria was governed by the Ottoman Empire between 1516 and 1918. In World War I, the governance of Syria passed from the Ottoman Empire to France. France's mandate in Syria started in 1920, and continued until 1946 (Akdemir, 2000, p. 211). Until 1958, Syria was a problematic region that faced four coups. In 1958, Syria established the United Arab Republic with Egypt, and the unity continued until 1961 (İnce, 2017, p. 261). In 1963, Hafez el Assad, as a socialist, secular, and Arab nationalist, came to power with a military coup (The Nation, 2015). During his rule, several coups occurred, but he repressed and survived all of them.

Syria was governed with an autocratic regime, which violated human rights and repressed demands for democratization. This regime constructed with Hafez el Assad's is still in its place and can be seen as the primary source of current problems in Syria. There was no other candidate or opponent party during his period. Hafez al Assad maintained his leadership in Syria for 30 years and then his son Bashar al Assad came to power. One year later, the "Damascus Spring" took place.

In 2011, following the Arab uprisings in Tunisia, Egypt, and Libya, protests started in Syria. In Egypt, Syria, and Tunisia, sectarian violence was shown as the main problem; because Assad's government is Shi'a and his opponents are Sunni. Ethnic

differences in Arab states were portrayed as a conflictual issue (Von Helldorf, 2015, p. 2). However; the problem was about democracy, economy, and rights: Horreya (freedom), karma (human), and thawra (revolution) (Teti and Gervasio, 2011, p. 324-325). In Syria, protestors did not have a leader or ideology; it was a grassroots movement. The only goal was to topple the Assad regime.

Assad responded to the protests by detaining, kidnapping, or killing civil activists in the urban areas and security forces resorted to shooting or air attacks against the peaceful protests (Woods, 2015, p. 6). The international community responded to the civil war and Assad's government in different ways. Russia and Iran supported Assad by giving financial and material aid; they fought against the jihadist groups (Woods, 2015, p.7). On the other hand, Qatar, Saudi Arabia, and Turkey showed their opposition to Assad and his regime by supporting the opposition groups in Syria involving Islamic groups such as Muslim Brotherhood (Woods, 2015, p. 7).

In addition to this, after 2014, new organizations such as "the Islamic State of Iraq and al-Sham (ISIS)" and other terrorist groups emerged in the region and the civil war was protracted and extended to a larger zone. The change in the region also affected the domestic policy of Turkey. Turkish citizens had different opinions related to the acceptance of Syrians into Turkey by supporting or criticizing the issue. Supporters of Turkish government and Erdoğan gave support to the political process while opponents criticized Erdoğan and his policy on this matter (Erdoğan, 2015, p. 73).

Prior to 2011, Syria and Turkey had good relations. When the protests started in March 2011, Turkey tried to convince Assad to abstain from applying harsh measures against the protestors. In 2011, Minister of Foreign Affairs Ahmet Davutoğlu visited Assad in Damascus, though, this attempt remained inconclusive (Reuters, 2011). Ahmet Davutoğlu endeavored to present a new reform agenda. However, the Syrian government continued to repress the protests. Herewith, the relationship between Turkey and Syria came to an end (Kirişci, 2014, p. 1).

The Turkish government started to support the Syrian opponents and approved the Syrian National Council as representing the Syrian citizens at the end of 2011

(Kirişci, 2014, p. 1). Turkish government was determined to apply an open-door policy for Syrians refugees on the date of October 2011 (Kirişci, 2014, p. 1). At the beginning of the Syrian crisis, other states expected Syria to go through a transformation period as the other Arab states experienced during the Arab Spring. However, their expectation was not realized, and Assad continued to govern Syria. The timid attitude of China and Russia supported Assad to create chaos in Syria (Erdoğan, 2015, p. 74).

After the war started, every country positioned itself in different camps. Some of them supported the Assad regime, while many of them condemned Assad and his government. In order to solve the crisis, international meetings were organized. On 24 February 2012, the Groups of Friends of the Syrian People meeting was organized in Tunisia; then the second meeting was carried out in İstanbul (Ministry of Foreign Affairs, 2012).

Geneva II Conference on Syria was convened to stop violence and war and to reach a political solution in Syria between 22 and 30 January 2014. The UN was acting as the mediator. 30 states and representatives of international organizations attended the meeting. Foreign Affairs ministers of “the US, Turkey, Arab League, the EU, the Organization of Islamic Cooperation, Algeria, Brazil, Canada, Denmark, Egypt, Germany, India, Indonesia, Iraq, Italy, Japan, Jordan, Kuwait, Lebanon, Morocco, Norway, Omani, Qatar, Saudi Arabia, South Africa, Spain, Sweden, Switzerland, and the United Arab Emirates” participated (Yezdani, 23 January 2014). There were two sides; Groups of Friends of the Syrian people and Groups of Friends of the Syrian regime. In the Group of Friends of the Syrian People, countries supported the Syrian opponents. In the second group, Russia, China, and Iran supported the Assad regime. Competing interests of these two sides extended the life of the Assad regime and protracted the Syrian war that claimed many lives and displaced millions of Syrians.

The nature of the civil war changed after new actors entered into the war zone. The terrorist organizations altered priorities. Before they emerged or became part of the warring parties, the international community, and external actors got involved that aimed to topple down the Assad and his regime. However, following the emergence of the ISIS, it became the primary security concern for many states in the region (Erdoğan,

2015, p. 2). Moreover, terrorist organizations were not just active in Syria; their terrorist attacks profoundly affected the peace and stability in Syria and even in Turkey and Europe.

Further, the ISIS extended its control over Iraqi and Syrian territory between 2014 and 2015. It invaded lands in Iraq and Syria such as Mosul and Raqqa. Even, it occupied and attacked some places in the Sinai Peninsula and Libya in North Africa. As a result of the growing power, the ISIS and competing interests of the major regional and global powers attracted Turkey, the US, France, Iran, and Russia into Syria.

Alongside the ISIS, other terrorist organizations became active in Syria such as al-Nusra and al-Qaeda. But particularly the ISIS increased their presence and power in the region, the US and the EU revised their powerful opposition towards Assad (Tysskä, Blower, DeBoer, and Kawai, 2017, p. 5). In this respect, Barack Obama started a military campaign in order to give support to Kurdish people in their fight against the ISIS (Marsden, 2014 cited in Tysskä et al. 2017, p. 6).

With the emergence of the ISIS, the Assad regime ceased to be the priority of the US. Also, the UK, the US, France, and Sunni states such as Jordan and Turkey participated in the war by bombing locations that the ISIS was deployed (Woods, 2015, p.7). The US, the UK, France, Saudi Arabia, Qatar, Jordan, Albania, Australia, Bahrain, Canada, the UAE, Belgium, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Germany, Holland, Hungary, Italy, and Turkey established a coalition to control and defeat the ISIS. Turkey initiated the first air strike in 2015. By September 2015, France started air attacks; Russia followed it after a couple of days (Al Jazeera, 15 March 2016).

After ISIS's attacks increased in the northern part of Syria and the Southeast of Turkey that many Kurdish people left their homes (Tysskä et al., 2017, p. 6). Partiya Yekitiya Demokrat (PYD)¹ also participated in the war against the ISIS, which brought into a different state to the civil war (Tysskä et al., 2017, p. 8). However, Turkey was unwilling to form a coalition with the PYD because Turkey feared that this group can be

¹ "The Kurdish Democratic Union Party (PYD) is a Syrian affiliate of the militant Kurdistan Workers' Party (PKK)" (carnegie-mec.org, 2019).

active in Turkey (Tysskä et al., 2017, p. 6). All these factors made the Syrian crisis more complicated. The pressure on Assad by international community decreased because of new developments in the region. Both Turkey and other states did not estimate that Assad could resist that much. Today, the US, the EU, and Turkey have to struggle with terrorist organizations in the region.

Since 2011, more than 117,000 people were lost and jailed by mostly Syrian government forces. Also, thousands of people lost their lives when they were in jail. In addition to this, data from Syrian Center for Policy Research, an independent research center, expresses that several killed people during the civil war reached to 470,000 by the date of February 2016 (HRW, 2017). According to the data of the UN Envoy for Syria in 2018, since 2011, almost 400,000 people have been killed during the civil war in Syria (CNN, 27 December 2018). Many people became displaced or died due to the civil war in Syria. UN Office for the Coordination of Humanitarian Affairs indicated that almost 6.1 million people became displaced internally, and 4.8 million people were obliged to leave Syria by seeking asylum abroad (HRW, 2017). Since 2011, more than 570.000 people lost their lives in Syria (7D News, 2019). The conflict extended and caused a huge number of people was sent to neighboring countries, Europe, and the North America (Tysskä et al., 2017, p. 2). Civilians were affected by the war and extreme level of violence. They had to leave their homes and go to more secure regions.

While a political solution to Syrian crisis is a distant goal, as of 19 December 2018, the US declared, “it will withdraw its forces from Syria” (Çamlıbel, 2018). On 11 January 2019, the US started to withdraw its forces from Syria (Bahtiyar Küçük and Reuters/AFP cited in Euronews, 11 January 2019). While ISIS has lost its much of its power and territory under its control, the proxy wars still continue with the inclusion of various states and other actors in Syria. The current situation in Syria is complicated, and conflicts between the parties are extended.

2.2. The Impact of the Syrian Refugee Crisis on Turkey, the Neighboring Countries, and Europe

Since the beginning of the Syrian crisis 2011, eight years have passed, and millions of Syrians are displaced. Within the Syrian borders, millions of people need humanitarian assistance. Because of residual effects of the civil war in Syria such as violence, physical assaults, the emergence of terrorist organizations and groups, and bombing attacks, millions of Syrians had to leave Syria and sought asylum in states. Particularly neighboring states of Syria such as Iraq, Jordan, Lebanon, and Turkey, accepted millions of refugees. On the other hand, sovereign Arab states such as Bahrain, Kuwait, Qatar, Saudi Arabia, and UAE did not offer any opportunity for resettling to Syrian refugees (Amnesty International, 2015).

There are 5,635,061 Syrian refugees in Egypt, Iraq, Lebanon, Jordan, and Turkey as total as of 13 June 2019 (UNHCR, 2019). The first population movement from Syria to Turkey started on 29th April 2011 (Erdoğan, 2015, p.5). In October 2011, Turkey started open door policy for Syrian refugees (Kirişci, 2014, p.1) Refugee camps were formed in cities near to frontiers. Syrians were settled in those temporary settlement centers because their existence in Turkey was seen as temporary from the beginning (Erdoğan, 2015, p.33). Currently, as of 13 June 2019, there are 3,614,108 registered Syrian refugees in Turkey (UNHCR, 2018). Majority of them live in urban areas and others live in the camps in Turkey.

In Turkish Law on Foreigners and International Protection, there is no asylum-seeker status. Turkey is a signatory state of the 1951 Geneva Convention and 1967 Protocol; however, it has a geographical limitation. In 2013, Turkey regulated the issues concerning migration and asylum within the Law on Foreigners and International Protection (Official Gazette, 2013). According to it, Turkey does not accept people from non-EU countries as a refugee, and it gives conditional refugee status to people from non-EU states during their stay in Turkey and waiting for resettlement in third countries. Those who demand international protection have to apply for conditional refugee or refugee status in Turkey. Until they will be resettled in third countries, their status in Turkey is entitled as applicants who have international protection.

The first group of Syrians that arrived in 2011 was settled in five small camps in Hatay. They were resettled in the tent cities in Yayladağ Province in Hatay near the border points between Syria and Turkey (AFAD, 2014, p.18). Then, container and tent cities were established in Kilis and Gaziantep. As the Syrian refugees kept arriving in Turkey, new camps were established for the Syrian refugees in Şanlıurfa, Osmaniye, Malatya, Adana, Adıyaman, Mardin, and Kahramanmaraş (Erdoğan, 2015, p. 34). Refugee camps look like medium-sized cities and the Disaster, and Emergency Management Presidency of Turkey (Afet ve Acil Durum Yönetimi Başkanlığı; AFAD in Turkish) is responsible for the administration of the camps. The camps have schools, mosques, police stations, trade and health centers, media briefing units, children playgrounds, television rooms, water supply tanks, wastewater treatment plant, power distribution units and generators (AFAD, 2012). Moreover, they included medical centers, entertainment, and recreational centers, and vocational education programs (Kirişçi, 2014, p. 15).

There were 174,256 refugees in the temporary shelters as of 15 October 2018, according to the AFAD figures (AFAD, 2018). The standards in Turkey's refugee camps, as the UN stated, were high (Erdoğan, 2015, p.35). Quality of the centers was also appreciated as "the best refugee camps ever seen" by International Crisis Group in 2013 (International Crisis Group, 2013, p. 8). However, recently Turkey started closing down the camps.

Turkey has 911 km long borderline with Syria. Initially, there was not a strict control on the borders, which allowed for crossing borders without checks. The easy border crossing paved the way for smuggling and allowed Syrians to come to Turkey and move unrestrainedly (Erdoğan, 2015, p. 9). At the beginning of the crisis, Turkey did not want help from the international organizations and the NGOs because it was thought Syrians would stay in Turkey for a short run and after they will return to Syria after the war ended. But the war still continues in Syria. Moreover, Turkish camps had high standards; donors had the idea that Turkey did not need help (International Crisis Group 2013, p. 14). As Turkey in time started to move away from open border policy, the emphasis on a well-controlled border system in Turkey grew. As initially Turkey

could not conduct the registration of Syrian refugees systematically, there was confusion over the number of Syrian refugees in Turkey. The numerical confusion was also related to the increasing dimensions of the civil war (Erdoğan, 2015, p.28).

Moreover, conflicts in Syria have been continuing for more than eight years. Since September 2014, Ayn al Arab/Kobane has become a battleground between the ISIS and Kurdish fighters. The ISIS invaded Kobane, and almost all civilians in the region had to move to Turkey (BBC News, 2015). People who run away from the ISIS entered Turkey from Kobane in just two days, on 6-7 October. In September 2014, more than 100,000 Syrian refugees came to Turkey within three days. Since Turkey and Syria has a long borderline, controlling irregular entries from Syria to Turkey became more difficult (Erdoğan, 2015, p. 28).

As the civil war became protracted, security problems and concerns grew with it. The Ministry of Interior (MOI), AFAD, Governorships, District Governorships, Municipalities, Turkish Red Crescent and other institutions took responsibility to control and register the Syrians (Erdoğan, 2015, p.32).

Turkey was appreciated by the international community because of its stance towards the Syrian refugees. However, the support from international institutions was not sufficient. The number of refugees reached almost 4,000,000 in the neighboring countries. The UN demanded from other states to accept 30,000 Syrian refugees for 2013-2014 and 100,000 refugees for 2015-2016 from the neighboring states. However, the numbers are lower than the numbers in the neighboring states. It shows that the neighboring states bear a considerable extent of the responsibility and the international community's contributions to the refugee relief efforts remained somewhat symbolic (Erdoğan, 2015, p. 9).

4.8 million Syrian people went to Egypt, Iraq, Jordan, Lebanon, and Turkey. Furthermore, there are 6.6 million internally displaced people in Syria. Almost 1 million people requested asylum in Europe. The total number of Syrian asylum applications in Europe was 987,571 in 2017 (UNHCR, 2017). Germany accepted more than 300,000 applications. In addition, Sweden accepted 100,000 applications according to the

UNHCR (UNHCR, 2017). Germany and Sweden are the receiving countries in the EU. Sweden almost accepted all Syrian refugees (96%) who applied. The Syrian refugees in Sweden can legally stay in Sweden by the end of 2016, and Germany accepted the highest number of asylum-seekers in Europe in the 2015-2016 periods. It also accepted 89% of asylum applications of Syrians (Connor, 2017).

After 2011 Arab Uprisings, migration patterns to the EU have been reshaped and are affected by Arab Uprisings. Before 2015, there was irregular migration to the EU also. Irregular migrants composed of refugees and asylum-seekers and labor migrants.

2.3. The March of the Refugees in 2015 and Beyond

Since the late 1980s irregular migration towards Europe is growing. Amongst the irregular migrants, there are many asylum-seekers and refugees traveling alongside labour migrants. Therefore mixed migratory flows is growing and gaining salience. Many of the migrants take the sea route to reach Europe, while some use the land route that turns many of the neighboring countries to the EU into transit zones.

The reasons of those migration movements are about conflict and civil wars in the Middle East while political confusion in the African states (Von Helldorf, 2015, p. 2). The Euro-Mediterranean relations indicated many changes, and transformation took place throughout the years based on changing conditions. As Ferreira (2013 cited in Ferreira, 2014, p.82) states, “while southern countries focus on issues of co-development and common dialogue, the northern ones focus on migratory fluxes control and managing irregular migration.” Each member state has its approach regarding migration. In Syria, the proxy war continues, and it will probably take some time.

To solve the refugee and asylum problem, the EU created “safe third countries” in order to protect the displaced people and immigrants (Von Helldorf, 2015, p.3). The stance of the EU was criticized by human rights organizations because the safe third country definition is not clear, and refugees and asylum-seekers cannot be accepted, or whether safe third countries deal with asylum-seekers adequately or not. Neighboring states, the international community, and the EU have to be in cooperation with each

other to share the burden for solving the problem. Moreover, the migration and asylum policies of the neighboring and the EU states should be improved based on humanitarian approach.

Germany, Italy, the UK, and Spain presented statistics of the increasing number of migrants in the EU regarding their nationality. Migrants were coming from Syria, Lebanon, Morocco, Algeria, Tunisia, and Egypt. According to the statistics, the number of migrants increased in 2011. However, it was not a sharp increase as it was expected. In 2011, there were 90,839 migrants, and in 2010, 67,214 migrants were recorded in Europe, and 2009, there were 111,738 migrants (Fargues and Fandrich, 2012, p. 3). Therefore, the Arab Uprisings did not show a dramatic migration increase to Europe as it was supposed; however, from the Arab to the European states, irregular migration increased.

Ministry of Interior of Italy stated that the number of illegal entries increased from Tunisia and Libya. 42,807 people were registered as illegal migrants by way of the sea in Lampedusa, which had a population of only 4500 people, between January and September 2011 (Fargues and Fandrich, 2012, p.4). According to the Ministry of Interior of Italy, in 2009, there were 9,573 arrivals, in 2010 there were 4,406 arrivals which showed that migrant flow was new and policies were not developed and the staff was not trained yet in Europe, and border controls in Tunisian borders were not well controlled (Fargues and Fandrich, 2012, p. 4).

Ministry of Interior of Italy and Spain, and Frontexwatch in Malta (n.d. cited Fargues and Fandrich 2012, p. 21) referred to 1999, 2006, and 2008 as the years when irregular entries occurred. The irregular migrant population was higher than the ones as a consequence of the Arab Uprisings in 2011. However, after the Syrian civil war, migration flows to the EU increased sharply. Then, the EU needed to take precautions to prevent extreme and irregular migration. In 2015, Frontex indicated that the number of migrants increased at a rate of 149% in comparison to the same period in 2014 (Von Helldorf, 2015, p.1). Moreover, the adverse effects of migration increased, such as irregular migration and deaths at sea.

Many Syrians tried and still try to go to Europe through sea or land. By 2015, two essential routes emerged via southeastern Europe. First, many refugees crossed the Aegean Sea passing through Turkey to the Greek Islands, which constitutes the Eastern Mediterranean route and secondly, many people set the target to go to the EU countries through the Western Balkans (Hampshire, 2015). Figure 1 clarifies the migration routes from Turkey to Greece and Europe.



Figure 1: Migration Routes

Source: (Walker, 2015)

Moreover, figure 2 demonstrates primary migration routes into Europe from Africa and the Middle East.

Routes to a better life

Main migration routes into Europe from Africa and the Middle East.



Figure 2: Main migration routes into Europe from Africa and the Middle East

Source: (Bowden, 2015)

The northern states took advantage of being far away from first entering points of immigrants. However, Italy, Greece, and Malta were dissatisfied about Dublin Regulations that put more burdens on them (Hampshire, 2015, p. 9). Europe decided to resettle 66,400 refugees from Greece. However, solely 325 of 1, 539 were relocated in 2015 (Clayton, 1 March 2016). This means that there were remaining relocations. The

EU did not pay enough attention to relocation and a number of the EU states were very hesitant in responsibility sharing.

“Czech Republic, Hungary, Poland, Slovakia, and Romania” showed an exact opposition to the mandatory relocation (Hampshire, 2015, p. 10). Even, in order to refuse the influx of refugees, some European states followed restrictive immigration policies (Hampshire, 2015, p. 9). Moreover, the terrorist attacks in Europe negatively affected the perception of refugees. The Western Balkan routes were closed and a considerable number of the population in the European societies did not want to accept refugees any longer. Xenophobia and Islamophobia in the European states started to increase in the 2015 and 2016 period.

Since 2015, refugees, asylum-seekers, and migrant groups have tried to go to Western Europe, by Western Balkans Route, via Turkey to Greece then to Austria, Germany, and Sweden. Figure 3 shows the Balkan Route from Turkey to Greece then to Europe.



Figure 3: The Balkan route and closures to reduce migration flows to European Countries, 2013-2016

Source: (Ahmed, WAE et al., 2017)

As a matter of fact, in 2015, from Turkey, almost 844,000 refugees went to Greece (AA Europe, 30 December 2015). During 2015, more than 3,000 people passed away in the Mediterranean Sea. In order to prevent refugee influx, on 25 October 2015, European and Balkan states arranged a Commission session on the Western Balkans Migration Route and Leaders Agreed on an action plan (European Commission, 25 October 2015). “Albania, Austria, Bulgaria, Croatia, the Former Yugoslav Republic of Macedonia, Germany, Greece, Hungary, Romania, Serbia, and Slovenia” participated in the meeting in Brussels. Leaders accepted to apply several operational measures.

The IOM declared that on 10 June 2015, 1.865 people lost their lives in the Mediterranean Sea en route to the EU. Migrants from the Arab states preferred to go to Europe both by sea or land. Migrants strived to reach European borders in different ways, such as overloaded boats and little rowboats. Immigrants used trains for accessing Balkans and secret transportation tools in order to go beyond the English Channel or walk to exceed Sahara (Von Helldorf, 2015, p.1).

Routes of migrants to the EU are four. There is a Mediterranean Sea route to Italy and Spain from the Mediterranean. There is an Aegean Sea route, eastern Mediterranean route, that migrants make an effort to reach the EU. Migrants also endeavor to arrive a midpoint of Hungarian and Serbian borders. Migrants come from the Middle East and Africa mostly to France then, try to go from France to the UK. Calais port, which is located between France and the UK, is also preferred by the migrants (Von Helldorf, 2015, p. 1). Figure 4 shows alternative migrant routes into Europe.

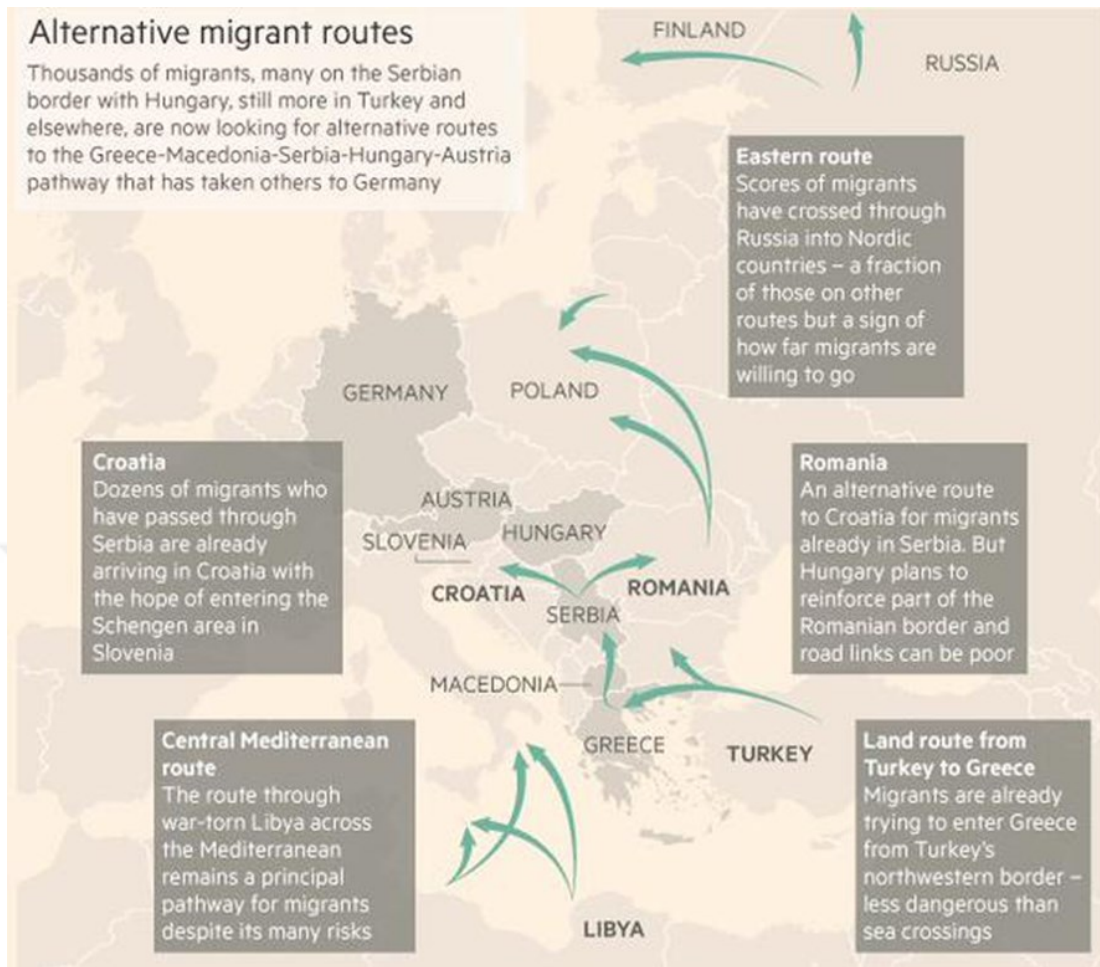


Figure 4: Alternative Migrant Routes

Source: (Walker, 2015)

In addition, figure 5 reveals the Eastern Mediterranean Route. As for this route, migrants use the way by crossing over Turkey to go to Europe.

Eastern Mediterranean Route



NG STAFF
SOURCES: MISSING MIGRANTS PROJECT, INTERNATIONAL ORGANIZATION FOR MIGRATION, UNHCR, I-MAP,
REGIONAL MIXED MIGRATION SECRETARIAT

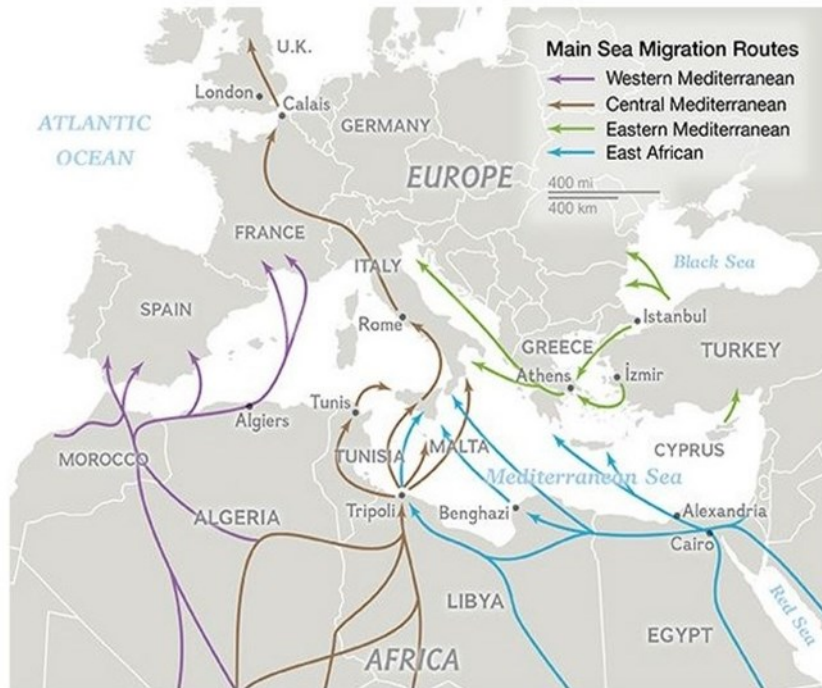
The Eastern Mediterranean route—the passage long used by migrants crossing through Turkey to the European Union—has grown ever more crowded since the outbreak of war in Syria in 2011. Syrian routes have also been merging along easternmost points below the Mediterranean Sea of an East African migratory route that has long been used by people fleeing conflict in Somalia, the Democratic Republic of the Congo, and South Sudan.

Figure 5: Eastern Mediterranean Migration Route

Source: (The IOM, 2015)

Figure 6 presents Mediterranean Sea Route.

Mediterranean Sea Route



NG STAFF
SOURCES: MISSING MIGRANTS PROJECT, INTERNATIONAL ORGANIZATION FOR MIGRATION; UNHCR, I-MAP;
REGIONAL MIXED MIGRATION SECRETARIAT

Nearly 90 percent of those who attempt to reach Europe by sea come from ten countries, in descending order by percentage: Syria, Afghanistan, Eritrea, Nigeria, Pakistan, Iraq, Somalia, Sudan, Gambia, and Bangladesh.

Figure 6: Mediterranean Sea Route

Source: (IOM, 2015)

Migrants who seek to go to Europe by sea are mostly, almost 90%, from Syria, Afghanistan, Bangladesh, Eritrea, Gambia, Iraq, Nigeria, Pakistan, Somalia, and Sudan. The immigrants run the risk of death even in order to reach Europe. They aim to enter the EU borders and apply for asylum to gain rights under international protection policy. However, the EU states try to limit mass migration to the EU borders. They have different approaches to these migration movements. While some lean towards accepting a specific number of people into the EU borders, some do not want to accept immigrants.

Merkel declared that the “refugee problem is one of the greatest challenges facing the EU laying bare the limits of the European integration and open door principle” (Von Helldorf, 2015, p.1).

Syrian refugee crisis has not only regional effects. It also has global effects. After 2015, Europe started to increasingly feel the effects of Syrian refugee crisis. Thus, the Syrian refugee crisis has become a global problem especially after 2015. The next two chapters will address the effects of Syrian refugee crisis on Turkey for eight years, and the efforts of Syrians to reach Europe, and their effects on the EU.



III. THE EU'S POLICY RESPONSE TO THE SYRIAN REFUGEE CRISIS

The European Union (EU) countries have been receiving labor migration since the end of World War II. In addition to the economic factors, political factors became important, particularly from the 1980s onwards. Therefore, migration to the EU increased due to economic and political reasons. In this chapter, the historical evolution of migration flows towards the EC until the 1990s and the EU from 1990s onwards. The chapter will examine the process of formulation of the common migration and asylum policy of the EU. Finally, this chapter will analyze the EU's policy responses to Syrian refugee crisis.

3.1. The European Integration and Migration Patterns

The ECSC was established in 1951 by “France, the Federal Republic of Germany, the Netherlands, Luxembourg, Belgium, and Italy” (Urwin, 2010, p. 18). The onset of European integration coincided with the arrival of labour migrants in Europe. Following the end of the World War II, rapid economic growth increased the need for migrant labour force and the European states decided to accept migrant workers temporarily. In the 1950s and 1960s, the labor shortage was alleviated through guest worker agreements and colonial migration. The guest worker agreements were the main tools of migrant labor in countries without colonies (Hansen, 2003, p.26). Therefore all industrialized countries in Western Europe received temporary labor migrants between 1945 and 1973 (Castles and Miller, 2008, p. 96).

Before 1973, emigration from third countries was not a major issue for member states but after the 1973 crisis; more attention was given to emigration. After 1973 oil crisis; Western European countries introduced restrictive policies to stop migration. However, despite “zero migration policies”, migration to Europe could not be prevented. Despite restrictive migration policies, the migrant population continued to increase.

At the end of the 1980s, migration from the Eastern to Western Europe increased because of economic and political problems. Migrants came to Europe to work or to get free from political pressure in their countries. As temporary migration gained permanent status in Europe from the 1980s onwards. In the post-Cold War era, Islamophobia and xenophobia started to grow in Europe and very negatively affected the migrant populations. Migration started to be constructed as a “risk” through a securitizing discourse.

After the end of the Cold War, bipolar world structure emerged and new states and political structures emerged. The EU experienced three important migration flows. The first flow was from the old Warsaw Pact member countries at the beginning of 1990s. Second migration flow composed of refugees who run away from conflicts in Balkans throughout 1990s. Third migration flow included people from states in Africa and Asia continents (Stola, 2001 cited in Castles and Miller 2008, 121). Lastly, Arab uprisings started in Tunisia and expanded to other Arab states and Syria. Millions of Syrians became refugees and internally displaced. The EU has also been affected by Syrian refugee crisis and it improved asylum and migration policies since the Syrian refugee crisis has started in 2011.

3.2. The EU’s Efforts to Develop a Common Migration and Asylum Policy

After the economic and political changes, in the 1980s and 1990s, migration increased to Europe. Thus, the EU needed to improve a common migration and asylum policy. In 1985, five member states, except for Italy, accepted the Schengen Agreement to remove custom controls in borders and contained regulations to eliminate the internal barriers in the EU. It also involved regulations on police cooperation, rights of labor migrants, and financial corruption (Dinan, 2004, 256). The agreement has a unique feature to be the first step in the way of formation of common migration policy.

In 1986, the Single European Act (SEA) was signed (Phinnemore, 2010, p.34) and it came into force in 1987. It developed reforms of the Treaty of Rome by presenting new responsibilities and creating new competency areas. Member states started to cooperate on narcotics traffic, international crime, and terrorism and

immigration control issues. Besides, it extended official recognition of the European Council and European Political Cooperation (EPC) (Phinnemore, 2010, p.34).

Ad Hoc Group on immigration was created in 1986. It comprised of high ranking authorized people in migration and asylum issues from each member state (Kostakopoulou, 2001, p. 51). Ad Hoc Group aimed to struggle with abuses of the asylum process. It also introduced cash penalty regulation to airlines determining undocumented asylum seekers. Ad Hoc Group decided coordination of evaluating asylum requests (Kostakopoulou, 2001, p. 56). It was responsible for border management, irregular migration, asylum and visa policy, and communication technologies. In addition to that, the Commission could join the Ad Hoc Group's meetings as an observer (European Commission, n.d.).

In April 1987, Ad Hoc Group brought regulation to vehicles with foreigners who do not have a valid visa. In 1988, in Rhodes, similar to Ad Hoc Group on Migration, Group of Co-coordinators was established in order to realize the free movement of people within the Community (Kostakopoulou, 2001, p. 51-52). A representative of member states and Vice President of Commission had an observer position in the Group. Group of Co-coordinators prepared program years between 1988 and 1993 (The European Council Madrid, 1989, p.11).

In addition to that, in 1989, the Group prepared Palma Document in order to make regulations regarding external frontiers controls; a general list of countries whose citizens have to get a visa. The document also prepared a list which mentions undesired foreigners: coordinating the provisions for fulfilling visas and creation of a common European visa, cooperation, and information sharing about undesirable aliens among provision of law activities and customs (Kostakopoulou, 2001, p. 51- 52). In addition to this, harmonization of visa, entry, and readmission policies were applied by the Schengen Implementation Agreement of 1990 which were signed by nine member states except for England, Ireland, and Denmark (Ihlamur, 2005, p. 398). The common database was constituted to gather and exchange information on the border and police checks.

The Schengen Information System (SIS) provides a wide information network. With this, member states purposes to increase external frontier control and provision of law solidarity in Schengen states. SIS aims to protect internal security in the Schengen zone in default of internal frontier controls. Therefore, SIS has the authority to provide information exchange with third country nations. It presents a security system with its legal regulations. Schengen system prepared a common visa refusal list by collecting refusal lists from every member state. Within the Schengen system, a common visa system was prepared including 127 member states (Gençler, 2005, p.187).

Ad Hoc Group regulations regarding asylum and migration policies resulted in the 1990 Dublin and 1992 London meeting on Resolutions. Member states decided acceptance conditions of asylum application in the Schengen Agreement in Articles between 28 and 38. In order to determine the responsible state for applications in Europe and prevent multi-application by asylum seekers, in June 1990, 12 Member states met in Dublin (Ihlamur-Öner, 2016, p. 584). In 1990, the Dublin Convention was accepted by the EC members in order to determine the authorized state regarding determining a safe third country for asylum seekers. The EU member state evaluates asylum seeker's application demand under international protection based on Geneva Convention in 1951 (Official Journal for European Communities, C254, 1997). Residual asylum applications also led to the signing of the 1991 Draft Convention on the crossing of external borders (Ihlamur, 2005, p.398).

London Resolutions principles were accepted in the Council of European Union meeting in London in 1992. The resolutions were generated to block unnecessary asylum applications and to prohibit misappropriation of right of asylum. Since many applications are made, the volume of asylum-seekers is high and means a burden to the EU states. Until their applications are responded, they will be sent to safe third countries. In London Resolutions, member states had a purpose to designate unfounded asylum application (European Parliament, 2000). By rejecting unnecessary applications, member states save on money and time. Member states aimed to decide the secure and safe third country to share their burden because of many asylum applications. Host third country is evaluated as a country that must present these assurances to the applicants:

- their life or freedom must not be threatened; they must not be exposed to torture or inhuman or degrading treatment;
- they must already have been granted protection in the country in question or there must be clear evidence of admissibility;
- they must be afforded effective protection against refoulement” (Council of the European Union (30 November 1992).

With the second London Resolution, the shift the “asylum-burden” to third countries was executed. These third countries had a “gatekeeper” position vis-à-vis the CEECs. Asylum applications started to be evaluated under “securitarian frame” (Lavenex, 1999 and Guiraudon, 2003 cited in Lahav 2004, p. 43). These regulations formed the basis of the restrictive migration and asylum policies of the EU. According to regulations, when an asylum seeker demanded asylum in a certain state, his/her asylum request would be evaluated only by the state that asylum seeker first enters in. Therefore, the right to simultaneously apply to another member state disappeared for an asylum-seeker.

European migration policy includes many restrictive and control oriented provisions. Most definite regulations are visa policy regulation and readmission agreements. Readmission agreements are defined “agreements with neighboring countries about the readmission of illegal immigrants found on the territory of an EU member state” (Lavenex, 1998 cited in Huysmans, 2000, p. 756). According to these regulations, illegal immigrants can be sent back to neighboring countries. Moreover, 1990 Convention Applying the Schengen Agreement connected asylum and immigration with border security, terrorism, and transnational crime (Bigo, 1996a; Verschueren, 1992; Lodge, 1993 cited in Huysmans 2000, p. 756- 757).

In 1992, the Maastricht Treaty was approved, and it entered into force by 1993. The official name of the Maastricht Treaty is the Treaty on European Union (TEU) as it formed the European Union (EU). The name of the EC changed to the EU with the Maastricht Treaty. Thus, the EU was established officially on 1 November 1993 and constituted a three-pillared structure such as the ”European Communities Pillar,

Common Foreign, and Security Pillar, Justice and Home Affairs Pillar” (Phinnemore, 2012, p. 35-36).

The first pillar involves the EC, ECSC until 2002, and European Atomic Energy Community (EURATOM)/EAEC. The second pillar consists of the CFSP and aims to protect basic interests and values of the EU. It also aspires to empower security matters of the EU by following international cooperation. It works to respect human rights and freedoms and secure and improve democracy. The third pillar is related to improving common action regarding the organized crime; drug trafficking, terrorism, international crime, organized crime, bribery, and fraud subjects (Eur- Lex, 2018). The member states decided to add migration in the JHA pillar as it decided to bring security subjects together such as organized crime and illicit traffic in narcotics in the JHA pillar. EUROPOL was formed to struggle with organized crime. Growing migration flows from the CEECs to Western Europe caused member states to concentrate on justice and home affairs issues more (Dinan, 2004, p.257). The Trevi Group was integrated into the JHA pillar. Member states started to tend to cooperate on asylum, immigration, fighting against corruption, and collaborate on border management, police, customs administration, and criminal matters.

The EU continued to enlarge in the 1990s. In 1995, Austria, Finland, and Sweden joined the EU. The external borders of the union changed and it necessitated new regulations about internal and external border controls.

In 1997, the Amsterdam Treaty was accepted by the member states of the EU (Phinnemore, 2012, p.38) and the Treaty sought to address problems deriving from the inter-governmental structure of the Maastricht Treaty in dealing with migration (Lavenex, 2001 cited in Hansen and Hager, 2012, p. 127). In order to overcome the problems, Parliament and the Commission opted for a supranational structure on migration and asylum policy (Hansen and Hager, 2012, p. 127). Member states aimed to form a common policy area within security, freedom, and justice (Ihlamur, 2005, p. 399). New provisions and visa policy were added to the EU’s legal framework. It brought innovations in its preparatory stage by bringing the NGOs to close together

within the aim of expanded protection and rights of refugees and immigrants (Hansen and Hager, 2012, p. 127).

The Amsterdam Treaty moved several JHA activities of Maastricht Treaty from third to first pillar. It also introduced a free movement of Union's citizens more explicitly than the Maastricht Treaty. The Amsterdam Treaty emphasized social problems, employment, freedom, security, justice and foreign affairs of the union. Furthermore, it underlined the importance of solidarity against organized crime.

The Amsterdam Treaty was signed before the fifth enlargement, so it added new principles that candidate countries have to carry out. It strengthened the CFSP. Likewise, it contributed to the deepening process of European integration and respecting for human rights and democratic doctrines within the Union. Migration moved from JHA to Community pillar, which is a positive step for the EU's development and transformation. Cooperation in the third pillar was structured on police and judicial cooperation in criminal matters, and the pillar was renamed as following the Police and Judicial Co-operation in Criminal Matters (PJCCM). The Treaty replaced justice and security issues into the sphere of influence of community that enhanced common foreign and security policy area. The Amsterdam Treaty took important steps in the area of freedom, security, and justice which is mentioned in Article 73 (new 63).²

In 1999, the Tampere Summit was created to respond to the lack of efficiency of the Amsterdam Treaty to provide rights to the third country nationals. The Tampere European Council has the characteristics of being the first European Council which focuses on the JHA matters (Monar, 2000 cited in Hager and Hansen 2012, p. 129). Tampere Conclusions required the formation of a Common European Asylum System, which is in terms of the full and involved implementation of the Geneva Convention

²Title III a in Amsterdam Treaty: within a period of five years after the entry into force of the Treaty of Amsterdam, measures aimed at ensuring the free movement of persons in accordance with Article 7a, in conjunction with directly related flanking measures with respect to external border controls, asylum, and immigration, in accordance with the provisions of Article 73j(2) and (3) and Article 73k(1)(a) and (2)(a), and measures to prevent and combat crime in accordance with the provisions of Article K.3(e) of the Treaty on European Union; (b) other measures in the fields of asylum, immigration and safeguarding the rights of nationals of third countries, in accordance with the provisions of Article 73k; (c) measures in the field of judicial cooperation in civil matters as provided for in Article 73m; (d) appropriate measures to encourage and strengthen administrative cooperation, as provided for in Article 73n; (e) measures in the field of police and judicial cooperation in criminal matters aimed at a high level of security by preventing and combating crime within the Union in accordance with the provisions of the Treaty on European Union" (EUR-Lex, 1997).

(Tampere European Council Presidency Conclusions, 1999). The Tampere Summit made changes in the rights of the third country nationals (TCNs). However even, the Summit was not sufficient to make rooted institutional changes in the EU. Therefore, after the Tampere Summit, the EU needed to make reforms by making more institutional changes. The main aim was to organize, direct and check increasing migration influx. Commission improved partnership approach with third countries.

In the meantime, the Commission created a framework to help countries of emigration. By doing this, the Commission had a goal to stop irregular migration to the EU and give economic aid to sending countries to provide long-term solutions. The objective of Tampere Summit was emphasized as “a major focus of the EU’s efforts should be on the more efficient management of migration flows, on more effective external border controls and on combating illegal immigration” (CEC, 2000b: 9 cited in Hansen and Hager, 2012, p. 129).

During the first stage, between 1999 and 2004, of the establishment of a “Common European Asylum System”, main aim was to put over a number of common “minimum standards” in some areas; e.g. minimum standards on “temporary protection” (Council EU 2001a); , “reception of asylum seekers” (Council EU 2003b); “the qualification and status of third country nationals or stateless persons as refugees” (Council EU 2004a); and “minimum standard on procedures for granting or withdrawing refugee status (Council EU 2004b)” (Hansen and Hager, 2012, p. 146).

Before these regulations, the European Refugee Fund (ERF) was created by a Council Decision (Council EU, 2000a cited in Hansen and Hager, 2012, p. 146). As for the budget, the ERF made important changes in the EU’s migration and asylum policy with burden-sharing perspective between the member states for the cost of reception centers. It took steps in terms of the “principle of solidarity” (Hansen and Hager, 2012, p. 146). The Amsterdam Treaty, differently from the Maastricht Treaty, narrowed down national policy areas, strengthened the supranational structure, and brought asylum and refugee matters community level.

In 2000, EURODAC, which is a fingerprint system for determining the ID of asylum-seekers and irregular migrants, was developed as a consequence of Dublin Convention. With the EURODAC, asylum application would be regulated more systematically. Member states can share fingerprints and determine the ID of any asylum seeker or irregular migrants when they need.

The Nice Treaty is significant based on migration and asylum policy of the EU. The Treaty made many changes by taking future enlargement into consideration. The Nice Treaty was signed in 2001 and it entered into force in 2003. The treaty revised the Maastricht Treaty and made changes in four main institutional subjects. Institutional changes were related with “the size and composition of the commission, voting weight in the Council of Ministers, determining qualified majority instead of unanimity and amplified cooperation” (Akdemir and Genç, 2011, p.25).

The Nice Treaty enhanced immigration and asylum issues with co-decision procedure that makes asylum policy more Europeanized (Lahav, 2004, p. 47). Besides, in 2000, the Charter of Fundamental Rights was added to Nice Treaty. The Charter expresses important development regarding the EU citizenship that includes all personal, social, political, civil, and economic rights of the people in the EU (European Union Agency for Fundamental Rights, n.d.). Commission tried to bring rights to citizens and migrants to the same level (Kostakopoulou, 2002, p. 452,454). Also, charter aimed to sustain work efficiency in the EU by incorporating the TCNs and giving them the “freedom of movement and residence” within Article 45 (2) (EU Charter of Fundamental Rights, n.d.).

In 2001, the Laeken European Council indicated limitations in advance to accelerate cooperation in migration and asylum issues. The Council aimed to accelerate the formulation of a common migration and asylum policy by introducing a new approach (Boswell, 2002, p. 4). The Laeken Conclusions summarized the Tampere Summit provisions which are referred to as integral parts of common policy on migration and asylum. The policy involves cooperation on curbing “illegal immigration,” exchange of information and refugee movements, implementation of the Dublin Convention, common measures for asylum methods and family reunification

and objectives to tackle racism and xenophobia. Therefore, the main aim of Laeken was to raise awareness about the legislative amendments stemming from Amsterdam Treaty and Tampere conclusions. Just a new deadline, in accordance with proposals regarding asylum methods and family reunification, the Dublin II Regulation was agreed within the Laeken (Boswell, 2002, p.5).

After 9/11 terrorist attacks in September 2001, states became security-oriented. States continued to be the main decision mechanism for allowing entry or acceptance of non-nationals. By cooperating on migration policy, the EU member states progressed on controlling migration and refugee influx into the EU (Boswell, 2002, p. 25). Externalization via exportation of migration control to transit and neighboring third countries was a significant part of association agreements which constituted the basis of the Eastern enlargement (Boswell, 2003; Lavenex, 1999; Grabbe, 2002; Jivale, 2002 cited in Hansen and Hager, 2012, p. 148).

In Laeken, the European Council on 14 and 15 December demanded the Council regarding its Conclusion No. 40 to promote an action programme for the Commission's Communication on a Common Policy on Illegal Immigration of 15 November 2001. Thus, the Council regulated an extensive plan to struggle with illegal migration and human trafficking in the EU on 28 February 2002 (COM/2002/0175 final). This plan also included a part on readmission and returns policy that means an integral and crucial constituent to tackle with illegal migration.

In the Seville European Council in 2002, the EU's external policy gained continuity by applying accurate and clear goals under the name of the EU's global policy on migration (CEC 2002e: 26 cited in Hansen and Hager 2012, p. 149). On the formation phase of "Asylum and immigration policy projects in third countries" "fundamentally initiative by encouraging those countries that accept new disciplines" took place (CEC, 2002e: 4 cited in Hansen and Hager, 2012, p, 149). Following that, at Seville European Council in 2002, decisions were restated regarding the joint management of migration flows. Seville Conclusions declared that:

any future cooperation, association or equivalent agreement which European Union or the European Community concludes with any country should include a clause on joint

management of migration flows and compulsory readmission in the event of illegal immigration (Seville European Council Presidency Conclusions, 2002).

The Commission aimed to stop migration flows into European states by granting development assistance to poorer countries. EURODAC (information system) became an essential component of the Common European Asylum System (European Commission Press Release, 2012). It aims to tackle irregular migration and created an information system to control people and their movement.

The Commission declared that a significant improvement was achieved with Tampere Summit. However, the asylum crisis was harming certain member states. The Second Commission report on the adaptation of the Communication in 2003 was put over. The report declared that asylum procedure is misused and the misuse is rising. Human trafficking still continues with inclusion of migrants who do not need international protection but need to improve their economic situation. Negative decisions are taken after determination of need for international protection (COM (2003) 0152 final). The asylum crisis was considered as it “is a real threat to the institution of asylum and more generally for Europe's humanitarian tradition, demands a structural response.” (COM (2003) 0152 final). It means that the EU felt uncomfortable that asylum seekers come to Europe by using the EU’s human rights principles and tradition.

Another significant development of the EU is the Lisbon Treaty. The Lisbon Treaty was negotiated in 2007, and it went into effect in 2009 (Church and Phinnemore, 2010, p.55). It made changes in the political and administrative fields of the Union. The Treaty of Lisbon increased competences of the EU about asylum. As for article 78 of the TFEU, a common asylum policy is extended regarding the legal system. The article included legal standards for the Common European Asylum System (CEAS) (European Commission, 2018).

Article 63 of the Lisbon Treaty included temporary protection and secondary protection status. Moreover, the Lisbon Treaty presented the Charter of Fundamental Rights (2007/C 306/01). By doing this, member states accepted the right to asylum in

the Lisbon Treaty. Therefore, migration and asylum issues were brought together under the community competence. Council of Ministers and the European Parliament have right to take decision.

Directives about asylum are substantial because the EU acquis was criticized for not complying with rights of asylum seekers and immigrants. Fortress Europe still exists. However, the EU is also trying to adopt an innovative approach towards the refugee and asylum rights. The EU is working to bring the legal status of refugees to put the same level as the EU national citizens (Öner, 2012, 137).

3.3. Politicization and Securitization of Immigration in the EU

Migration of people in Europe started in the 1950s for economic reasons. Western European states had the intention of economic and industrial growth by accepting migrant labor from Mediterranean states and ex-colonies. Initially, immigration was encouraged, but in time, linked with economic and political transformations, political actors and European societies grew critical and concerned about growing migration in Europe.

As there was no labor shortage in European states anymore, the reluctance to accept migrants in the EU member states appeared. Thus, migrants could not find legal migration route (such as employment) to enter Europe which causes irregular migration. Irregular migration increased in Europe due to the negative outcomes of restriction of migration. Hereupon, migration receiving countries started to find ways to curb irregular migration.

The EU created a structure by removing internal borders, but it strengthened external borders with strong policies. This structure made it difficult to enter into Europe for migrants outside the continent. The EU employed police and security officers at the borders. The EU also decided to put an information sharing system between states. All these changes transformed Europe into Fortress Europe.

Linked with Fortress Europe, the EU introduced Frontex (“Agency for the Management of Operational Cooperation at the External Borders of the Member States

of the European Union”) in 2004. Frontex was formed in order to “increase safe and well-functioning” external borders (Frontex Website, n.d.). The aim was to create integrated cooperation based on control and surveillance among member states (Council Regulation, (EC) No 2007/2004 of 26 October 2004).

However, Frontex is criticized because it aims to protect the Union’s security rather than being interested in the protection of asylum-seekers and refugees. Migrant associations used “Shut down Frontex” slogans in order to express their harsh attitude toward Frontex exercises (Leonard, 2010, p. 232). Many other protests also took place against Frontex. Border policy of the EU within Frontex is criticized because of standardization and militarization of borders (Leonard, 2010, p. 232). Another strong criticism against Frontex was underlined as “a war against immigrants” by Norborder Network 2006 (Leonard, 2010, p. 232).

The Frontex comprised of three main factors (Collinson, 1993; Joly, 1996; Guild, 2006; Chebel d’Appollonia and Relch, 2008 cited in Leonard, 2010, p. 234). Firstly, because of rise of migration flows after the Cold War, member states avoided to accept huge number of entrance into the EU (Leonard, 2010, p. 234). Secondly, because of 2004 enlargement, which is biggest enlargement in the EU, worries increased unavoidably that whether new member states can control external borders properly or not. Thirdly, as important pace of Frontex, member states opted to strengthen external borders to tackle terrorism (Monar, 2005; Mitsilegas, 2007; and Leonard 2010 cited in Leonard, 2010, p. 234).

Guardia Civil in Spain and Guardia di Finanza in Italy try to protect borders as a semi-militarization form in an attempt to prevent migration flows. At this point, Frontex is mostly criticized on the ground that it fails to comply with non-refoulement principle of an international protection order. Its regulations prevent people from coming to European borders even their lives are under danger or risk. Related to joint operations by Frontex, implementations create problems for people in vessels who try to run away from their country of origin (Papastravdiris, 2010 cited in Leonard, 2010, p. 240). In 2008, Frontex started to cooperate with Europol in order to comprehend joint risk measures by sharing information between each other by presenting joint reports and

investigating risky routes about illegal migration in the Western Balkan States (Leonard, 2010, p. 242).

Frontex aims to contribute to technical and operational regulations as needed. The regulation mentioned in Article 8 is as follows “one or more member states confronted with circumstances requiring increased technical and operational assistance... may request the Agency for assistance“ (Kaunert and Leonard, 2012, p. 102). This provision was corrected in 2007 and RABIT was formed to increase cooperation. It includes a group that include experts from the other member states who can assist related member states in a specific period when necessary. RABITs, directly indicate the security practice of Frontex with its solidarity and support mechanism within the EU. Frontex aims to support member states for joint return operations. The policy is related to people who need to return but do not enough capacity to do so. According to the EU return policy, the main purpose is to send immigrants to their country of origin since their applications are not accepted or their situation is illegal.

According to the Council of EU data, almost 2000 migrant people died at sea just in 2011, even though the Mediterranean Sea entitled as “one of the most militarized and safeguarded” places in the world. If people who died at sea are evaluated, the EU’s expression about human rights and actual evidence clashes (de Haas and Sigona, 2012, p .4). The EU externalized its borders after residual migrations. Bilateral agreements were signed between Libya and Italy, Tunisia and France, Morocco and Spain. Yet, these acts did not prevent migration; in contrast, they opened the way for illegal migration and rather than saving human lives they work to protect the EU’s borders.

The Hague Programme was approved in 2004 to be in force between the years of 2005 and 2010. The aim of the Hague Programme was to develop a migration strategy which can strengthen freedom, security, and justice. Furthermore, the EU’s emphasis on security increased and securitization of migration entered into a new phase especially after 9/11 terrorist attacks in the USA and 2001 and 2005 attacks in Madrid, and London, and (Şirin-Öner, 2012, p.134).

The goal of the Hague Programme was to establish a common asylum method and a unique condition regarding people who are granted secondary protection and refugee status. Essential steps were decided to be established by the year 2010 (MEMO/05/153). Another important development was the setting up of the European Refugee Fund, which was active between 2005 and 2010 (Official Journal C (2005) C 53/01). It was prepared to give support and monetary aid to transit and origin countries to protect refugees.

The Stockholm Program replaced the Hague Program after 2010. The Stockholm Programme aimed to revisit the EU's precedencies in the field of freedom, security, and justice for the 2010 and 2014 period. The major aim was "to provide a secure Europe where fundamental rights and freedom of citizens are respected." In this program, the security concern was taken as a basis of the EU but protecting fundamental rights was more crucial in the Stockholm Programme (Şirin-Öner, 2012, p.136).

Before the signing of the Lisbon Treaty, areas of freedom, security, and justice belonged to the intergovernmental structure. Especially, issues related to immigration and asylum were determined in title 5 such as asylum and migration, border management, judicial cooperation in civil and criminal matters, and police cooperation policy. Asylum issues are also dealt with Title IV of Lisbon Treaty (The Lisbon Treaty, Article 3b, 2007).

Internal security and also integrated management of external borders are expressed for the first time in the Lisbon Treaty. Temporary protection status, independent from refugee and secondary protection situations, was introduced by article 63 of the Lisbon Treaty (2007/C 306/01). The Lisbon Treaty identifies fundamental rights and freedoms which are stated in the Charter of Fundamental Rights (2007/C 306/01). It also legitimizes the legally binding force of these laws. The community structure collapsed, and union structure came to light. The EU is still trying to protect itself, but also member states try to give migrants their rights in compliance with equal laws and regulations because the EU tries to protect fundamental rights and freedoms of both parties within its community structure (Şirin-Öner, 2012, p.137). Thus common

policy on migration and asylum in the EU in time developed based on securitization perspective.

Besides the common policy formation in the framework of migration and asylum based on security, a negative opinion about migrants increased in the EU. Citizens preferred to vote for right-wing parties rather than Socialist and Communist parties that they have voted for before. Anti-Muslim acts also increased towards increasing Muslim population in Europe. Hungarian Prime Minister Orbán since 2010 presents himself as the defender of European identity rooted in Christianity. He is worried that the Christian identity of Europe is under threat (Hampshire, 2015, p. 10-11). High voters' support to political leaders in Europe such as Orbán may also be seen as an indication that migrants, particularly Muslim migrants, in Europe are seen as dangerous, not from a humanitarian perspective or as displaced people.

In Germany, there are several racist acts towards Syrian refugees. Attacks on refugees were observed such in Baden-Württemberg and Thüringen in Germany; refugee shelters were swaddled. Five refugees were injured, and many were harmed because they jumped over windows to save their lives (Yıldız, 7 September 2015). Besides, in the UK 51.9 percent of the population voted to leave the EU at the Brexit referendum (BBC News, n.d.) on 23 June 2016. The immigration and concerns about the possible entrance of Syrian refugees into the country are also among the factors that made people to vote to leave Europe. Rehman from George Washington University said the UK does not want to have the immigrant burden with the EU, and this refugee issue is one of the push factors for Brexit (Sputniknews, 2016). Thus, in several EU member states, migration became a highly politicized issue. Moreover, securitization approach to migration causes the rise in xenophobia

3.4. Arab Uprisings and Increase in Migration Flows to the EU Member States

3.4.1. The Arab States before the Uprisings

Arab countries such as Tunisia, Egypt, and Syria are the source countries of migrants and refugees; even Arab Mediterranean states defined themselves as “migrant

sending” rather than receiving (Fargues and Fandrich, 2012, p. 2). However, Libya was the migrant-receiving country because it had job opportunities for international migrants based on the oil sector. Arab people were going to other countries such as the European states or other Arab countries with different reasons such as unemployment in their home countries, the dissatisfaction of educated people, autocratic regimes, and lack of fundamental rights and freedoms (Fargues and Fandrich, 2012, p.2.)

Arab countries have had immigrants before the 2011 Arab Uprisings. There were three different migrant groups in Arab countries. The first and most significant group was composed of people who came to Arab countries to work. However, many of them live as irregular migrants and work in informal sectors. The second biggest group of migrants is refugees in need of international protection. However, since they are not granted refugee status, they also fall into the irregular migrant category. Moreover, the third group is the transit migrants who could not go to Europe but have the aim to go to Europe (Fargues and Fandrich, 2012, p. 3). Some Arab states are non-signatories to the 1951 Geneva Convention; hence; they do not define refugee status in regulations. They have agreements with the UNHCR and provide temporary protection such as Libya (Fargues and Fandrich, 2012, p. 4). The Arab states that did not sign 1951 Geneva Convention are Gulf States, Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the UAE (The UNHCR Global Appeal 2007, 2007, p. 196).

3.4.2. Arab Uprisings

The “Arab Spring” in North African and Middle Eastern states, the label used for political protests and social movements, was, in fact, a revolution for the Arab states. People in the Arab societies desired to have their democracy and rights. The Arab Uprisings started in Tunisia firstly in 2010 (ARDD, 2017, p.3). With the death of Mohamed Bouazizi, the first spark started in Tunisia in 2010. Mohamed Bouazizi was a computer engineering graduate, but in 2010, he was working as a street vegetable salesman because of unemployment in Tunisia. In his town, a municipal policewoman prevented him from selling things on streets unlicensed, arrested him, slapped him, and seized his stand; Mohamed Bouazizi committed suicide by setting himself up on fire in Sidi Bouzid, which is a small town of Tunisia (Teti and Gervasio, 2011, p. 321). He

committed suicide in front of the office of the governor (ARDD, 2017, p. 3). Soon after, he died in the hospital (Lageman, 2016). The spark started the Tunisian revolution in 2011.

The uprising in Tunisia was caused by political and economic problems. Citizens, especially educated people and middle classes, complained about increasing unemployment, and low paid jobs in informal sectors. In addition to that, Tunisians had problems with income inequality and unfair social order (Achy, 2011). This revolution in Tunisia was entitled as Tunisian Revolution.

Then, the revolution expanded to some other Arab countries, and it came to be called Arab Uprisings. Arab Uprisings arose from demands for democracy, freedom, human rights, and economic welfare in Arab societies. The protests were peaceful at the beginning. However, as regimes sought to suppress the uprisings with the use of force, the tensions escalated and led to internal conflicts. Uprisings were massive in Algeria, Bahrain, Egypt, Iraq, Jordan, Kuwait, Libya, Morocco, Oman, Syria, Tunisia, and Yemen, while there were small scaled protests in Mauritania, Saudi Arabia, Sudan, and Western Sahara (Koser, 2012). Armed conflagrations, civil commotions, manifestations happened in the whole Arab world. Mostly, societies protested against their administration and requested democracy.

The local population was influenced, and many people were displaced due to the uprisings. While some people chose to move to their neighboring states, some sought to migrate to the European states. People in the Arab states aimed to go to the Western European states passing through Southern Europe. Thus, migration from the Arab countries to Southern European states increased dramatically. This pushed the EU to take precautionary action and put more emphasis on its Southern Mediterranean borders (Carrera, den Hertog, and Parkin, 2012, p. 1).

Uprisings in Syria started in 2011. The reason behind the uprisings was the dissatisfaction arising from the Assad regime which has continued since 2000. Protests started in Derra on Syria which was about the reaction to arrest and torture of teenagers

(Tyyskä et al.). Religious, class, ethnic, and political interests formed domestic disturbance.

After the Tunisian and Egyptian Uprisings, the Syrian Uprisings started in January 2011 against Bashar al Assad regime. In a short period, protests have reached to all parts of the country, and Assad started to respond harshly. Assad's army was also suppressed opponents of Assad brutally. The Syrian army started the bombardment of Hama and Homs and also countered political opponents and soldiers who reject to open fire against opponents by torture. The opponents of Assad started waging a battle by taking up arms against the Syrian security forces (ARDD, 2017, p. 9).

According to 2019 UN data, there are totally 5,635,061 registered Syrian refugees. Majority of them, 3,614,108, live in Turkey. There are 935,454 Syrian refugees in Lebanon. There are 664,330 Syrians in Jordan. 252,983 Syrian people stay in Iraq. In Egypt, there are 132,473 Syrian people. 35,713 Syrian people live in North Africa (UNHCR, 2019).

Syrian refugees started to reside in some cities in Jordan, and they took advantage of secure entrance into Jordan borders (Seeley, 2012). The UNHCR indicated that Lebanon government deals with Syrian refugee case by humane ways. According to the UNHCR Lebanon Update in March 2012, the Lebanese government allowed the Syrian refugees, who needed international protection, to enter into Lebanese territory. In addition, there were minimal arrests at borders based on illegal entry (UNHCR Lebanon Update, 2012, p.5).

Majority of the Syrians in Turkey are urban refugees, and they are dispersed to different cities. In 2017, there were 230,695 Syrians in temporary shelters in Turkey (AFAD, 2017). However, Directorate General of Migration Management instructed for the closure of the five shelters and resettlement of refugees in camps near the borders (Sabah, 2 August 2018). Thus, the refugee population in the temporary shelter decreased in one year. There are 20 temporary shelters in Adana, Adıyaman, Gaziantep, Hatay, Kahramanmaraş, Kilis, Malatya, Mardin, and Osmaniye hosting 175,256 Syrians

in temporary shelters as of 15 October 2018 (AFAD, 2018). However, as some experts argue, the number of migrants and refugees in Turkey is more than registered.

3.4.3. The Impact of Arab Uprisings on the European Perceptions Regarding Migration

The Arab uprisings resulted in different migration movements in the region. The EU emphasizes the importance of migration issue in its external politics by expressing that “Migration is at the heart of the political debate in Europe and is one of the strategic priorities in the external relations of the Union” (COM (2006) 26 Final). It focuses on how migration has become one of the main concerns of the EU within years. The Western world sees the Middle Eastern states as a threat and risk. They associate the Middle Eastern and Arab countries with terrorism mostly.

The migration-terrorism nexus did not emerge with the Arab uprisings and growing migration towards the EU member states. Because of the terrorist attacks, 9/11, in London in 2005 and Madrid in 2004, migration is associated with the security issue mostly. New dimensions about migration were developed within the security frame since the attacks increased. All these terrorist attacks regrettably were linked to the Arab states, Arab people and Muslims. After the Arab uprisings, the EU member states concern over migration grew considerably. In Egypt, Kuwait, Morocco, and Tunisia, Islamist parties won the elections which increased the concerns of Western states (Seeberg, 2013, p. 172). Today, terrorism continues to target the Middle East as well as the European states and the societies. In the Middle East, the majority of terrorist attacks occur as a result of conflicts or civil war between parties. In the Western states, terrorist attacks target the civil society.

During 2017, several terrorist attacks occurred in İstanbul, Şanlıurfa, Diyarbakır, Bingöl, and Hakkari, Manchester, London, Paris, and Brussels. Residual terrorist attacks everywhere in the world increase panic and decrease the security feeling of people and states. As a result of these attacks, people started to hold contrary opinions towards foreigners, immigrants, and Muslims and started associating migration with terrorism. Migrants, e.g. asylum-seekers, labor migrants, and irregular migrants, are seen as related to terror or social disorder issues (Leonard, 2010, 231).

3.4.4. The EU's Response to Arab Uprisings and Human Mobility

Following the Arab uprisings, irregular and forced migration flow to Europe increased. In order to manage population movements, the EU signed mobility partnership agreements to regulate mobilities between the EU and third countries (Carrera, den Hertog, and Parkin, 2012, p. 2). The EU responded to the Arab Uprising with the communication titled “A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean Countries” prepared by the Commission in March 2011. The partnership states that countries that proceed with the reforms will get more aid from the EU. Furthermore, the EU aid entailed more humanitarian aid, providing consular cooperation, and release Frontex common operations, making use of the €25 million fund based on external border and refugee fund in the EU, visits to Tunisia and Egypt; international coordination appointment in Brussels to support the transition to democracy (Commission, 2011).

The EU also aimed to contribute to the process of democratization in Arab countries. It clarifies the goal as:

The EU is already supporting public administration reform aimed at streamlining and strengthening of basic policy processes, budget formulation, and the capacity to rise domestic funding through efficient, fair and sustainable tax systems and administrations. (Commission, 2011).

The EU's response to migratory flows and refugee crisis following the Arab uprisings was not a novel approach. The EU preferred to pursue more of the same policies it formulated prior to the Arab uprisings. Therefore, it is important to discuss these policies that shaped the relationships between the EU and countries in the region and that were instrumental in turning partner countries into transit countries.

About democracy, the EU's and the US' trustworthiness was low in the region because of contradictory statements and acts. Within the US administration, there are both parties who support transitions or authoritarian regimes (Teti and Gervasio, 2011, p. 326).

In economic terms, the Western financial support does not close the gap. The EU and the US investments in the region create only a small change in the economy. These small changes cannot meet the deficit or satisfy the middle classes (Teti and Gervasio, 2011, p. 326). Changing the political situation in the Arab states led the EU to come up with “A New Response to a Changing Neighborhood: A Review of a European Neighborhood Policy” (Commission, 2011). The EU aimed at improving partnerships with related states by contributing the democratization process, economic development in Arab states, and cope with irregular migration under cooperation. Joint Communication Supporting Closer Cooperation of Regional Integration in the Maghreb: Algeria, Libya, Mauritania, Morocco, and Tunisia was agreed by the European Commission on 17 December 2012 (JOIN (2012) 36 final). The EU declared that its aim was:

to set out ways in which the European Union might support closer cooperation between the countries of the Maghreb, drawing on its own extensive experience of integration and given its interest in the region as a neighbor and key partner for the five countries concerned. (JOIN (2012) 36 final).

In 2011, in Brussels, the European Council declared that the EU would continue to focus on migration issue by establishing Frontex Hermes 2011. Through Frontex Hermes 2011, the EU planned to manage borders more tightly and to increase the capacity of the Frontex by adding air and maritime entities in order to prevent irregular migration (Frontex, Update to Joint Operation Hermes, 2011).

In addition to this, Mobility Partnerships were established with Southern Mediterranean partners such as Egypt, Jordan, Morocco, and Tunisia in order to provide mobility of persons between the EU and related third countries under a visa and legal regulations. Under the partnership, the EU also supported university students and academics via exchange programmes such as Erasmus Mundus Programme, Euromed Youth and Tempus (Commission, 2011).

Moreover, the EU established Partnership for Democracy and Shared Prosperity on 8 March 2011 and Dialogues for Mobility Partnership and Mobility and Security in 2011 to overcome migration. The EU aimed to establish association

partnerships with third countries such as states in Northern Africa on 18 November 2011; the EU reorganized its Global Approach to Migration and Mobility (GAMM). The GAMM was firstly generated in 2005. It was constituted in order to embrace all parts of migration in a long way by creating partnerships with the non-EU states (European Commission, Communication on the GAMM). In 2011, GAMM was formed to put a Global Approach for substantial stress on legal migration, cooperation processes, and migrant rights (COM (2011) 743 final).

Cecilia Malström, Commission for Home Affairs explained the new GAMM as follows:

We are setting up a strategic policy framework for migration and development which is clear and consistent. The EU will be better equipped for migration governance at home and globally only if it further reinforces its dialogue and cooperation with partner countries. The new EU Global Approach to Migration and Mobility (GAMM) represents the strategic framework which is necessary to bring added value to the EU's and Member States' action in this area (European Commission Press Release, 2012).

In the context of Dialogue for Mobility Partnership, the EU indicated it has concerns about movements, and member states felt that they have to take action. In 2011 autumn, Dialogues in Migration, Mobility, and Security was initiated with Tunisia and Morocco. A similar approach was used in relations with Egypt, Jordan, and Libya (Carrera, den Hertog, and Parkin, 2012, p. 1-2). The Commission aimed to support member states who desired to form cooperation between the Arab countries near to them with the objective of migration management by contributing the development of new democracies in the region because of new migration flows from Iran, Iraq, and Afghanistan to Europe. Most of these policies are related to irregular migration.

GAMM aimed to bring two important frameworks. First one is Mobility Partnership for Tunisia, Morocco, and Egypt, which “entails facilitating and organizing legal migration, effective and humane measures to address irregular migration, and concrete steps towards reinforcing the development outcomes of migration.” This framework would also include visa facilitation and readmission agreements (European Commission, Press Release Database, 2011). The second one is Common Agendas on Migration and Mobility, which includes states that are not taking part in the Mobility

Partnership. It aims to have cooperation in order to form a common recommendation, objectives, and pledges for cooperation and dialogue (European Commission, Press Release Database, 2011).

The EU's cooperation and dialogue with the non-EU countries have four main principles which are "organising and facilitating legal migration and mobility", "preventing and reducing irregular migration and trafficking in human beings" "a 'Joint EU Resettlement Programme' with the aim of increasing resettlement in Europe, whilst making more strategic use of it" and "maximising the development impact of migration and mobility" (COM (2011) 743 Final). The partnership was formed with the North African states, which aimed to help economic and political progress in North Africa and organize regulations and changes in institutions formalizing the GAMM at the EU level (Carrera, den Hertog, and Parkin, 2012, p. 1).

Within Global Approach, Home affairs officials regulated policies and actions which include security, policing, and mobility as migration control with readmission agreements and border controls (Carrera, den Hertog, Parkin, 2012, p. 2). Thus, the Mobility Partnership was designed to improve mobility between the parties. Cooperation was constituted between the EU and third countries to reject irregular migration, human smuggling and trafficking.

Italy demanded that the EU through the Frontex assist it in border management. By 20 February 2011, the EU responded with Joint Operation EPN Hermes extension 2011 to help Italy to check vessels that carry immigrants. Within this operation, naval and aerial instruments were provided with the assistance of France, Germany, Malta, The Netherlands, and Spain (Frontex, Hermes 2011 Running, 2011). The main aim was to block illegal migration to Italy, Sicily and Pelagic Islands (Italy: Hermes 2011 Running).

Hermes Joint Operation has a rescue mission but the EU focused on the detention of irregular migrations, rather than preventing deaths in the sea, and the EU received negative comments about this aspect (HRW, 2011). While the EU endeavored to regulate border management, its security concern was questioned. Over 1,500 people

who aimed to cross the Mediterranean Sea died when trying to go to the European borders in the first half of 2011 (HRW, 2011). Also, in 2013, 63 Sub Saharan people died in the Mediterranean because of the lack of coordination of French and Spanish military vessels (Chrisafis, 2013). Figure 7 indicates death in the Mediterranean in 2014-2015.

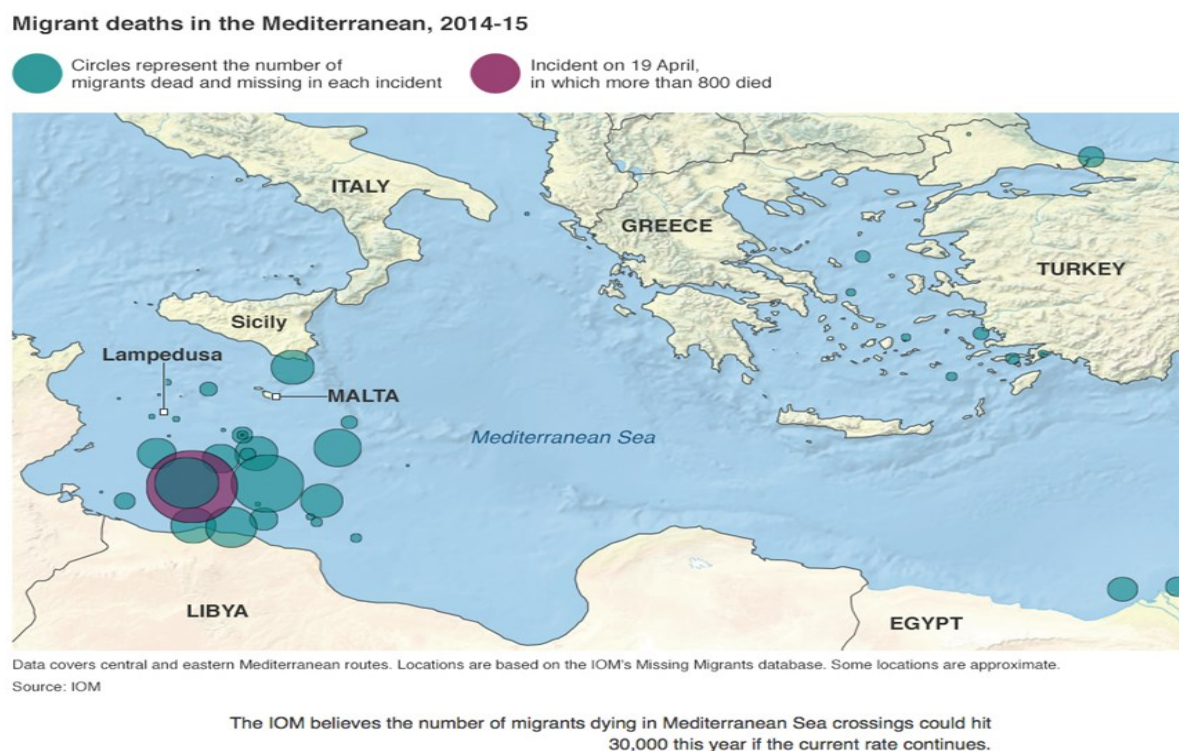


Figure 7: Migrant deaths in the Mediterranean, 2014-15

Source: (Walker, Migrant Deaths 2014-15, 2015)

All these cases increased criticisms against the EU for not creating a system to prevent death at sea. Regarding border management, Italy signed repatriation agreement with Tunisian officials by 5 April 2011. Italy suggested €250 million and credit (ANSA, 5 April 2011). In contrast to these suggestions, Tunisia agreed to accept migrants. These precautions ended up with almost a 75% decline in the number of Tunisian migrants (Fran quarterly, 2011, p. 5). Besides, Italy made a deal with National Transnational Council of Libya to struggle with illegal migration and sending back irregular migrants to Libya. Consequently, between January and July 2011, more than 13.000 migrants were sent to Libya (Nascimbene and Di Pascale, 2011 cited in Carrera, den Hertog and

Parkin, 2012, p.6). The NGOs criticized Italy-Libya agreement for being against international law (Carrera, den Hertog, Parkin, 2012, p.6).

Moreover, Schengen Governance Package was created upon the request of Italy and France in September 2011 (Novotná, 2015). According to it, if a massive number of nationals from third countries cross external borders, some internal borders can be introduced immediately in some instances. Therefore, this is an exceptional situation if member states deem it necessary; they will take precautionary action (BBC, 2011). Member states see migrants as a threat and even revise their internal border managements in order to protect national security.

The EU's reaction toward migration and people movement in North Africa included conditionality applied by Mobility Partnership via Dialogues and GAMM. Related policies toward migrants did not include a unique partnership. They overshadowed appropriateness of Dialogues and Mobility of Security by applying the EU's policy goals in North Africa. Eventually, policies do not reflect community-oriented efforts, but they reflect security-oriented policies and rise of policies that are not humanity-oriented (Carrera, den Hertog, and Parkin, 2012, p.22- 23) which can be observed by looking at death at seas and not abiding by the principle of non-refoulement.

According to the MPC research, Morocco does not rely on the EU's purpose which is to establish an economic migration, mobility, and integration in reality (Fargues and Fandrich, 2012, p. 8). Menouar Alem, the Ambassador of Morocco to the EU, expressed his opinion as follows:

Why should a country like Morocco, the last stop before 'the European Eldorado,' take all the responsibility?, "Why should we take all the responsibility? Morocco thinks readmission should be part of the overall migration policy and that the EU should be granted much more power", "Readmission Agreements must be balanced, politically acceptable and possible to implement. The EU must avoid double standards (EPC, 2012).

Moroccan officials have concerns about the EU's approach and the readmission agreement with Morocco and Morocco may be a transit or buffer country, which tries to keep migrants away from Europe.

The EU Commission introduced a tenacious cooperation and mobility at the center of the updated the EU migration plan in order to develop cooperation and dialogue with non-EU partner states on the subject of migration and population movement, improving the proposals which took place in the Communication on a Partnership and Shared Prosperity with the Southern Mediterranean by 8 March 2012 (European Commission Press Release, 2012). Migration and Mobility Resources centers were established to supply the needs of people in the partner states. The Online EU Immigration Portal was generated in 2012 which will help migrants by presenting options and information regarding migration and mobility (Press Release, 2012).

In 2013, The European Border Surveillance System (EUROSUR) became active which aims the member states, Frontex, and non-EU states neighboring the EU to establish cooperation on border management through information exchange (Ihlamur-Öner, 2018, p. 661). After this implementation, the EU border regime became externalized to the transit and neighboring counties such as Algeria, Libya, Mauritania, and Morocco. The EU purposed to control immigration and border management by preventing illegal immigration (Ferrer Gallardo and van Houtum, 2014, p. 299). Besides, “waiting areas” emerged for immigrants and refugees. The EU member states and transit countries established agreements to prevent migrants.

Through border management, migrants started to change routes to entry points and this cause borderization process (Mountz and Loyd, 2013, p. 178 cited in Ihlamur-Öner, 2018, p. 602). Border management at “Italy-Libya, Italy-Tunisia, Italy-Egypt, Spain-Morocco, France-Algeria, France-Tunisia, and Greece-Turkey” borders are in which borderization happened (Gjergji, 2018, p.156 cited in Ihlamur-Öner, 2018, p. 603). The Mediterranean has been transformed into a border rather than a region (Ihlamur-Öner, 2018, p. 603). “The externalization of the EU border” caused many deaths in the Euro-Mediterranean region. Even it became “the deadliest border on earth” (Ferrer-Gallado and Van Houtum, 2014, p. 297). Since 2000, at least 23,000 people passed away aiming to go to Europe according to 2014 data in “Migrants Files” project (Amnesty International, 2014, p. 5 cited in Ihlamur-Öner, 2018, p. 604).

Thus, the EU aimed to prevent migration from the region, particularly after the Arab uprisings. In this respect, the EU established partnerships with non-EU countries for migration and mobility. Moreover, the EU increased the level of partnership with third countries. These partnerships resulted in growing human cost, with increasing number of death at sea.



IV. TURKEY'S RESPONSE TO THE SYRIAN REFUGEE CRISIS

In this chapter, the Turkish migration experience will be discussed with a view to better evaluate Turkey's response to the Syrian refugee crisis. First of all, Turkish migration experience patterns since the late Ottoman and early Republican era will be discussed to correlate past experiences with current policies and practices. Two world wars and their impact on the population movements will also be elaborated upon. This chapter will discuss Turkey's migration and asylum policy development in time and Turkey's policy responses to the Syrian refugee crisis. Furthermore, the EU's and Turkey's collaboration for the Syrian refugee crisis will be examined.

4.1. Historical Overview of Turkey as a Country of Emigration, Immigration, Asylum and Transit

The Ottoman Empire experienced emigration, immigration, and forced migration in its history. With the weakening and eventual dissolution of the Ottoman Empire, new states were established, and lots of people changed their locations between the late 19th and early 20th century. The mass influx migration involved Muslim people from the Balkans such as Bosnians, Albanian, Pomaks, Tatars, and Turkish people (Kirişçi, 2003).

After the French Revolution in 1789, nationalism movements and freedom idea expanded. The idea of nationalism started to threaten empires. The Ottoman Empire was completely affected by nationalism. Especially in the Balkans, new states were established and the Ottoman Empire lost its broad land. The years between 1839 and 1909, the Ottoman Empire lost 430,000 km² of 600,000 km² lands in the Balkans. Population was 20,000,000 people but after, it decreased to 4,500,000 people (Clement, 1895, p.166 cited in Kale, 2015, p. 157). New nation-states in the Balkans and the Ottoman Empire used religion as based. According to the nation states in the Balkans, religion constitutes upper identity. Religion has a feature of unifying factor for nations (Kale, 2015, p. 157). Newly established nation-states determined societies as Muslim, Christian or Jewish. Moreover, after the Balkan Wars at the beginning of 1900s, the Ottoman Empire lost its lands in Balkans, Muslim and Turkish people came to Anatolia

from the Balkans. Correspondingly, new migration flows occurred into the new Turkish borders.

After the dissolution of the Ottoman Empire and establishment of the Turkish Republic, the impact of the nation-building processes in the Balkans was felt on population movements. The ethnic minorities within the boundaries of newly established states affected the bilateral relations, and states sought to preserve the rights of their ethnic kin in the other state.

In the early 1920s, Turkish nation-state was formed after the multi-national Ottoman Empire. Since the early days of the Turkish Republic, in the 1920s, to the 1950s, national policies were enacted by the Turkish government (Kirişçi, 1999, p. 119). From the 1920s onwards, the newly established Turkish state started to accept ethnic Turks and Muslims from newly established surrounding states, particularly in the Balkans. Turkish politicians aimed to create a nation that has a Turkish identity and Muslim religion (Ahmad, 1993 cited in Kirişçi and İçduygu, 2009, p.460).

The Turkish Republic lived one of the most important migration experiences in its establishment stage. At the beginning of the 20th century, a large extent population exchange between Greece and Turkey was experienced. The decision of the Lausanne Peace Treaty comprised Lausanne Convention in 1923, and Additional Protocol coordinating the population exchange was negotiated (Özdemir, 2009, p.73). Various sources provide different figures regarding the number of exchanges. By looking at the records, 354,467 Muslims were obliged to leave Greece, and 189,916 Greeks were obliged to leave Turkey according to the Mixed Commission for the Exchange of The Greek and Turkish Populations (Özdemir, 2009, p.73). Almost 1,600,000 Greek Orthodox left Turkey, and almost 800,000 Muslim people left Greece (Zolberg 1989 cited in Özdemir, 2009, p.74). In 1924, many Jewish people together with Muslim people moved from Greece to Turkey in the manner of forced migration (Güleryüz, 2015, p. 62).

In 1925, Residence Agreement was signed between Turkey and Bulgaria (Roth and Hayden, 2010, p. 45). Until 1949, 218,998 Turkish people in Bulgaria came to

Turkey based on the Agreement in 1925 (Republic of Turkey Ministry of Interior Directorate General of Migration Management, 2015). From Romania, between 1923 and 1949 79,287 family members in 19,865 families came to Turkey as a migrant with residence permit “iskanlı.” 43,271 family members in 11,280 families came to Turkey as migrant and were settled near their relatives and family members. Between 1923 and 1945, 800,000 people from the Balkans were forced to migrate to Turkey (Republic of Turkey Ministry of Interior Directorate General of Migration Management, 2015).

Turkish migrants gained Turkish citizenship status quickly and obtained rights from the government. Turkish Government gave the people lands to do agriculture and houses to live. These people were entitled as “iskanlı” based on the Turkish Law on Settlement (İskan Kanunu) passed in 1934. On 14 June 1934, Settlement Law of 2510 entered into force (İskan Kanunu 2510, Official Gazette, 1934) (Law No. 2510/1934 Settlement Act, Official Gazette). The law included rules for acquiring Turkish citizenship and provisions for migrants and refugees in having Turkish citizenship. In Article 3, “migrant” (muhacir in Turkish) notion was defined (Özgür Baklacioğlu, 2015, p.195). According to this law, those that belong to “Turkish culture and descent” could get the immigrant status. The law also provided land and residence permission for the people with Turkish origin. Ministry of Internal Affairs has the right to evaluate whether newcomer will have “migrant” status or not. If they had Turkish identity under the circumstances of regulations, they were entitled as “migrant.” Thus, the law set the criteria for having migrant status as being Turkish.

In 1934, the Law on Settlement No. 2510 formed Turkish migrant and refugee admission policy to a great extent. Turkish people were welcomed by Turkish government ideally, and their adaptation into Turkish society became easier (Danış, Taraghi, and Pêrouse, 2009, p. 461). However, while 1934 regulation was working in favor of Turkish people, it had limitations for the people who have different identities. “İskansız” people did not have such rights (Danış, Taraghi, and Pêrouse, 2009, p. 461) and were not accepted as immigrants according to Turkish laws.

1,6 million people came to Turkey as immigrants between the years of 1923 and 1997. Majority of these immigrants were from old Ottoman lands such as

Yugoslavia, Bulgaria, Romania, and Greece (Danış, Taraghi, and Pêrouse, 2009, p. 460) and the main principle of admission was set by the Law on Settlement. The law was amended in 2006. However, the main principle of admission was not changed. However, this law contrasts with the principal of non-discrimination of the EU Charter of Fundamental Rights. According to the EU Charter of Fundamental Rights, discriminations related to language, race, religion, ethnic and social origin is avoided (“EU Charter of Fundamental Rights” n.d., Article 21- Non-Discrimination).

During World War II, almost 100,000 Jewish asylum-seekers came to Turkey (Kirişci, 2003, p. 2) by ship via Bulgaria and Romania or train from Europe to İstanbul and Edirne. After the Turkish government executed legal actions for the visa, Jewish asylum-seekers went to Palestine (Güleryüz, 2015, p. 63). Efforts of establishing an international migration organization were formed to cope with the forced mobility of people during the World War II. Accordingly, “the United Nations High Commissioner for Refugees and Intergovernmental Committee for European Migration (International Organization for Migration)” was established (Ihlamur-Öner, 2016, p.578). In 1951, Convention Relating to the Status of Refugees was signed in Geneva as a result of mass refugee flows. The Convention defines the “refugee” as:

As a result of events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it (1951 Convention Relating to the Status of Refugees).

Therefore, member states are obliged to adapt provisions without discriminating race, ethnicity or religion. If refugees enter the state illegally, they do not have the right to get a penalty. In terms of non-refoulement principle, people who need international protection cannot be sent back to their country. According to the 1951 Convention, signatory states have to accept refugees into their borders regarding international protection.

Turkey is a signatory state of the 1951 Geneva Convention. “The 1951 Convention, as a post-Second World War instrument, was originally limited in scope to persons fleeing events occurring before 1 January 1951 and within Europe” (The 1951 Convention and 1967 Protocol Relating to The Status of Refugees, 1951, p.2). Thus, 1951 Convention was limited for specific persons escaping from specific incidents before 1951 within the European borders. People who were not from Europe were not subject to the 1951 Convention. However, the 1967 Protocol lifted time and place limitations and convention involved all refugees and people who need international protection in the world. Time and place limitations were lifted with entering into force of 1967 Protocol.

Moreover, Turkey accepted the 1967 Protocol, yet, it declared in the official gazette on 5 August 1968, that it would maintain its geographical limitation. Turkey put restrictive regulations regarding refugee law that makes Geneva Convention inapplicable. It means that Turkey accepts migrants only from the members of the Council of Europe and gives them refugee status. However, Turkey does not give the same rights to people who are not from Europe. If people apply to Turkey who is not from Europe to have refugee status and is granted refugee status, they could stay in Turkey temporarily until they are resettled in a third country. As the applicants await the status provision by the UNHCR and Turkish authorities, they are permitted to stay in Turkey. The limitation for migrants out of Europe brought cause that applicants might live in Turkey as irregular because they do not have right to gain permanent status in Turkey or try to go to European borders in order to have refugee status with dangerous ways at the cost of their life. The UNHCR and the EU criticized Turkey because of limitations regarding its asylum regulation policy. Turkey maintains its policy to protect national security (Kirişci 1996 and Kirişci 2003 cited in İçduygu, Order, and Gençkaya 2014, p.158).

4.2. Turkey as a Country of Emigration

Turkey was recognized as an emigration country because of its bilateral labor agreements with the Western European states since the 1960s. On 1 September 1961, first “guest worker agreement” was signed between Turkey and Germany (Abadan-

Unat, 2011, p. 11). Guest worker system was the beginning of Turkish migration to Europe in the year of 1963. Then other industrialized European states started to accept migrant labor from Turkey based on bilateral agreements; Austria, Belgium, Holland in 1964, France in 1965, and Sweden in 1967 (Abadan-Unat, 2011, p. 11). The objective of Turkish workers was to work in the European market in a limited period. However, most of the Turkish workers stayed in Europe, and they obtained citizenship status, work and residence permits.

After the economic recession and the oil crisis in 1973, migrant labor recruitment was stopped by the European states and governments tried to send migrant workers back to their home countries. Family reunification policies started in the 1970s for migrants who did not go back to their home country. Moreover, asylum applications to Europe increased in the 1980s and 1990s. In order to finish the residual flow of the migrants, restrictive policies were brought. European states applied incentive policies for labor migrants to send them back their home countries (Soysal, 2009, p. 253). However, after changes in the world such as the collapse of the Soviet bloc, the Gulf War, and establishment of new states, immigration acquired a different dimension and these changes affected Turkey too.

Therefore, in the 1980s, immigration was not just about the labor force; it was also about political reasons in Turkey. Most of the Turkish people who applied for asylum in Europe were of Kurdish origin. Between 1979 and 1999, 330,000 asylum seekers came from Turkey to Germany and between 60 and 80 percent of these people were Kurdish origin (Kleinschmidt, 2006, p.188).

4.3. Irregular Migration to Turkey from the 1980s onwards

In the late 1980s and early 1990s, there were different political acts around the world. Change in political situation affected the direction and structure of migration. Irregular migrations from Asia, from the Middle East, and from Africa to Turkey rose after political conflicts occurred in the regions.

After the Iran Revolution in 1979, almost 1 million people, who have Azeri, Kurdish or Persian roots, came to Turkey. In 1982, Soviets invaded Afghanistan and

many people, consisting of Afghan, Turkish, Uzbek, Uyghur, Tatar, came to Turkey (Republic of Turkey Ministry of Interior Directorate General of Migration Management, 2015). After the Iran-Iraq war between 1980 and 1988 many Kurdish people came from Iraq to Turkey (Danış, Taraghi and Pêrouse, 2009, p. 492). The number of Kurdish migrants who went from Iraq to Turkey was almost half a million people between 1988 and 1991 (Kirişci, 2003). In addition, the collapse of Soviets in 1991 and the Gulf War in 1990-1991 created different types of migration flows in the world. From the ex-Soviets and Iraq, many people came to Turkey as asylum-seekers or irregular migrants. They also wanted to use Turkey as a transit country to go to the Western European states.

After the establishment of the People's Republic of Bulgaria, several 156,063 people migrated to Turkey between 1949 and 1951 (Republic of Turkey Ministry of Interior Directorate General of Migration Management, 2015). Between Turkey and Bulgaria, Agreement of Close Relatives Migration was executed. According to it, between 1968 and 1979, 116,521 migrants came from Bulgaria to Turkey (Roth and Hayden, 2010, p.45). 1989 migration from Bulgaria to Turkey is the most important one because it is the most significant mass migration numerically. Mandatory assimilation policies were applied to Turkish people since 1984 in order to create a socialist system in Bulgaria entirely. In 1989, in order to reject assimilation into Bulgarian and Slav identity, Turkish people in Bulgaria came to Turkey (Kirişci, 2003). In the period of the Presidency of Turgut Özal in Turkey, 226,863 people came to Turkey which means the most intense and extreme migration after World War II (Roth and Hayden, 2010, p.45). Soon after that, the Communist regime collapsed in Bulgaria in 1989. Turkish people in Bulgaria gained their rights back. Almost 100,000 Turkish people returned to Bulgaria (Eren, 1993, p. 373 cited in Roth and Hayden 2010, p. 45).

Between 1992 and 1995, the Bosnian War occurred between Serbians, Croats, and Bosnians. Between 1992 and 1995, almost 25,000 Bosnian people came to Turkey to have protection (Avcı and Kirişci, p.231-232). Because of the Kosovo War between 1998 and 1999, 17,746 people migrated from Kosovo to Turkey (Republic of Turkey Ministry of Interior Directorate General of Migration Management, 2015). Both

migrants from Bosnia and Kosovo obtained temporary refugee status in Turkey until they achieved a solution in their countries (Kirişci, 2007 cited in Özgür Baklacioğlu, 2015). Turkey was transformed from a sending to the country of immigration and then transit migration country in time.

4.4. Turkish Migration and Asylum Policy within the Context of Turkish-EU Relations

By accepting the 1951 Geneva Convention, neighboring or transit countries became safe third countries that asylum-seekers make applications and wait for requests by the UNHCR. Many refugees were gathered in these buffer countries aiming to reach the Western European countries from the 1990s onwards (Danış, Taraghi, and Pêrouse, 2009, p. 642).

According to the IOM 2005 resources, because of economic changes, oil crisis, fluctuations in the industrial market, and decreasing demand for labors in Europe, different migration types emerged. Political instability in the Middle East, internal disorders, and wars also contributed to creating changes in migration all around the world (Brewer and Yüksek, 2009, p. 639). Turkey is becoming a “waiting room” for transit migrants (Erder and Kaşka 2012, p. 116). People come to Turkey on the purpose of going to the EU countries. As they wait, for the result of their applications, they stay in Turkey. Therefore, Turkey becomes a kind of the first step before they reach their main destinations. Accordingly, Turkey has a “gatekeeper” position (Erder and Kaşka, 2012, p. 116).

An applicant whose appeal is not confirmed by the Ministry of Interior had to leave Turkey in 15 days (Official Gazette, 2006). Moreover, the Turkish migration and asylum policy is criticized by the EU because of Turkey’s geographical limitation. While the EU has strict visa policy, it invites Turkey to make its asylum policy more flexible for asylum-seekers. On the other hand, Turkey has put into practice arrangements in legislation in order to prevent deportations (İçduygu and Kirişci, 2009, p.17). Moreover, Turkey agreed on National Programme for Adaption EU *acquis communautaire* in 2001. It took steps by putting strict controls on borders, applying visa policy under the EU conditions, establishing reception centers for asylum seekers and

removing geographical limitation principle (Brewer and Yüksekler, 2009, p. 652). In August 2002, Turkish policymakers made significant changes in the Turkish Penal Code to prevent human smuggling and trafficking and irregular migration. Border controls were increased and people, who are exposed to human smuggling, were protected by the cooperation of the NGOs (İçduygu and Kirişci, 2009, p.11).

Turkish Citizenship Law was amended in 2003 by the Turkish Parliament and to acquire Turkish citizenship became more difficult than before (Erder and Kaşka, 2012, p. 122) In addition, legislation about work permits of foreigners entered into force in 2003 (Official Gazette, 2003) and refugees gained the right to apply for work permit to the Department of Labor (Danış, Taraghi, and Pêrouse, 2009, p. 564). In 2005, Turkish Criminal Law (Law no. 5237) and article 80 were introduced and entered into force. Penalty increased related to people committing the crime of human trafficking. In 2006, the new definition was added to human trafficking such as “to enforce prostitution” and “put into the country and bring out from country” expressions. As a crime, human trafficking in Turkish Criminal Law became fully compatible with human trafficking Protocol of the UN Palermo Convention (Ministry of Interior, Directorate General of Migration Management, 2016).

In 2005, Turkey adopted new visa legislation for the 48 Sub Saharan states. Citizens of Sub Saharan countries have to apply first Ministry of Interior then Turkish consulate. It decreased the number of irregular African migrants significantly (Brewer and Yüksekler, 2005- 2006, p. 32). Turkey stopped its visa-free travel under the integration process of the EU acquis. In 2005, Turkey ended its liberal visa agreement not just with Iran, also with 5 other countries such as Bosnia-Herzegovina, Kyrgyzstan, Macedonia, Morocco, and Tunisia (Danış, Taraghi, and Pêrouse, 2009, p. 619). In 2011, Turkey prepared a draft law which includes protection of asylum-seekers and refugees and seeks to implement physical and the executive basis for asylum-seekers and refugees (Kirişci, 2012, p.63). In 2013, 6458 Law on Foreigners and International Protection came into effect in order to regulate the entry, stay and exit of foreigners, protection for people who need protection from Turkey and commitments, duties,

assignments of Directorate General of Migration Management under Ministry of Interior (Official Gazette, 2013).

In 2014, objective, scope, definitions and non-refoulement principle, foreigners, international protection, regulations related to foreigners and international protections entered into force as part of the law in 2013 (Directorate General of Migration Management, 2015). On 22 October 2014, Minister of Labor and Social Security expressed a program in order to protect the rights of Syrians. Within the regulation, Syrian refugees will get the ID and the right to stay in Turkey; however, it does not mean a residence document in law. The right to work for foreigners is determined with the ID card (Official Gazette, 22 October 2014). According to the 4th paragraph of Article 29, the validity of work permit rights will end when temporary protection ends (Temporary Protection Regulation, 13 October 2014). On 22 October 2014, Temporary Protection Directive mentioned Syrians separately in Article 1 by referring as Syrian citizens, or stateless people who come to Turkey because of events that occurred on 28 April 2011 will be protected temporarily (Official Gazette, 22 October 2014, p. 6220). This means an exact definition and a new legal statute were brought for Syrian refugees.

With the Directive 2014, Turkey gets the closer universal concept (Erdoğan, 2015, p. 57) but conditional refugee term is interpreted negatively by the EU because Turkey has still a geographical limitation. In addition to this, 2014 law provided Syrians work legally even if a limited number of people gained this right. However, in practice, the law could not adequately be applied which prevented people's right to work and could not resolve the problems that Syrians encountered in renting a house (Woods, 2015, p. 14). In 2016, Law on Foreigners and International Protection was rearranged in accordance with the law no 6735, Law on International Workforce on 28 July 2016, and law no 6458, Law on Foreigners and International Protection on 4 April 2016 (Official Gazette, 2016). According to it, the residence permit period was extended, and the minimum residence permit for foreigners increased to 2 years. Residence permit for families extended from 2 to 3 years. Employment law about Syrian refugees was

regulated in 2016, which set a 10% quota for certain sectors that Syrians were allowed to work.

4.5. The Political Impact of the Syrian Refugee Crisis on Turkey

Turkey faced many challenges with rising number of Syrian refugees in Turkey, and the certain returning date of Syrians is not clear. The refugee population outside camps is more than millions. Many people were not been registered by 2014 (Kirişçi, 2014, p. 2). The government, opposition parties, and also people with different political ideas have different perspectives regarding the Syrian civil war and Syrian refugees in Turkey.

Between April 2011 and December 2014, Turkey spent more than \$5 billion. On the other hand, international circles such as international establishments and other states provided financial aid only by 3% to Turkey (Erdoğan, 2015, p. 4). In other words, Turkey obtained just 3% of the total money that was spent. In 2014, the UN demanded financial support from international circles for Turkey, but almost 25% of aid was fulfilled (Erdoğan, 2015, p. 4). The EU provided €3 billion for Syrian refugees under Turkey-EU Statement in 2016. In 2019, the EU accepted to aid additional €1.5 billion to Turkey (Deutsche Welle, 14 March 2019). Minister of Foreign Affairs Mevlüt Çavuşoğlu stated that “Turkey spent \$37 billion for Syrians in Turkey until 2019” (Amerika’nın Sesi, 14 March 2019). For this reason, the aid provided by the international circles remains symbolic and meager. About the Syrian civil war and refugee crisis, Turkey has stood alone in terms of both material and non- material support.

For some, it is believed that Syrians in Turkey will bring problems of security and financial problems to Turkey in the long run. Turkey’s open-door policy affected Syrian refugees who need international protection; however, it also increased the security concerns of Turkey. There were claims that alongside refugees, militants, and weapons entered into Turkey (Milliyet, 2013). This fear increased the security worries of Turkish citizens. There was an opinion that Turkish people would start to complain more about Syrian refugees when they face difficulties arising from the increasing number of Syrians (Erdoğan, 2015, p. 22-23). Unsurprisingly, as of 2019, there are

problems, mainly about employment, health, education, social issues, etc., between Turkish citizens and Syrian people in Turkey. There are 3,614,108 Syrian people in Turkey as of 13 June 2019

4.6. Legal Status of the Syrians in Turkey

Syrian refugees were perceived as “guests,” not as “refugees,” thereby the camps were perceived as “guest-camps” not “refugee-camps” due to Turkey’s geographical limitation (Özden, 2013, p. 5). Their stay in Turkey was seen as temporary since Assad’s regime was assumed to fall in a short period. Following the mass influx of Syrian refugees, to regulate their needs and give them an access to essential services, the government officials issued Temporary Protection Regulation (İçduygu, 2015, p.6).

At the beginning of the arrival of Syrians into Turkey, border controls and checks were not appropriately executed by Turkish security forces. It prevented to record all Syrian refugees in Turkey. In order to get Syrians under control; the Turkish government started the recording process (Erdoğan, 2015, p. 63). The Ministry of Interior started to work crisply in to record all the Syrians from 2013 onwards, and it sent a circular to record Syrian refugees to 20 cities. According to it, coordination centers were to be opened, and fingerprints of Syrians were to be taken by the Foreigners Office (UNHCR Turkey, n.d.). Biometric photographing and fingerprinting started in 2013.

On 4 April 2013, Foreigners and International Protection Law entered in force in order to regulate the entry and exit of foreigners in Turkey (Official Gazette, 2013). In Article 91, it says “Temporary protection may be provided for foreigners who have been forced to leave their country, cannot return to the country that they have left, and have arrived at or crossed the borders of Turkey in a mass influx situation seeking immediate and temporary protection” (Directorate General of Migration Management, 2014, p.93). Directorate General of Migration Management was established and took responsibility of Security General Directorate regarding the asylum and migration management and issues about foreigners. GDMM took on the responsibility for the administrative issues related to Syrian refugee protection. The organization has an essential position for Turkey as it is the first new primary bureaucratic department

established in Turkey since the formation of the General Secretariat of EU Affairs in 2001 (Kirişci, 2014, p. 36).

As a newly established institution, it has a head office in Ankara and many offices in Turkey and abroad. Its primary duty is related to immigration extensively. In addition to this, since its inception, the main focus of its activity has been the Syrian refugee crisis. One of the main tasks of the GDMM is policy-making and policy enforcement. The task of the AFAD is to regulate camp management and catering service for refugees. The GDMM has a responsibility to arrange the refugee status determination process, reception, and temporary protection of Syrian refugees in Turkey. Turkish National Police regulated biometric data procedure in cooperation with the UNHCR in order to impose the registration issue (Kirişci, 2014, p. 37). With the support of the UNHCR; the Directorate General of Migration Management started the registration process for Syrian refugees in 2014 and 2015. After the systematic registration process, registered Syrian refugees reached 2,415,494 as of 18 December 2015 whereas they were 478,479 on 29 April 2014 (Directorate General of Migration Management, Ministry of Interior Republic of Turkey, 2015).

Syrians were referred to as “guests” at the beginning. However, Syrians stayed longer than expected in Turkey. The guest notion became inadequate definition in time (Dinçer et al., 2013, p. 31). By 13 October 2014, Provisional Protection Management entered into force by Article 91 of Foreigners and International Protection Law in 2013 (Official Gazette, 2014). In 2013, the EU Progress Report indicated that Turkey showed a significant level of progress regarding migration and asylum (European Commission, 2014, p.67).

Law on Foreigners and International Protection and Temporary Protection Regulation have come into effect after the Readmission Agreement with the EU respectively on 4 April 2013 and 1 October 2014. The law aimed to determine entry requirements, stay, and exit of foreigners in and from Turkey. The Law on Foreigners and International Protection aimed to correct inconsistencies of previous laws and provide a single full-fledged law for international protection. Article 1 of the law expressed as “The purpose of this Law is to regulate the principles and procedures with

regard to foreigners' entry into, stay in and exit from Turkey, and the scope and implementation of the protection to be provided for foreigners who seek protection from Turkey, and the establishment, duties, mandate, and responsibilities of the Directorate General of Migration Management under the Ministry of Interior" (Law on Foreigners and International Protection, 2014, p.16).

In 2013, new definitions were determined such as conditional refugee, secondary protection, and temporary protection, however; refugee definition is still valid for people who solely come from member states of the Council of Europe. The law replaced the term "asylum-seeker" with "conditional refugee." Turkey continues to have a geographical limitation (principle) by having conditional refugee notion. In Article 62 of the law, conditional refugees were defined as people who come outside of Europe, and they are allowed to live in Turkey during they wait for their resettlement in third countries (Official Gazette, 2013). According to Article 63, subsidiary protection was regulated in an attempt not to send a foreigner or stateless person back by providing security protection (Official Gazette, 2013). Syrian refugees are accepted as temporary refugees, and the term is defined in the 2013 Law. However, the law does not express permanent protection but expresses the right for refugees during their stay in Turkey.

Moreover, the law regulates legal arrangements about foreigners such as international protection in or within borders, non-refoulement principle, temporary protection, and principal duties of the DGMM. Article 2 specified the law as "The provisions of this Law apply to the activities and actions related to foreigners; the international protection to be extended in cases of individual protection claims of foreigners at borders, the border gates or within Turkey; the immediate temporary protection to be provided to foreigners in cases when there is a massive influx into Turkey and where they cannot return to the country they were forced to leave; and, the structure, duties, mandate and responsibilities of the Directorate General of Migration Management" (The Directorate General of Migration Management, 2014, p. 16-17). Temporary protection notion was clarified as "Temporary protection may be provided for foreigners who have been forced to leave their country, cannot return to the country

that they have left, and have arrived at or crossed the borders of Turkey in a mass influx situation seeking immediate and temporary protection.” in Article 91/1.

With temporary protection, Syrians have some guaranteed services legally but do not have protection, rights, and mobility (Woods, 2015, p.13) and the Turkish government complied with the basis of non-refoulement presented as a principle by international law. Under temporary protection law, the Turkish government is determined to provide essential humanitarian services mainly health and shelter (Kirişci, 2014, p. 14). Foreigners and International Protection Law aimed to revise Turkey’s asylum system. The draft law was formed on the idea that immigration issues could not be administrated with the laws and regulations dating back to the 1950s (Kirişci, 2014, p. 9). The law created a duly authorized status assessment system to be controlled by the GDMM (General Directorate of Migration Management). It increased the right to reach asylum and judicial appellate procedure. Asylum-seekers and refugees gained the right to have access to public services (Kirişci, 2014, p. 9).

People who can benefit from the directive, were not also mentioned explicitly in the regulation. According to the regulations of Article 15, the Council of Ministers has the right to limit and stop the temporary protection. As for Article 22, the regulation decided to give Temporary Protection ID Document related to foreigners. It also gives Syrian refugees legal right to stay in Turkey.

The Temporary Protection Regulation is based on article 91 of the Law 6458. In Articles 7 and 8, the scope of temporary protection is explained. Provisions on Temporary Protection Decision and Termination of Temporary Protection are clarified in Articles 9, 10, 11, 12, 13, 14, 15, and 16. The law aimed to develop a temporary protection regime for Syrians. By 22 October 2014, Temporary Protection Directive came into force (Official Gazette, 22 October 2014). Only registered refugees have the right to access basic and social services (Directorate of Migration Management, 2015). Turkey aimed to give Syrians adequate protection and humanitarian assistance (İçduygu, 2015, p. 9). However, the process was not specified in this Directive. Moreover, some Syrians avoided registration because they aimed to go from Turkey to

other countries, mainly European countries. If they are registered within the Turkish borders, their future aims in third countries disappear (Erdoğan, 2015, p. 69).

On the other hand, the urban Syrians lack basic needs because of lack of documentation. When many people come to Turkey with passports or by passing through border checkpoints, another part comes to Turkey illegally. The irregular entry of refugees makes their existence in Turkey irregular too. Their stay becomes unauthorized. They have to work illegally and get low pay as well. Their position in Turkey can be perceived negative by the Turkish counterparts.

Due to the unclear status and the problems in the implementation of the temporary protection regime, Syrians face difficulty, which makes and their stay in Turkey difficult. This was one of the factors that pushed some Syrians in Turkey to seek ways to go to Europe, even if it is too dangerous. The legal status of Syrian refugees is uncertain, or there is no legal status of Syrian refugees in the Middle East countries too. This uncertainty creates problems for the Syrians in the Middle Eastern countries.

4.7. Education

There are similar problems in Egypt, Iraq, Jordan, Lebanon and Turkey, which are school and gender-based violence (GBV) has been noted. In schools, there are verbal, sexual harassments, and corporal punishments, which cause students to move away from formal education (UNICEF, Syria Crisis Education Strategic Paper, 2016, p.3). Moreover, students suffer from an outdated and rigid curriculum, alongside new deficient curriculums; induce students to have learning problems (UNICEF, Syria Crisis Education Strategic Paper, 2016, p.3)

There are 935,454 Syrian refugees in Lebanon as of 31 May 2019 (UNHCR, 2019). There are strict regulations in Lebanon which makes difficult for Syrian to obtain residence permit. Therefore, Syrian refugees became mostly undocumented in Lebanon (ECHO Factsheet “Lebanon: Syria crisis,” 2017). In Lebanon, local public schools do not have enough capacity to have all Syrian refugee children. There are 664,330 Syrian refugees in Jordan as of 3 June 2019. In Jordan, there were not enough classroom and teachers for Syrian refugees in 2015 and 2016 (HRW, 2016). Demand

for teacher and class increased (UNHCR, 2017). Syrian refugees in Egypt have difficulty because of high costs in private and public schools, bureaucratic enrollment process, and an increasing atmosphere of chaos, xenophobia, and discrimination in the classes (IRIN, 2014). In Iraq, school infrastructure is not enough and also non-formal education possibilities are minimal (UNICEF, Syria Crisis Education Strategic Paper, 2016, p. 2).

Education is one of the most significant problems that Syrian people face in Turkey. As of 13 June 2019, 13 % of Syrian population is between 12 and 17. 16.3 % of the Syrian population is between 5 and 11 (UNHCR, 2019). Therefore, there are many Syrian children and youth population who need education in Turkey; however, Syrian refugee children and young, especially being outside of camps, do not go to school. It is a probability that this generation can be a lost generation in the future. Many Syrian children work for clothing and, textiles industry and shoe shops, even though children under the age of 15 cannot work legally in Turkey (Afanasieva, 2016). Syrian refugee children go to state schools or temporary education centers (TEC) in Turkey. The TEC gives education in Arabic having curriculum by the MOE of Syrian refugee Interim Government. By 2016, 78% of Syrian refugee students joined the TECs, and 22% of students attended Turkish schools (Aras and Yasun, 2016, p.1).

As for Syrian university students, in 2012, the Higher Education Board (YÖK) introduced “special student” status for Syrian refugees. Special students are “students who are enrolled in any higher education program; it means that you can take courses at different faculties and colleges of another university due to problems like health, without prejudice to the rights of your universities.” (NTV, 2012). According to Directive issued by YÖK, Syrian refugees can enter universities with the declaration. This regulation led to the reactions and criticism of the opposition, particularly of the RPP (Republican People's Party). RPP Member of Parliament Mehmet Şeker expressed his doubts regarding this decision. He is also concerned about whether these refugees are a student or terrorist, militant of al Qaeda or PKK (NTV, 2012).

The “special student” regulation is also reacted by Turkish students. The students declared that whereas Turkish students have to study to go to a university,

Syrian students are accepted to universities without any exam. However, there is a contingent for the Syrian students in Turkish universities.

4.8. Health

Syrian refugees have health problems in regard to access to limited health services in Egypt, Iraq, Jordan, and Lebanon. They have similar problems in Turkey too. Health requirements for Syrian refugees are thoroughly met in the camps in Turkey. However, urban Syrian refugees have problems. Thus, the Turkish government and AFAD made necessary arrangements on the health issue. However, there is a lot to be done. Primary medical services and vaccination campaign for children were guaranteed in the camps and made available by the government. There is a lack of specialized medical services, and existing personnel have to work more hours. Also, the language barrier limits communication between Turkish and Syrian people (Capacities for Peace, 2016, p. 4).

4.9. Employment

One of the main problems of Syrian refugees is access to legal right to work in host states. The main problem is that Syrian refugees have to work long hours for low salaries (BBC, 2013). Syrian refugees frequently work in informal sectors in Lebanon and Jordan. Syrian refugees work illegally in the textile sector, manufacturing, heavy industries, and agriculture sector in Turkey too (Kirişci, 2014, p. 21) because in 2014, Turkish labor legislation did not accord an effective right for Syrians to work legally by having work permits in the formal economy. The government demanded a valid passport, residence permit, and the employer has to express that he could not find any suitable Turkish worker for the position which makes difficult for Syrians to work in formal sectors.

4.10. Social Issues

Social tension increases because of the capacity of places, schools, workplaces, social services, are not adequate for citizens in neighboring states and Syrian refugees. The Syrian refugee population is higher than Turkish citizens in some places in Turkey which causes Turkish people are worried (Woods, 2015, p. 18). Besides, Syrians suffer

from incoherence based on knowledge and response from different municipalities. Different municipalities apply different regulations (Woods, 2015, p. 23). Moreover, sometimes Syrian women become second or third wives of Turkish men in some places. Multiple marriages were observed that Turkish middle-aged or old men marry young Syrian refugee women as second or third wives in some regions (Türk Tabipleri Birliği, 25 January 2014) by giving bride wealth which annoys Turkish people in these regions.

Another problem is newborn babies out of wedlock, who could not be registered because Turkish civil law does not permit it (Kirişci, 2014, p. 29). Newborn Syrians within Turkish borders have problems such as registration, citizenship issue, and needs in the long term. In addition, refugee women and girls become the target of sexual harassment and violence (Woods, 2015, p. 9) because they are the most vulnerable people among refugees.

4.11. The Attitude of Turkish People towards Syrian Refugees

Xenophobia increased towards Syrian refugees in neighboring countries because they are perceived as reasons for the unemployment, overcrowdedness, inability of health services, and social problems. It is possible to observe growing concern and criticisms towards the continuing presence of Syrians in Turkey. In certain cases, tiny incidents escalate into tensions and even attacks against the Syrians, especially in neighborhoods where a significant number of Syrians live next to local residents. Dealing with growing tensions in different localities has to be a priority of the local as well as national authorities.

The growing presence of Syrians in Turkey turned into a highly political issue, as the opposition voiced security and social concerns constantly, particularly in the run-up to local or general elections. President Recep Tayyip Erdoğan expressed that Syrians could get citizenship status (Hürriyet Daily News, 3 July 2016). Accordingly, they could also vote in the elections. The opposition parties argue that Erdoğan aims to increase votes for his party. In Turkey, the possibility of granting citizenship to Syrians was not welcomed positively by the Turkish citizens. #UlkemdeSuriyeliIstemiyorum (I do not want Syrians in my country) hashtag became popular on Twitter on 3 July 2016 (Hürriyet Daily News, 3 July 2016). On Twitter, #suriyelilerehayir (No to Syrians)

hashtag became popular after Erdoğan stated that Syrians could be Turkish citizens (Hürriyet Daily News, 3 July 2016). This means strong opposition against Syrians emerged in Turkey. Hereunder, the refugee crisis became the internal politics of Turkey. Parties use refugee statements during their political party meetings too.

In the first couple of years of the Syrian crisis, Syrians were welcomed warmly. As their stay extended in Turkey, their presence started to be perceived as negatively. Alongside growing rivalry between the Syrians and local labor force, inadequate health services arising from the increased number of Syrians in Turkey, increasing rents, multiple marriages or second wife issues which are not legal in Turkish Civil Code started to create tensions. For this reason, during their stay, Turkey and the international community have to work together to bring solutions for both Syrian and Turkish people.

There are different opinions about the future of Syrian refugees in Turkey today. While some people mention a possible integration of Syrian refugees into Turkey, others express their opinion about the return of Syrian refugees. Murat Erdoğan declared that “even if operations and changes occur in Syria, which will create minimal effects, more than 90% of Syrians will stay in Turkey and not prefer to go to Syria” because there are many who have been in Turkey for eight years (Deutsche Welle, 9 October 2018).

On the other hand, Member of Parliament of İstanbul for the İyi Party Ümit Özdağ says, “Syrians mean a threat for Turkey.” He also expresses that Western states support Syrians, who are not accepted by Western states, to stay in Turkey. “Western states also support NGOs financially. NGOs impose that refugees generally stay in host countries, and trying to send them is pointless. The EU support projects in Turkey which mainly work on the integration of Syrians into Turkey. However, the EU does not work for returning of Syrians”. Özdağ expressed that if the proper conditions occurred in Syria, 95% of Syrians would prefer to go to Syria. Özdağ gave an example of a survey made by the İstanbul Bilgi University Center for Migration Research in cooperation with the German Marshall Fund (GMF) on 5 February 2018. According to

it, 97% of the İyi Parti, 95% of NMP, 94% of RPP, and 84% of JDP electors want Syrians to go back to Syria (Özdağ, 31 December 2018).

In addition, Hasan Ünal argues that the solution is possible in Syria. Ünal infers this possibility from President Erdoğan's latest meeting with Presidents of Russia and Iran in Sochi on 14 February 2019. Especially Ünal emphasized the Adana Agreement and its meaning based on cooperation between Turkey and Syria. If Turkey and Syria reach an agreement, a secure zone can be established, and the possible return of Syrians in Turkey from Turkey to Syria can be realized (Halk TV, 14 February 2018).

4.12. International Support to the Syrian Refugees in Turkey

At the beginning of the crisis, the Turkish government did not cooperate with international organizations under burden sharing since the Turkish government had thought that Syrian refugees would return soon. However, as more refugees started to come to Turkey, Turkish policy evolved. Thus, the Turkish government started to make collaboration with the UN agencies. In 2012, Turkish Red Crescent started to work with the World Food Program (WFP) in order to support 140, 000 most helpless refugees in the camps in Turkey (WFP, 2017). The IOM contributes to an emergency program of the Syrian refugee crisis in six sectors such as education, health, protection, basic needs, food security, and living (UN Turkey Newsletter, n.d.).

Turnover of health equipment is the part of € 6.7 million projects "Enhancing Access to Services, Enhancing Resilience of Homeowners and Facilitating Integration of Refugees" financed by the EU, which will contribute to efforts of Turkish Government to provide principal services to immigrants and refugees. In addition to supporting the Migrant Health Training Centre, the project runs two different community centers and a primary clinic that reach both the host community and the Syrian population (IOM Turkey, 2017). Services provided under the project include legal counseling, psychosocial support, vocational training, and access to the community and conflict management for the immigrant and refugee populations living in these communities. Since July 2015, services were provided to 150,000 Syrians and the people in the region.

4.13. EU-Turkey Statement of 18 March 2016

In 2013, Turkey and the EU signed a readmission agreement with intent to prevent irregular migration flows between the EU and Turkey. The Syrian civil war started on 15 March 2011 and induced one of large-scale refugee movements. Turkey became both a migrant-receiving and a transit country for the Syrian refugees. Many aimed to go to Europe through Turkey using as a transit. After a considerable number of them came into Turkish borders, the EU needed to make a deal with Turkey arising from fear of the massive number of Syrian refugees coming to the EU borders.

Turkey and the EU signed the Readmission Agreement on 16 December 2013, (Elitok, 2015, p.1). According to the Agreement, migrant entered into the EU through Turkey as a transit country by illegal ways will be given to Turkey. Turkey has a responsibility to repatriate these irregular migrants to their countries. It was decided that Turkish citizens will have visa-free travel to the EU at the end of the process. According to it, Turkish citizens will have the right to travel the Schengen zone without a visa by October 2016 (European Council, 2015). However, in defiance of the agreement, illegal entries to European borders through Turkey were still too high by 2016.

Turkey is home to largest number of refugees in the world (Adam, 2016, p. 14). In contrast to Turkey's initial open-door policy, the EU responded refugee crisis inadequately (Adam, 2016, p. 14). By the summer of 2015, a considerable number of refugees came to the borders of the EU and the EU needed the help of Turkey as a transit country in order to struggle with irregular migration into borders of the EU. The EU and Turkey made a deal in November 2015 in order to prevent a considerable number of migrants come to Europe through Turkey (Woods, 2015, p. 4). The EU promised to support Turkey financially. Turkey was determined to cope with smugglers in Turkey and improve the conditions of Syrians in Turkey (Woods, 2015, p.16).

On 29 November 2015, Turkey and the EU confirmed the Joint Action Plan (EU Council, 2015). It aims to protect the Syrian refugees under temporary protection and their Turkish hosting communities as the first part and strengthen cooperation to prohibit irregular migration (Press Release, 2015). The EU determined to give €3 million to Turkey in order to help Turkey for hosting Syrian people (European Council,

2015). Turkey and the EU set the goal for removing visa requirement for Turkish people at the latest by the end of June 2016.

The readmission agreement forms the backbone of the Turkish-EU Statement. For each Syrian accepted by Turkey from the Greek islands; one Syrian will be resettled from Turkey to the EU member states. The logic of the agreement was based on a refugee swap. After the agreement, the decrease in the number of irregular migrants from Turkey to Greece borders was underlined. The second report on the implementation of the EU-Turkey Statement was published by 15 June 2016 (Press Release, 2016). According to the Fact Sheet of the European Commission on 15th June 2016, “In the weeks before the implementation of the statement, around 1.740 migrants were crossing the Aegean Sea to the Greek islands every day”. “By contrast, the average daily arrivals since 1 May are down to 47, a decrease of over 95%” (Press Release, 2016).

The Fact Sheet of 15 June 2016 includes the expression: “The return of 462 migrants who had not made asylum applications in Greece has been carried out from the Greek islands to Turkey, in full respect of EU and international law.” According to the statement, if a competent authority refuses the asylum application, this competent authority shall express the reasons about why the application for asylum is evaluated as unfounded or as inadmissible by Council Directive of 1 December 2005 (2005/85/EC) (EUR Lex, 2005). 66 people were sent back from Chios Island to Turkey within the scope of the first round of EU deportations (HRW, 2016). However, 13 of people, 11 of whom are Afghan and 2 Congolese, were wrongly deported (HRW, 2016). This illegal deportation raised concerns about (Kingsley, 5 April 2016) whether the EU member states use readmission agreement correctly or use it to send refugees in need of protection within its borders.

The European Commission stated to relocate 120,000 refugees by 22 September 2015. According to it, the EU determined to relocate 120,000 refugees from Greece, Italy, and other member states which were negatively affected by the refugee crisis and also the EU decided to relocate 160,000 people who need international protection within 2 years (Press Release, 2015). On 15 March 2016, there were still

54,000 places for relocation under the resettlement from Turkey to the EU. In 2016, 1,546 irregular migrants were relocated from Greece to Turkey (COM (2016) final 349). Since 4 April 2016, 802 Syrian people have been relocated from Turkey under 1:1 mechanism (COM (2016) 480 final). According to the fifth report on the relocation and resettlement of the European Commission, 8,268 people were resettled out of 22,504 under July 2015 scheme by 13 July 2016 (COM (2016) 480 final).

Therefore, member states could not put enough effort on the subject of the settlement. Also, the member states could not decide as a union. Hungary, Poland, Austria, Denmark, Italy, and Eastern European countries want to close borders for the Syrian refugees and solve the issue outside the EU. On the other hand, Italy, Greece, and Spain have the idea that each country should protect its borders (Çakır, 20 September 2018). The migration issue confronts the south and the north of the EU. Italy and Greece have a complaint about being alone in the refugee issue in the EU. Northern European countries accuse Italy and Greece by asserting that they do not apply patrol activity enough and let refugees move to the north (Adler, 28 June 2018).

There is also a tension between the East and West. The CEECs object to solidarity and issues which need responsibility in the union (Adler, 28 June 2018). France, Germany, Malta, and Northern European countries are opposed to the loss of fundamental values such as the 'right to asylum' that constitute the spirit of the EU and advocate the quota system for the distribution of migrants to the member states. "Right to asylum" in the EU has also entered into a deadlock with these discussions. Countries that do not want to accept more immigrants want to revise this regulation and oppose the idea of 'quota,' which foresees the share of migrants among EU countries (Çakır, 20 September 2018). Whereas Germany and Italy had the aim to distribute refugees to the EU members by quotas, CEECs opposed to this (Adler, 28 June 2018).

On the other hand, there were concerns over readmission agreements about whether they are in accordance with human rights or not. Paweł Busiakiewicz, a policy officer at the European Commission's directorate-general for home affairs, stated that there are some deficit points regarding human rights. Readmission agreements should not be executed by disregarding international human rights and protection (European

Policy Center, 2012). Also, Sander Luijsterburg, first secretary at the Permanent Representation of the Netherlands to the EU, stated that “Don’t confuse readmission policy with admission policy. We don’t believe human rights should be a major part of readmission. It is different from admission,” and “All the rules in the Netherlands respect international law. If the outcome of the Dutch government’s assessment is negative for the asylum-seeker, they have to go home,” Luijsterburg also clarified his idea as “Human rights claims should not be assessed at this point. Admission is the right time,” and “We want to avoid situations in which people can’t be admitted, but they can’t be readmitted either. However, human rights under international law must be respected at all times.” (European Policy Center, 2012).

Article 4 of the European Convention on Human Rights is related to the prohibition of collective deportation of foreigners (European Convention on Human Rights, 2010, p. 36). However, within the context of the Readmission Agreement between the EU and Turkey, the EU has been sending Syrian refugees who had come to the EU through Turkey. The executive director of Human Rights Watch Kenneth Roth wrote a letter to the presidents of the EU member states. Roth indicated that the Readmission Agreement, as a part of Joint Action Plan, means disrespect to the international law (that protects rights of refugees, asylum-seekers, and immigrants). He offered the leaders of the EU member countries to cancel the European Council that presents new elements of the Joint Action Plan on 17-18 March 2016 (Human Rights Watch, 2016).

Roth emphasized that the general context of the Plan is to stop “the flow of the immigration to Europe that is not to protect the threats of damage that Syrian civilians encounter, but rather to keep the flow of displaced persons under control” and also, “this deal seems to be a death trap rather than a protection area” (Human Rights Watch, 2016). According to Roth, the EU does not abide by international law and violates the non-refoulement principle of the European Convention on Human Rights.

People who came to Europe through Turkey are mainly from Syria, Afghanistan, or Middle Eastern countries that violate human rights in general. In the context of the Readmission Agreement, the EU countries send these asylum-seekers to

Turkey without giving the right to application. From the perspective of Amnesty International, Turkey is not a safe third country. Even if Turkey is defined as a safe third country, it does not present a safe environment for migrants and refugees (Ulusoy, 2016). Therefore, Amnesty International objects to the EU-Turkey Statement (Danışman, 22 April 2016).

Amnesty International Refugee Policy and Rights Specialist Wiebke Judith argues that to be a safe third country; Turkey must implement the conditions of the Geneva Convention without putting a limitation. Turkey is not a third safe country such that it does not lift geographical limitation, and accept asylum application right, give refugee status to people from non-European states (Danışman, 22 April 2016). However, the number of registered Syrian refugees is almost 3,700,000 in Turkey by February 2019, while according to the Turkish Statistical Institute, Turkey's population is 82,003,842. The Syrian refugees make up 4,44% of the total population in Turkey (Mülteciler Derneği, 2019). Granting refugee status would mean giving long-term status to the refugees having more responsibility in the fields of economy, health, employment, and social issues.

The EU Commission was engaged in preparing a list of safe third countries following this. The German parliament has added Morocco, Tunisia, and Algeria to the list of safe countries. The African countries such as Ghana and Senegal and Balkan countries are also in the list. However, Turkey is not on the list, which is the only EU candidate country (Özcan, 11 July 2016). There are also different perspectives on whether Turkey is a safe country or not. The German Constitution and the EU refugee law stipulate that in order to be a safe third country, there should not be political prosecution in that country, inhumane and degrading treatment of people such as torture, violence, and armed conflict (Özcan, 11 July 2016).

The EU Commission wants to add Turkey in the safe third country list. Chancellor Angela Merkel stated that she does not see an obstacle in adding Turkey in the safe third country list (Özcan, 2016). However, Chancellery Minister and refugee coordinator Peter Altmaier expressed that Turkey is not a safe third country (Özcan, 11 July 2016). The debate between the parties continues.

The EU Parliament called member states to carry out the necessary process by accommodating themselves for binding and mandatory legal dealing with resettlement (Adam, 2016, p.4). In addition to this, the EU and Turkey established their aims on visa-free liberalization condition as part of the EU-Turkey Joint Action Plan. However, the EU Commission demanded that Turkey changes its terrorism definition in accordance with the EU standards. Commission wants Turkey to make a narrow definition of terrorism (Adam, 2016, p.5). On the other hand, within the framework of the deal, visa-free access to Europe is presented as a kind of reward for Turkey. According to the Joint Action Plan, by October 2016, visa liberalization which enables Turkish citizens to travel to Europe without a visa was determined.

Intergovernmental Conference on 14 December 2015 opened chapter 17-Economic and Monetary Policy of the accession process (European Council, 2015) and Accession Conference with Turkey opened chapter 33-Financial and Budgetary Provisions. It means one way or another Syrian refugee crisis opened a road that the EU and Turkey update their relations (European Commission, 2016).

Readmission agreement created a political crisis at times between the EU and Turkey. After 2016 October, visa liberalization did not materialize between the parties as the EU promised within 2013 Readmission Agreement. Turkey threatened to cancel the Turkish-EU deal (Saeed, 16 March 2017). By applying a deal between the EU and Turkey, the EU prevented arrivals into Europe and sent refugees to Turkey. However, member states implicitly violated the EU laws because they failed to comply with the detention and right of application (Collett, 2016). The EU law permits for returns under two conditions. First, people who do not apply or carry out asylum are determined as “irregular migrant” and are eligible to be sent back to Turkey under an existing readmission agreement with Greece. Second, people who apply for asylum but are considered to have come from a state where they had or could have demanded protection are evaluated inadmissible to the EU and proper for return (Collett, 2016).

The efforts to establish cooperation between the EU and Turkey based on migration and asylum policies started in the mid-1990s. It has continued since the second half of the 90s. Turkey’s migration policy in accordance with the EU

membership perspective accelerated since 1999, the declaration of candidate status of Turkey in order to implement the EU criteria. Thus, the current cooperation between the EU and Turkey has its past. After the Syrian refugee crisis started in 2011, the relationship between the EU and Turkey remained based on the interdependency and cooperation in migration and asylum matters. The relationship between the EU and Turkey was revised and regulated. The EU started to see Turkey as a preventive factor, and restrictive actor after it was forced with an increasing irregular migration influx.



CONCLUSION

Turkey became one of the migrant-sending countries after it sent guest-workers to the Western European countries. Turkey signed the Ankara Agreement with the EU to establish an association on 12 September 1963 (Ministry of Foreign Affairs, 2011). Thus, Turkey's EU membership perspective and process and migration issue between Turkey and the EU started synchronously and played an important role in the relationship between the EU and Turkey since the 1960s.

In the 1980s, Turkish migration pattern to the EC changed. Whereas migration experienced from Turkey to the European states as labor migration and family reunification in the 1960s, 1970s, and early 1980s, it occurred because of political reasons in the 1980s. From the 1990s onwards growing number of irregular migrants from Iraq, Iran, Afghanistan, Pakistan, the Balkans, and the newly emerged Central Eastern states started passing through Turkey route to Europe. The EU membership objective of Turkey and changing migration patterns into Turkey put pressure on Turkey to revise Turkish migration and asylum policies in accordance with EU norms and rules. Since Syrian refugee crisis started in 2011, the EU's and Turkey's migration and asylum policy has evolved. The EU and Turkey cooperated in order to bring a solution to the Syrian refugee crisis. The crisis created an important effect to update the relationship between the EU and Turkey. Moreover, nowadays, Turkey continues drilling works in the Eastern Mediterranean. The EU reacted to Turkey's drilling works and it confirmed sanctions towards Turkey. According to DPA, the EU will limit financial aid to Turkey and suspend air transport negotiations with Turkey (Yeniçağ, 15 July 2019). It will create a negative impact on the relationship between the EU and Turkey.

Turkey's asylum and migration policy regulation was related to the EU membership objective. Following the signing of 2003 Accession Partnership, Turkey developed asylum policy by increasing border controls and introducing new internal ones (Fernandez, 2011, p. 28). Turkey's asylum policies were strengthened by the EU's regulations and arrangements related to safe third country rules, readmission

agreements, and incentive of cooperation with transit countries (Özgür Baklacioğlu, 2010 cited in Fernandez 2011, p. 28).

In 2011, the Arab upheavals occurred in Tunisia. Then, Egypt and Libya were affected dramatically and finally; revolutionary spirit spread to Syria. Turkey started to apply the "open door" policy towards Syrian refugees (Ihlamur-Öner, 2014, p. 43). In 2015, more than 1.000.000 people came to Europe which one half of this is composed of Syrians. Between 2011 and 2016, Turkey included 3.1 million refugees which 300-350.000 of them were from other states, and the remaining population was from Syria (IKV, 2016, p. 5). Today, there are totally 5,635,301 Syrian refugees and 3,614,108 of them live in Turkey (UNHCR, 2019).

Before crisis reached at the peak, with FRONTEX, the EU continued to send the refugees caught in the sea back to the countries where the war has continued such as Libya by challenging the decision of European Court of Justice. Besides, the number of asylum applications lodged to the EU member countries increased. For this reason, Syrians aimed to come to Turkey first and use Turkey as transit, then, try to go to Europe. Figure 8 shows that how Syrian and Iraqi migrants used Turkey as a transit to go to Europe in 2015 and 2016.

Syrian and Iraqi migration to Europe in 2015 and 2016



Note: Migration paths are representational, not precise. Migrants from Syria and Iraq have settled in many European countries, but Germany received the most in 2015 and 2016.
Source: National Geographic: "The World's Congested Human Migration Routes in 5 Maps"
"The Digital Footprint of Europe's Refugees"

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Figure 8: Syrian and Iraqi migration to Europe in 2015 and 2016

Source: (Pew Research Center, 2017).

The number of Syrian refugees making an effort to reach Europe through human traffickers increased over time. Thus, the number of Syrians among people who died in the Aegean and the Mediterranean Sea increased which turned into "graveyard" as a result of sinking immigrant boats (Ihlamur-Öner, 2014, p. 43). Figure 9 indicates total arrivals by sea and deaths in the Mediterranean between 1 January and 13 March in 2018 and 2019.

TOTAL ARRIVALS BY SEA AND DEATHS IN THE MEDITERRANEAN 2018-2019					
	1 JANUARY - 13 MARCH 2019		1 - 13 MARCH 2019	1 JANUARY - 13 MARCH 2018	
Country of Arrival	Arrivals	Deaths	Arrivals	Arrivals	Deaths
Italy	335	153	73	5,945	358
Malta	136	(Central Med. route)	87	N/A	(Central Med. route)
Greece	4,483	8	855	3,562	1
Cyprus	132	(Eastern Med. route)	0	47	(Eastern Med. route)
Spain	5,222	73	182	2,764	107
	(Western Med. route)			(Western Med. route)	
Estimated Total	10,308	234	1,197	12,318	466
<small>Data on deaths of migrants compiled by IOM's Global Migration Data Analysis Centre. All numbers are minimum estimates. Arrivals based on data from respective governments and IOM field offices.</small>					
<small>14 Mar 19</small>					

Figure 9: Total Arrivals by Sea and Deaths in the Mediterranean 2018-2019

Source: (IOM UN Migration, 2019)

The number of arrivals was 12,318 and it decreased to 10,308 from 2018 to 2019. Number of deaths was 466 and it decreased to 234 from 2018 to 2019. It can be observable that the EU's policies contributed to decrease in arrivals and deaths but they are not fully effective. There are still deaths in the Mediterranean Sea. This indicates that the EU caused violation of human rights because it caused deaths in the Aegean and Mediterranean Sea with restrictive measures, precautions, and policies. It tries to protect its internal security rather than preventing death in the sea. The EU's security-oriented policies towards the Syrian refugees can be explained under social constructivism because states become egoist about their security if required (Wendt 1992 cited in Wendt, 1999, p. 18).

On the other hand, social constructivism says that acts of actors and states are shaped based on interest which are based on norms and identity. However, the EU's interest evolved being far away from its identity. Its identity established based on positive notions and it presents norms, values, democracy, human rights, respecting for and protection of minorities, justice and etc. The EU's current migration and asylum

policies move away from the EU's founding ideals. The EU does not act in compliance with social constructivism thus; it constitutes a challenge for constructivist perspective.

In 2013, the Readmission Agreement between the EU and Turkey was signed. The EU aimed to send people who came to the EU borders through Turkey by using it as illegal or transit. Turkey agreed to repatriate these people to their countries. The visa liberalization process was determined as a final goal of the agreement, and it was started concurrently with the agreement.

In this agreement, the EU moved away from its constituent principles. The EU has been established based on norms and shared beliefs after a social interaction between the member states. The EU's constituent values and principles are freedom, human rights, the rule of law, justice, and democracy. However, the EU's attitude towards refugees increased questions about whether the EU uses readmission agreement truly or not because the EU violates non-refoulement principle of 1951 Convention by sending refugees from its borders to Turkey. It does not grant them right to asylum. These policies limit Syrian refugees from going to the EU and apply for asylum. Readmission agreement and refugee crisis management process showed that the immigrants were comprehended as threats to the internal security and emergency to social harmonization in the EU (Elitok, 2013, p. 171). Therefore, the EU pursued security-oriented policies towards the migrants and refugees. The EU did not shape its policies in accordance with its constituent principles as assumed by social constructivism.

In November 2015, the EU and Turkey agreed upon the Joint Action Plan. The EU accepted to support Syrians in Turkey financially and Turkey accepted to improve conditions of Syrians in Turkey. The EU aimed to stop irregular migration and migration from Turkey to its borders. On 18 March 2016, the EU-Turkey Statement regarding the migration crisis indicated that Turkey and the EU stay the course of reconciliation and even bring a solution. The EU and Turkey aimed to prevent irregular migration. However, the agreement violated non-refoulement principle of international law even though it was established respecting non-refoulement principle and international standards. Because, after the agreement, wrong deportations were

observed (HRW, 2016). Thus, the EU's trustworthiness is questioned. Also, the EU's efforts about resettlement and relocation of refugees from Turkey to the EU were slow and not enough according to the Commission's Implementing Regulation (EU) 2016/480 (COM/2016/480 final). The EU did not regulate its policies under humanitarian approach and regard refugees and their human rights under the agreements.

Clearly, the EU and Turkey have a continuous relationship about asylum seekers and refugees. Likewise, the refugees became a bargaining chip between the EU and Turkey. The EU seeks to convince Turkey to carry out obligations arising from the agreements; Turkey endeavors to be part of the EU by fulfilling its role defined in these agreements.

In order to comply with the EU, Turkey has been trying to adopt the EU's migration and asylum regime, while it is affected by the EU's securitizing discourse and logic on migration, Turkey protects its state-centric interests (Toğral, 2012, p. 73). Under the Readmission Agreement, Turkey improved its migration policy by restricting its visa policy and applying militarized and technologized border control. Nevertheless, restrictive policies create adverse outcomes for people who endeavor to enter Turkey and the EU irregularly. Many deaths occurred at sea. If legal ways are closed down, migrants try to reach their aims by using illegal ways. Preventing migration does not bring a solution to the migration problem. For this reason, the EU and Turkey should also pay attention to migrants because they face oppression, poverty, hunger, and losing their lives to reach Europe.

After the Syrian refugee crisis started, Turkey applied an open-door policy which ended now. Turkey responded to Syrian refugee crisis from a humanitarian perspective. Turkey acted in accordance with international norms, humanitarian values, and human rights for granting protection to Syrian refugees. Turkey applied non-refoulement principle of international law. Besides, Turkey granted temporary protection to people from Syrian Arab Republic in Temporary Protection Directive 2014.

All of these mean that Turkey defined the legal rights for Syrian refugees during their stay in Turkey. Turkey seeks to improve the legal rights of people from the non-EU countries. In addition to this, Turkey has an aim to develop a migration and asylum policy in accordance with the EU standards because it has an EU membership perspective. Turkey aimed the EU to implement visa liberalization for Turkish citizens as a result of the readmission agreement. Therefore, Turkey considered its interest under the agreements with the EU for Syrian refugee crisis. Social constructivism can bring an explanation for Turkey's approach towards Syrian refugee crisis because according to social constructivism, identity and interest have an effect on international relations (Wendt, 1992, p. 394). Turkey's policies are shaped based on identity and interests in the refugee issue.

On the other hand, whereas Turkey gives Syrian people temporary protection, it does not grant them refugee status. The legal status of Syrian people in Turkey is unclear. Turkey does not lift the geographical limitation, which creates impediments in the way of providing full international protection to people in need. This limits Syrian people from accessing extensive legal rights in Turkey. Thus, Turkey abstains from giving refugee status to people from the non-EU countries. In this regard, Turkey's restrictive policies can be explained under realism to some extent as is the same for the case of the EU. Turkey avoids removing geographical limitation because it does not want to be a buffer zone.

Moreover, Turkey is not willing to accept huge number of refugees and give them permanent status, as they may have a negative effect on economic, social, and cultural interests of Turkey. Whereas the EU tries to reduce the number of asylum seekers and refugees into its borders, it puts pressure on Turkey for it to remove geographical limitation and give refugees a permanent status. The EU concentrated on its interests more. Therefore, the EU and Turkey acted in compliance with interest description of social constructivism because social constructivism emphasizes that identity and interest are as important as material forces in international relations.

It seems that the EU tries to keep refugees out of European borders based on the deal with Turkey. However, the EU does not put emphasis on this side of the issue.

Because the EU perceived the problem would be resolved if Turkey lifts geographical limitation and grants refugee status to the Syrians. Thus, the EU determines its priority based on “fewer refugees” policy. In order to create sustainable solutions, the EU has to take prudential precautions by bringing easier asylum applications in the EU for refugees because as long as the EU applies strict policies for migration, migrants try to go to Europe through illegal ways. Even, some member states do not want to take some responsibility and burden increased on other member states. Thus, common EU stance should be backed by the willingness of all members.

Further, the economy of the majority of the EU states is more positive than Turkey by looking at basic indicators such as GDP per capita and unemployment rate. GDP per capita of majority of the EU states is higher than Turkey. GDP per capita in Turkey is similar to GDP per capita in Croatia, Hungary, Latvia, and Poland and more than Bulgaria and Romania (Eurostat, 2019). In addition, unemployment rate of Turkey is 14.7 % in December-February period in 2018-2019 (Evans and Spicer, 15 April 2019). It is more than majority of the EU states, just lower than Greece which is 18.5% in 2019 (Eurostat, 2019). However, Turkey accepted majority of Syrian people. Herein, Turkey needs financial and moral support of the EU. At this point, the EU should share similar responsibility as Turkey did regarding Syrian refugee crisis. Besides, the EU should understand Turkey’s worries about being a buffer zone. The EU should open chapters and speed up negotiations, and visa liberalization should be promulgated with the readmission agreement. Hence, moves by the EU such as visa liberalization for Turkish citizens, financial support for Turkey’s refugee relief efforts would show the EU’s commitment to the agreements made with Turkey.

Consequently, Turkey is an essential actor for the EU in the Syrian refugee crisis issue. By all means, relations that were pending between the EU and Turkey started to continue. However, the EU does not act as paradigmatic but tactical. Even some EU countries, such as Germany, suggested a privileged partnership for Turkey. Turkey evaluated this decision as a "second-class status" and expressed that Turkey is against the privileged partnership by asserting that it concluded 35 policy chapters in accordance with the EU standards (Hürriyet Daily News, 13 January 2018). These

speeches and steps in accordance with removing Turkey's membership objective can cause negative impacts on both the Turkish government and Turkish citizens. Turkey clearly expects positive steps from the EU under the reforms in accordance with the EU standards and cooperation on the Syrian refugee issue. This can be provided with the redefinition of identity and interest of Turkey at the end of successive cooperation as social constructivism asserts.

The EU has been moving away from its identity which has imposed values, equality, justice, and human and minority rights before. It seems that if the EU maintains the current attitude to refugee crisis as it is, it will not have democracy and human rights promoter mission anymore but will become the security-oriented and closed union. Social constructivism clarifies that the identity and interest transformation is possible over time. To what extent the EU's identity is transformed and how this would affect the EU's policy responses in its external relations or approach towards developments in the region and the world is a challenging question for social constructivism to address.

The founder of the Turkish Republic Mustafa Kemal Atatürk set Westernization and modernization as the founding principles. Reforms and novelties were introduced by Atatürk based on Western modernity. Furthermore, Turkey is described as "one of the most successful models of a universally defined modernization process" (Bozdoğan and Kasaba, 1997 cited in Bozdağlıoğlu, 2003, p. 35). Turkey became one of the members of the Council of Europe in 1948 and was affiliated to NATO in 1952. With these memberships, Turkey made Atatürk's objective, being part of Western civilization and at the level of contemporary civilization, real (Bozdağlıoğlu, 2003, p. 58). Turkey had a close relationship with the Western world before. Its aim was to be accepted by the Western organizations. Especially, after the end of Cold War the EU's policy towards Turkey changed. Thus, Turkey's Westernization goal transformed after the mid of the 1990s. However, Turkey still has the aim to develop closer relationships with the EU since it agreed upon the agreements and joint action plans with the EU. Despite growing problems between the two sides, relationship and cooperation on certain issues continue, which serves the interests of the both sides.

The EU aims to protect its border by cooperating with Turkey because many irregular migrants come to the EU through Turkey. Turkey has worries about becoming a buffer zone between the EU and problematic regions. Due to its geographical location, it is affected by the forced or voluntary people movement. It will accordingly create an impact on migration policy of Turkey which also affects the relationships with the EU. For 8 years and recently, the Syrian refugee crisis has been an important issue both for the EU, Turkey, and Turkey-EU relations.

Syrian refugee crisis had a remarkable impact on both Turkish-EU relations and Turkish migration and asylum regime. There is no political solution in Syria yet, it will not be wrong to argue that Syrian refugees will be high on the agenda of both Turkey and the EU member states for the years to come. The crucial debate on the Syrian refugee crisis and its implications for the people, countries, international actors and the world will be ongoing. Therefore, this thesis focused on a highly important issue with the hope to contribute to the studies and discussions on the Syrian refugee crisis. It is hoped that the questions asked at the beginning of the research project and new questions that emerged throughout the research process will inspire new research.

Finally, the thesis hopes to contribute to the studies and discussions on the Syrian refugee crisis. It is expected that the questions raised in the research process as well as the questions asked in the thesis process will inspire new research.

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