

T.C.
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ORTADOĞU SİYASİ TARİHİ VE ULUSLARARASI İLİŞKİLER

**Civil Society's View About Turkey's Migration and Asylum
Policy and Syrian Refugee Crisis**

**(Sivil Toplumun Türkiye'nin Göç ve İltica Politikası ve Suriye Mülteci Krizine
Bakışı)**

Yüksek Lisans Tezi

ANNA ROZSYPALOVÁ

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FOREWORD

When I came to Istanbul for the first time, in October 2011, I did not encounter many Syrians, if any. Indeed, in 2011 and 2012, there was no sign that the Syrian crisis would have any impact on Turkey. By time, however, as the Syrian Civil War appeared not to finish soon, many Syrians decided to leave their home country and to take refuge in Turkey. Indeed, since 2013, the atmosphere in Istanbul has changed to a great extent. Due to various reasons, such as more job opportunities etc., most Syrians who escaped their country as a result of the civil war decided to take refuge particularly in big Turkish cities, especially in Istanbul, Ankara and Izmir. As a result, since 2013, Turkish people have started to feel Syrians' presence in their daily life.

A completely new situation emerged. As a result of the policy pursued by Turkish governments since the establishment of the Republic of Turkey (1923), Turkey sought to avoid too much contact with the Middle Eastern countries. With the outbreak of the Syrian refugee issue, however, the Turkish State was supposed to take immediate measures in order to address the emergency situation as effectively as possible. When watching the news, it was always highlighted that Syrians escaping the civil war would be welcomed in Turkey with open arms as "guests" and "brothers" who need help from Turkish people.

Indeed, at the beginning of the Syrian issue I encountered more or less only positive approaches of Turkish people. I saw their willingness to provide Syrians with humanitarian aid. However, as it turned out that the Syrian Civil War would not finish soon, I have slowly realized that Turkish population have become more and more sceptical of the presence of Syrians in Turkey. In fact, since that time many crucial questions have arisen among Turkish public, such as *'Are Syrians actually welcomed in Turkey?'*, *'Are Syrians not an economic/social burden for Turkey?'*, *'In case Syrians stay in Turkey for a long term, what measures should be taken in order to ensure a social cohesion and economic welfare of Turkish people?'*

When taking into consideration the latest development, I have to acknowledge that the Syrian issue is becoming more complex. There is not only a question of humanitarian assistance which should be provided to Syrians. The welfare of Turkish people should be taken into account as well as integration strategies which would ensure adequate integration of Syrians into Turkish society should be developed.

ABSTRACT

The aim of the research is to examine the complex questions related to the impacts of the refugee movement on the host state and its population from a neutral point of view of a social scientist and to address the crucial questions which arise as a result of a sudden, unexpected mass influx of "refugees" into the host country.

More concretely, the research work is supposed to analyse the overall nature of the Syrian "refugee" issue in Turkey which has gradually evolved since 2011, 2012-2013 respectively. Particularly the fact that Syrians have been placed under temporary protection, instead of being granted a proper refugee status, is a very disputable issue raising a wide range of questions over the legality of this political step. Meanwhile, it must be acknowledged that the overall reformation of Turkey's migration and asylum system has had a very positive impact on Syrians as well. In particular, the introduction of the *Law on Foreigners and International Protection* is worth appraisal.

The research is composed of two parts, i.e. the theoretical and the practical one. The theoretical part is the outcome of the academic researches focusing on the history of Turkey's migration and asylum system, and the Syrian "refugee" issue respectively. Indeed, the theoretical part is supposed to mirror general academic reflections on the two above mentioned subjects.

The prior attention should be drawn particularly to the second, i.e. the practical part which is based on the interviews personally conducted with the representatives of the civil society. In comparison to the first part, the practical part is aimed to mirror general perception of Turkish civil society with regards to the Syrian "refugee" issue. Indeed, the practical part is supposed to intermediate a more in-dept insight into the question and to involve the civil society in the solution-finding process. Moreover, the aim of the practical part is to let the representatives of Turkish civil society express their points of view and to contribute to a national dialogue which, in fact, is a pre-condition for finding a balanced and sustainable solution to the Syrian "refugee" issue in Turkey.

Key words: Turkey, mass influx, Syrian "refugee" crisis, a host state, temporary protection, refugee status, the Law on Foreigners and International Protection, migration and asylum policy, civil society

ÖZET

Bu çalışma, mülteci hareketinin ev sahibi devlet ve nüfusunun üzerindeki etkileriyle alakalı karmaşık soruları, ve ev sahibi ülkeye doğru gerçekleşen beklenmedik “mülteci” akınıyla ilgili soruları, bir sosyal bilimcinin tarafsız bakış açısıyla ele almayı ve incelemeyi hedeflemektedir.

Daha somut bir ifadeyle çalışmanın konusu, 2011-2013 yılları arasında Türkiye’de kademeli olarak gelişen Suriye mülteci meselesinin genel niteliğini analiz etmektir. Özellikle mülteci statüsü verilmesi yerine Suriyelilerin geçici koruma altına alınması, bu politik adımın yasallığı açısından çok tartışmalı bir konu. Öte yandan, Türkiye’nin göç ve iltica sisteminin genel reformunun da Suriyeliler üzerinde çok olumlu bir etkisi olduğu kabul edilmelidir. Bu kapsamda, Yabancılar ve Uluslararası Koruma Kanunu’ndan bahsetmek gerekir.

Araştırma teorik ve pratik olmak üzere iki bölümden oluşmaktadır. Teorik bölüm; Türkiye’nin göç ve iltica sisteminin tarihine ve Suriyeli mülteciler konusuna odaklanmaktadır. Tabi ki teorik bölümün yukarıda söz edilen iki konuyla ilgili akademik tartışmaları yansıtması amaçlanmaktadır.

Son olarak, çalışmanın esas bölümü, sivil toplum temsilcileriyle şahsen yapılan görüşmelere dayanan pratik kısımdır. Bu bölüm, Türkiye’deki sivil toplumunun Suriyeli mülteci meselesi hakkındaki genel algısını yansıtmayı hedeflemektedir. Elbette ki pratik bölümün sorunla ilgili daha derin bir kavrayış kazandırması ve sivil toplumu çözüm bulma sürecine dahil etmesi planlanmaktadır. Ayrıca bu bölüm, Türk sivil toplum temsilcilerine meseleye bakışlarını ifade etme imkanı vermeyi ve Türkiye’deki Suriyeli mülteciler sorununa sürdürülebilir ve dengeli çözüm bulmada bir ön koşul olan ulusal bir diyaloga katkıda bulmayı amaçlamaktadır.

Anahtar kelimeler: mülteci akını, ev sahibi devlet, mülteci statüsü, geçici koruma, göç ve iltica politikası, Yabancılar ve Uluslararası Koruma Kanunu, Suriye “mülteci” krizi, Türk sivil toplumu

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LIST OF ABBREVIATIONS

AFAD	Disaster and Emergency Management Authority	(Afet ve Acil Durum Yönetimi Başkanlığı)
AKP	Justice and Development Party	(Adalet ve Kalkınma Partisi)
ASAM	Association for Solidarity with Asylum Seekers and Migrants	(Sığınmacılar ve Göçmenlerle Dayanışma Derneği (SGDD))
CHP	Republican People's Party	(Cumhuriyet Halk Partisi)
DGMM	Directorate General of Migration Management	(İçişleri Bakanlığı Göç İdaresi Genel Müdürlüğü)
DPT	Turkish State Planning Organisation	(Devlet Planlama Teşkilatı)
ECHR	European Court of Human Rights	
ECRE	European Council for Refugees and Exiles	
EU	European Union	
Frontex	European Border and Coast Guard Agency	
GÖÇNET	Migration Registration System	
HLSC	High Level Strategic Council	
HUGO	Migration and Politics Research Center at Hacettepe University	
ICMC	International Catholic Migration Commission	
İGAMDER	Research Center on Asylum and Migration	(İltica ve Göç Araştırmaları Merkezi)
İİBK	Turkish Employment Service	(İş ve İşçi Bulma Kurumu)
İKGV	Human Resource Development Foundation	(İnsan Kaynağını Geliştirme Vakfı)
INGO	International non-governmental organisation	
IOM	International Organization for Migration	
ISIS	The Islamic State of Iraq and the Levant	
İŞKUR	Turkish Labour Agency	(Türkiye İş Kurumu)
LFIP	Law on Foreigners and International Protection	(Yabancılar ve Uluslararası Koruma Kanunu)
MHP	Nationalist Movement Party	(Milliyetçi Hareket Partisi)
MİREKOÇ	Migration Research Center at Koç University	

Mülteci-Der	Association for Solidarity with Refugees (Mülteciler Derneđi)	
NGO	Non-governmental organisation	
OSF	Open Society Foundation	(Açık toplum vakfı)
PKK	Partiya Karkerên Kurdistanê	(Kurdistan Workers' Party)
PYD	Democratic Union Party	(Partiya Yekîtiya Demokrat)
SNC	Syrian National Council	
SUKOM	a software package collecting and sharing information about Syrians and their families	
TBMM	Grand National Assembly of Turkey	(Türkiye Büyük Millet Meclisi)
TESAR	Social, Economic and Political Research Center	
TPR	Regulation on the Temporary Protection	(Geçici Koruma Yönetmeliđi)
UN	United Nations	
UNDP	United Nations Development Programme	
UNHCR	United Nations High Commissioner for Refugees	
UNICEF	United Nations Children's Emergency Fund	
USA	United States of America	
USSR	Union of Soviet Socialist Republics	
YTB	Yurtdışı Türkler ve Akraba Topluluklar Başkanlığı	

INTRODUCTION

The Syrian refugee crisis is an immediate outcome of the Syrian Civil War which broke out in Syria in 2011. In order to escape war time atrocities, many Syrians left Syria to take refuge in one of the neighbouring countries, such as Turkey, Jordan, Iraq, Lebanon, and Egypt. Due to various reasons, however, the largest number of Syrians decided to take shelter in Turkey.

At the beginning of the Syrian refugee issue, Turkey rejected any kind of international humanitarian assistance, stating that Turkey has enough capacity to deal with the situation on its own. However, as more and more Syrians have arrived in Turkey, Turkish government has slowly changed its initial stance. By time, Turkey has become more open to any non/material humanitarian support from the international community.

Traditionally, Turkey had pursued a rather restrictive migration and asylum policy. Indeed, Turkey's migration and asylum policy was overwhelmingly determined by the *1934 Settlement Law* according to which only migrants of "Turkish descent and culture" were allowed to migrate and settle in Turkey. Meanwhile, Turkey has become a signatory party to the *1951 UN Refugee Convention* and its *1967 Protocol*. At this point it is important to mention, however, that Turkey adopted the principles of the *1951 UN Refugee Convention* only with a geographical limitation. More concretely, only asylum seekers of European origin have been allowed to enjoy international protection in Turkey.

Until the 1980s, Turkey had not faced substantial problems with regards to its migration and asylum policy. However, as more and more irregular migrants started to come to Turkey as a result of the wars taking place in the region, i.e. the Afghan war of 1979, the Iranian Revolution of 1979 etc., Turkey has slowly realized the negative effects caused by the presence of the newcomers in Turkey. As a result of the aggravated situation, Turkey adopted the so-called *1994 Asylum Regulation* which granted more privileges to Turkish authorities with regards to the refugee status determination.

At the beginning of the 2000s, i.e. in the framework of the EU accession process, Turkish government adopted a wide range of reforms related to its migration and asylum policy. Nevertheless, it has especially been the Syrian refugee crisis which might be considered a prime stimulation for Turkey's re-evaluation of its migration and asylum regime. Since the beginning of the Syrian refugee crisis, Turkish government has taken a wide scope of measures with the aim to address the emergency situation adequately. Most importantly, in 2013, the *Law on Foreigners and International Protection* (LFIP) was adopted. On the other hand, in 2014, the *Temporary Protection Regulation* (TPR) was issued. The LFIP and the TPR have been supposed to set a comprehensive migration and asylum legal framework which would not only address the current lacking points

in Turkey's migration and asylum policy, but would also prepare Turkey to effectively target any other future migration movements, mass influxes respectively, to Turkey.

In the first part, I would like to focus on the development of Turkey's migration and asylum regime since the establishment of the Republic of Turkey (1923) until the present time from an historical perspective. Meanwhile, I will enlarge the scope of my attention to the development of Turkey's migration and asylum legal framework in the above mentioned period. In the first part, I will also intermediate a brief overview of the irregular migration in Turkey, with taking into account the effects of the re-admission agreements, Turkey's enhanced international cooperation on illegal smuggling and trafficking, and Turkey's integrated border management which has been significantly improved in the recent time.

In the second part of my research, I will engage with the Syrian refugee crisis in Turkey. In this regard, I will first present a brief overview of the relations between Syria and Turkey before the Syrian Civil War broke out. Subsequently, I will focus on the Syrian refugee crisis in Turkey more deeply. I will also draw attention to the legal framework which has been supposed to address the current Syrian issue. At that point, I will engage with the newly introduced *Law on Foreigners and International Protection* (2013), the temporary protection status granted to Syrians taking shelter in Turkey, and the *Temporary Protection Regulation* (2014). In the second part, I will intermediate a brief overview of the institutions responsible for the management of the Syrian refugee crisis. In this regard, I will particularly focus on the activities of the Directorate General of Migration Management (DGMM), Migration Policies Board, AFAD, the UNHCR, and the International Organisation for Migration (IOM). Last but not least, in the framework of the second part, I will also clarify the asylum application procedure pursued in Turkey.

In the third chapter *Syrian "refugees" in Turkey*, I will engage with the question of Syrians taking refuge in Turkey. In this context, I will focus on both Syrians taking shelter in the refugee camps as well as Syrians living outside the refugee camps. Meanwhile, I will focus on the issues related to the basic social services granted to Syrians and to the questions of Syrians in the Turkish labour market.

Contrary to the first three chapters of my thesis which are based on the information collected from the academic articles and publications, i.e. the theoretical overview of *Historical, legal and institutional background of Turkey's migration and asylum policy*, *The Syrian Refugee Crisis in Turkey*, and *Syrian refugees in Turkey*, the fourth part *The Syrian refugee crisis and the perception of the civil society* is intended to be an analytical part. In the fourth chapter, I will investigate the Syrian refugee crisis in Turkey by the means of conducted interviews with the representatives of the national NGOs, foundations, and research centers. The prior aim of the analytical part is to intermediate an inside analysis of a general point of view of Turkish civil society with regards to

the refugee issue currently taking place in Turkey.

The civil society is represented by a wide range of non-governmental organisations, foundations, academic as well as non-profitable research centers. The prior aim of the civil society is to promote civil society's interests and to be a counterweight to government's policies. Indeed, the civil society organisations are supposed to be important interlocutors between the civil society and the government.

The civil society organisations might conduct researches independently of government's policies. They are in a direct contact with Turkish public when organising symposia, conferences, workshops, or while conducting various field works. The researches conducted by the civil society organisations are supposed to be objective, unbiased and critical. They are expected to reflect the crucial points from different angles. In other words, the civil organisations might be regarded as a soft power which can contribute to government's policies making them more harmonized, effective and safeguarding social cohesion. The civil society is supposed to defend public interests even though they might be contrary to official state policies. In some cases, non-governmental organisations and foundations are even supposed to provide material as well as non-material assistance to people in need.

There are both international and national civil society organisations in Turkey. However, it is worth to mention that the civil society organisations in Turkey do not have a strong position. Their influence is limited to a certain level. Indeed, the state's policies are still determined by unilateral government's decisions, not taking into account the views of the civil society which might even oppose government's policies. Under those conditions, a black-and-white political environment has been created. With government's acknowledgement of the important role of the civil society organisations and granting them more space for cooperation with the state authorities, critical national issues might be addressed in a more harmonized way with long-lasting positive effects.

There is a wide range of national and international NGOs established in Turkey. The prime mission of the NGOs is to provide a legal and psychological assistance to migrants living in Turkey, and in more severe cases, to provide them with humanitarian aid in the form of material and non-material support. Among the most prominent national NGOs belong the Association for Solidarity with Asylum Seekers and Migrants (ASAM), the Research Center on Asylum and Migration (İGAMDER), Open Society Foundation (OSF), Citizens' Assembly, Association for Solidarity with Refugees (MÜLTECİ-DER), and Human Resource Development Foundation (İKGV). There is a number of academic research institutes in Turkey engaging with the migration and asylum policies, such as MiReKoç Institute at Koç University, HUGO Institute at Hacettepe University, İstanbul Bilgi University Center for Migration Research as well as other research centres conducting research on migration in Turkey at a lower scale.

It is important to mention that religious NGOs, such as İHH etc., have played an important role with regards to the management of the Syrian refugee crisis as well. Similar to secular NGOs, there is a net cooperation of the religious NGOs among each other. It is matter of fact, however, that the cooperation of the secular and religious NGOs with each other is unlikely to happen.

Apart from the international and national NGOs, the UN institutions and agencies have helped Turkey, by the means of financial assistance and a knowledge transfer, to sustain the Syrian refugee crisis to a large extent. Particularly, Unicef and UN Development Programme have played a key role in this regard.

Methodology and Limitations

The analysis of the perception of Turkish public with regards to the Syrian refugee crisis in Turkey is of a high importance from many points of view. First of all, the academic researches are more or less limited to the political/economic/security aspects of the crisis. In order to encompass the whole context of the refugee crisis and to predict its future development, academic researches neglect to take into consideration subjective viewpoints and approaches of Turkish public towards Syrian "refugees". Indeed, it should primarily be a public opinion which would critically evaluate government's policies and highlight national interests. In case the government does not consider public will and concerns, social cohesion might be disrupted.

The Syrian refugee crisis should not be analysed from one angle, i.e. taking into consideration only government's policies towards the Syrian "refugees". In general, the policies of the government might be directed in a right way, however, there might be some points where government might not pursue an appropriate policy which would ensure social cohesion for its citizens, even, the adopted policy might sometimes endanger national interests. Due to this reason, I would like to stress the important role of the civil organisations, such as the national NGOs, foundations, research centers etc., which might serve as the key interlocutors between the public society and Turkish state authorities. Indeed, since the NGOs are important part of the civil society, their researches might be pretty contributinal for the government when designing national policies.

Indeed, the Syrian refugee crisis is an utmost challenging situation having very negative impact on daily life of Turkish people in many aspects. With the prolongation of the crisis, anti-refugee sentiments among Turkish public have gradually arisen. Initially, Turkish people welcomed Syrians with open arms. However, as time passed, the tension between Turks and Syrians have started to grow when both communities realized that their cultural habits and values differ considerably.

The interviews are crucial for understanding the perception of the representatives of Turkish public with regards to the Syrian refugee crisis currently taking place in Turkey. In order to

achieve satisfactory answers to my questions, I have divided the interviews into several parts.

In the first part of the interviews, I have asked the interviewees about their general perceptions of the Syrian crisis. In the second part, I primarily focused on the effects of the Syrian crisis on Turkey. In the third part, the current situation of Syrian "refugees" has been investigated. In the fourth part, the attention was drawn to Syrian "refugee" children and the education granted to them. In the fifth part, I was focusing on Turkish government's policies with regards to the Syrian refugee crisis and government's cooperation with other non-state actors. On the other hand, in the sixth part, Turkish government's approach towards Syrian "refugees" has been investigated. In the seventh part, I engaged with Turkey's asylum and migration policy whereas in the eighth part, the UNHCR in connection to the Syrian refugee crisis in Turkey has been analysed. Finally, in tenth part, Turkish society's perceptions towards Syrian "refugees" has been taken into consideration. At this point, I would like to focus on each of the parts in more detail.

In the introduction part, I have introduced the civil society organisations, i.e. I have clarified the activities of those organisations, what the organisations engage with, what their mission is and what are their core principles. Meanwhile, I have investigated whether the civil society organisations engage with the Syrian refugee crisis in Turkey or not. In case of a positive reply, I asked the representatives how they engage with the Syrian issue and what their activities are in this regard.

In the second part, I have investigated how the Syrian refugee crisis has affected the region and, particularly, Turkey. Besides, I asked the interviewees what consequences the Syrian crisis might have for Turkey in a long run. Last but not least, I draw attention to the fact that in order to tackle the Syrian refugee crisis, Turkey is first supposed to solve its own domestic problems, related to education, healthcare etc.

In the third part, I have investigated the effects of the Syrian refugee crisis on Turkey. For this purpose, I asked the interviewees how they would evaluate the current Syrian refugee crisis in Turkey. Meanwhile, I questioned whether the Turkish State is economically strong enough to provide shelter to around 3 million Syrian refugees who are currently staying in Turkey. In this sense, I asked the interviewees what measures should be taken in order to stabilize the Syrian refugee crisis.

Undoubtedly, AFAD is one of the key players in the management of the refugee crisis. Therefore, I have examined how AFAD has contributed to the stabilization of the refugee crisis. Since there have been some speculations about the sufficiency of the international assistance to Turkey, I asked the personal views of the interviewees in this regard. Besides, I asked them whether there have been any legal or political obstacles which might have hindered the provision of the humanitarian assistance to Syrian "refugees" taking shelter in Turkey. I was also interested

in finding out whether there are any problems with regards to the coordination of the Syrian refugee crisis. In case any hurdles are detected, I investigated what kind of problems they pose.

Meanwhile, I wondered how Turkish government, political parties, and Turkey as a whole have addressed the Syrian refugee crisis. In this sense, I asked the interviewees how they would evaluate the response to the refugee crisis in terms of coordination and whether there have been any problems or obstacles in this regard. With the arrival of Syrian "refugees" in Turkey, some danger posing persons, including ISIS members, could have infiltrated into the country. In this context, I asked the interviewees how this situation could have been prevented. Meanwhile, I was interested in the positive impact of Syrians on Turkey if there was any and the negative sides of the influx of Syrians to Turkey. Last but not least, I raised the question how an effective cooperation between Turkey and the EU on Syrian refugee crisis could be enhanced.

In the fourth part, I have focused on the situation of Syrians staying in Turkey. I have examined what it actually means to live under temporary protection and why Syrians have not been granted a refugee status which would provide them with more rights. In this context, I asked the interviewees how this fact has been reflected in the daily life of Syrians. I was also interested in the question what rights Syrians have actually been given. Meanwhile, I asked the interviewees to evaluate which actors have helped Syrians the most. Interesting is also the fact that even though Syrians have not been granted a refugee status, there has recently been a widespread discussion that they could be granted Turkish citizenship. Last but not least, I questioned what kind of problems do Syrian "refugees" face when living in big cities and when taking shelter in the refugee camps.

In the fifth part, I have engaged with Syrian "refugee" children and the education granted to them. In this context, I have raised a crucial question of whether Syrian "refugee" children should be taught together with Turkish students or whether it would be more suitable to give them a separate education in Arabic, i.e. their mother tongue. Meanwhile, I have questioned what measures should be taken to enhance school enrollment of Syrian children. Indeed, nowadays more than 1 million Syrian children do not attend school. Instead, they are forced to work in order to support their families and to meet the ends.

In the sixth part, I have worked on Turkish government's role with regards to the management of the Syrian refugee crisis and its cooperation with other actors who helped to stabilize the situation. I have also questioned the fact whether Turkish government has tried to keep a monopolistic position with regards to the management of the refugee crisis or whether it was willing to cooperate with other non-state actors on an equal basis. Especially, I have paid attention to the actors Turkish government cooperated more closely. Finally, I have focused on the role of the NGOs/INGOs within the Syrian refugee crisis. In this sense, I have examined whether they had free access to the refugee camps and whether they were allowed to contribute to the management of

the crisis.

In the seventh part, I have engaged with the general approach of Turkish government towards the Syrian refugee crisis. In this sense, I have examined whether the Turkish State was financially/politically/legally/socially prepared for the refugee influx. Meanwhile, I have questioned some of the reasons why Turkish government has deliberately pursued a unilateral policy with regards to the Syrian refugee crisis, without letting the civil society engage with the crisis more deeply.

In the eighth part, the main focus has been on Turkey's asylum and migration policy in general. In this context, I have investigated whether the Syrian refugee crisis has actually been a stimulation for a positive development of Turkey's asylum and migration regime which, in fact, had been relatively underdeveloped for many decades. Meanwhile, I paid attention to the current reform process of Turkey's migration and asylum policy with the primary focus on the provisions endorsed in the newly adopted *Law on Foreigners and International Protection* (2013) and their implementation in practice.

In the ninth part, I asked the interviewees to evaluate the role and the engagement of the UNHCR with the Syrian refugee crisis in Turkey whereas, in the tenth part, I asked them to intermediate an overall perception of Turkish civil society with regards to the presence of Syrian "refugees" in Turkey. In this sense, I asked the interviewees how Turkish public has approached Syrian "refugees" and whether their stance to Syrian "guests" has changed over time. In case the attitude of Turkish society has changed, I was interested to what extent it has changed and how Turkish people perceive Syrians taking shelter in Turkey nowadays. Since the Syrian Civil War does not appear to finish soon and there is a high probability that Syrians will stay in Turkey permanently, I asked the interviewees whether they share the opinion that a vast majority of Syrians will remain in Turkey even though the Syrian Civil War comes to the end. Meanwhile, I was interested in the question whether the interviewees perceive Syrian "refugees" as a potential threat to the public order and social cohesion in Turkey. I also asked them where, according to them, Syrians ought to be provided with shelter. In other words, should Syrian "refugees" be placed only in the refugee camps or should they rather be integrated into Turkish society? Meanwhile, I asked the interviewees whether they perceive Syrians as an economic burden for Turkey and whether it might be true that Syrians are unscrupulously "stealing" jobs from Turkish citizens. Last but not least, I have raised a question whether it is a good idea to grant Turkish citizenship to Syrians right away without any prior evaluation of the potential consequences it might have on Turkish society, even though they have not been granted refugee status which would entitle them for international protection.

Initially, I planned to conduct thirteen interviews. Due to various reasons, however, I was

able to conduct in total only five interviews. In case of the rejected interviews from the side of the interviewees, the most common reason was a heavy workload of the potential interviewees or the unwillingness to be interviewed. The reason of one of the unsuccessful interviews was also the fact that the interviewee was reluctant to answer the questions openly, referring that s/he is not eligible to provide any information on the issue.

Indeed, the Syrian refugee crisis is an utmost sensitive issue. Until recently, the non-governmental organisations were prohibited from entering the refugee camps and it was not possible to conduct any academic research on the topic. The reason of the policy of "information conservation" was the officially adopted interpretation that the engagement of the civil society with the Syrian refugee issue might create a chaotic social environment which would prevent Turkish government from stabilizing the situation.

Obstacles faced during the interviews

In case of successfully conducted interviews, I did not face any significant obstacles during the interviews. The only hinderance was a heavy workload and a distance issue which was a reason that two of the interviews had to be taken via phone/Skype. With the approval given to me by the interviewees, I was allowed to record the interviews with them which considerably helped me to transcript the interview results into a written form.

In case of the successfully conducted interviews, the interviewees answered all questions openly and in a detailed manner. The interviewees looked at the Syrian refugee crisis from a professional, non-partisan and critical point of view. They provided me with an objective evaluation of the current situation while taking into consideration both the positive and negative sides of the government's official policies towards Syrians taking refuge in Turkey. Moreover, the interviewees also came up with a wide range of suggestions proposing how the civil society could contribute to the stabilization of the situation and how a balanced management of the Syrian refugee influx could be achieved.

Especially, when conducting interview with the representatives of ASAM, one of the most important NGO engaging with the Syrian refugee crisis, I had the opportunity to see the temporary center which was established with the prior goal to provide Syrians with the assistance comprising education, legal counselling etc. With regards to the meeting with the representatives of ASAM, I would like to mention that I was provided with a very professional and very warm guidance which gave me the opportunity to get an inside demonstration of the daily operation of the temporary center.

In each of the interviews, the interviewees underlined that the education of Syrian children as well as the integration of Syrian "refugees" into Turkish society are of crucial importance.

The interviewees put also forward that Syrian "refugee" children should be taught both in Turkish as well as in Arabic. Meanwhile, they stressed that a closer cooperation between the state authorities and the civil society with regards to the management of the Syrian refugee crisis should be achieved. Due to the fact that the Syrian war will not finish soon, there is a high probability that Syrians will stay in Turkey for a long time, perhaps permanently. Therefore, their integration into Turkish society is necessary. In this sense, Turkish citizens should be allowed to express their perceptions, needs and concerns which might have arisen from the presence of Syrian "refugees" in their daily lives.

It is worth to mention that each of the interviewee appraised government's huge capacity with regards to the management of the sudden mass influx of Syrians into Turkey, especially since 2013. It is not an easy task to provide shelter to around 3 million Syrians escaping wartime atrocities currently taking place in their home country. Indeed, even though Turkey is not economically well-off, it addressed the Syrian refugee crisis very well and in a very coordinated manner.

Meanwhile, the interviewees highlighted that there should be an unconditional inclusion from the side of Turkish public, as well. In other words, Turkish citizens should not regard Syrian "refugees" as a security threat or a mere economic burden, but as an opportunity in many ways. Firstly, Syrians could enrich Turkey culturally or professionally since most Syrians are well-educated. More importantly, Syrians might enhance economic relations between Turkey and the Arab world and to contribute to the economic growth of Turkey. Meanwhile, the interviewees have indicated that, since the Syrian Civil War does not appear to finish soon, Turkish government should unconditionally develop comprehensive and complex strategies which would take into consideration a long-term presence of Syrians in Turkey.

1. HISTORICAL, LEGAL AND INSTITUTIONAL BACKGROUND OF TURKEY'S MIGRATION AND ASYLUM POLICY

1.1 Historical development of Turkey's asylum and migration policy

With the dissolution of the Ottoman Empire and the establishment of the Republic of Turkey in 1923, a nation-building process has been introduced. Contrary to the former Ottoman Empire and its more or less tolerant migration policy, the new Turkey adopted comparatively a more restrictive stance, allowing only the migrants of "Turkish descent and culture" to apply for asylum in Turkey. In brief, with the establishment of the Republic of Turkey, a strong national State with a homogenized society was intended to be created. Indeed, "Turkishness" was the determinative element of the new Turkish nation, having been endorsed even in the 1924 Constitution according to which Turkish citizen was to be only a Turk of the Islamic faith.

At the beginning of the 1920s, in line with its nation-building policy, the Turkish State pursued a deliberate policy of people's exchange with countries which had previously been a part of the Ottoman Empire. Most importantly, based on the provisions enshrined in the Treaty of Lausanne, a forced exchange of population took place between the Turkish State and Greece.

In order to make a comprehensive overview, I have divided the historical development of Turkey's migration and asylum policy into six periods characterized by specific features. First of all, I will focus on the inter/intra-state migration movements in the Ottoman time. Subsequently, I will turn the attention to the state-led migration policy being pursued since the establishment of the Republic of Turkey until the end of the 1940s. Later, I will continue with the period of the 1950s-1970s which might be considered a period of a widespread, economically motivated emigration of Turkish citizens into European countries which took place in Turkey's history for the first time.

On the other hand, the period of the 1980s was a turning point in Turkey's immigration policies. In the 1980s, Turkey, for the first time in its history, faced an immense immigration of foreigners to its territory, i.e. people not being of "Turkish descent and culture". In fact, since the 1980s, Turkey has gradually turned into a transit country for migrants coming predominantly from Central Asia and the unstable Middle East, seeking to cross into Europe through Turkey. The 1990s were marked by rising irregular migration to Turkey and by the first attempts of Turkish government to address the challenging situation through legal adjustments and transferring more rights related to migration and asylum policies to Turkish authorities.

Only since the beginning of the 2000s, i.e. with Turkey's officially recognized candidacy for the full membership in the EU at the 1999 Helsinki European Council, a wide range of reforms

related to the migration and asylum policy have been introduced. As a result, Turkey's migration and asylum legal framework has become more coherent and in line with international and European standards. Nevertheless, it has been the Syrian refugee crisis which might be regarded as a prime stimulation for a thorough reformation of Turkey's migration and asylum regime. Without having taken adequate legal measures, the Turkish State would hardly manage the heavy social, economic and security burden created by the Syrian refugees' mass influx to its territory.

1.1.1 Migration in the Ottoman Empire

Until its dissolution in 1922, there had been a constant flow of people coming to the Ottoman Empire or only transiting through its territory. Since 1492, a large number of European Jews escaping the Spanish Inquisition took refuge in the Ottoman Empire. In the aftermath of the mid-1800s revolts, a substantial number of Hungarians and Poles opposing the Habsburg hegemony fled to the Ottoman Empire as well. In the period between 1859 and 1922, around 4 million Circassians from the Caucasus and Tatars from Crimea took shelter in the Ottoman Empire after their lands had been seized by the Russian tsar. The migration from the lands under Russian rule decreased only with the Soviet regime being consolidated in the 1920s.¹

In 1913, the Treaty of Constantinople between the Ottoman Empire and the Kingdom of Bulgaria was signed. According to the agreement, the reciprocal voluntary exchange of population residing on the territory of the two parties concerned was to be facilitated. On the other hand, in 1915, the allegedly state-led Armenian deportation took place.

It has been estimated that around 16 million people had lived on the territory of the Ottoman Empire at the beginning of the First World War. From the total amount of 16 million residents, 13 million were supposed to be Muslims while 3 million non-Muslims. Moreover, the 3 million of non-Muslims were comprised of 1.5 million Rums, 1.2 million Armenians, 128,000 Jews and 176,000 non-Rum and non-Armenian Christians.²

Indeed, the Ottoman Empire might be considered a country open to immigration. In this sense, the immense intra-territorial movement has been a prime example of this fact. Meanwhile, it is worth to mention that the vast majority of people taking shelter at the territory of the former Ottoman Empire were migrants coming predominantly from the Balkans, Central Asia and other neighbouring regions which were culturally and historically closely connected to the multi-cultural/multi-ethnic Ottoman State.

¹Kirişçi, Kemal (1996). Is Turkey lifting for the Geographical Limitation? The November 1994 Regulation on Asylum in Turkey. *International Journal of Refugee Law*, vol. 8, no. 3, pp. 295.

²İçduygu, A., Aksel, D. B (2013). Turkish Migration Policies: A Critical Historical Retrospective. *PERCEPTIONS*, vol. 18, no. 3, pp. 171.

1.1.2 Migration since the establishment of the Republic of Turkey (1923) until the 1950s

With the dissolution of the Ottoman Empire and the establishment of the Republic of Turkey in 1923, an overwhelming state-led nation-building programme has been introduced. In line with the vision to homogenize Turkish society, only migrants of "Turkish descent and culture" were allowed to migrate and to settle in Turkey.

In 1923, the Ministry of Population Exchange, Development and Settlement was established. The Ministry was tasked with a full control over the population exchanges which were to be pursued according to the reciprocity agreements concluded between the newly established Turkish State and the countries which had been a part of the former Ottoman Empire. In general, the homogenization of Turkish population was pursued in the framework of a two-tiered policy based on the *1934 Law on Settlement*. Accordingly, the people of "Turkish descent and culture", especially from the Balkan countries, were both encouraged to stay or to come to Turkey where their integration into Turkish society would be facilitated. On the other hand, the non-Muslim population, mainly Armenians and Greeks, was prevented from staying in Turkey.³ In fact, the state-led migration policy, aimed at a deliberate homogenization of Turkish society, resulted in a drastic reduction of non-Muslim population residing in Turkey from 19 per cent, recorded in 1914, to 3 per cent in 1927.⁴

The first institution which was responsible for the settlement of the immigrants in the Ottoman Empire territory was established in 1872. In 1916, it was transformed into the General Directorate on Tribes and Immigrants whereas it was subsequently supplemented by a wide range of additional institutions founded after the establishment of the Republic of Turkey.⁵ One of the most important of those institutions was the Ministry of Population Exchange, Development and Settlement, established in 1923. In legal terms, the migration and asylum policy of the new Turkey was determined by the provisions endorsed in the *Turkish Citizenship Law of 1928*, and the *1934 Law on Settlement*.

Between 1923 and 1945, most of the migrants arriving in Turkey were from the Balkans, mostly of Bulgarian, Romanian, and Yugoslavian origin. It has been estimated that during that period around 800,000 people took shelter in Turkey. Meanwhile, with Nazis having come to power

³İçduygu, A., Aksel, D. B (2013). Turkish Migration Policies: A Critical Historical Retrospective. *PERCEPTIONS*, vol. 18, no. 3, pp. 170.

⁴İçduygu, A., Aksel, D. B (2013). Turkish Migration Policies: A Critical Historical Retrospective. *PERCEPTIONS*, vol. 18, no. 3, pp. 172.

⁵İçduygu, A., Aksel, D. B (2013). Turkish Migration Policies: A Critical Historical Retrospective. *PERCEPTIONS*, vol. 18, no. 3, pp. 171.

in the 1930s, around 800 German speaking migrants, including university professors, intellectuals etc., applied for the asylum in Turkey. With the end of the Second World War, however, most of them left Turkey, even though the Turkish State encouraged them to stay.⁶

1.1.3 Migration between the 1950s – 1970s

The period between the 1950s and 1970s can be marked as a time of an immense emigration both of foreigners and Turkish nationals who decided to leave Turkey for Europe particularly due to economic reasons. Meanwhile, shortly after the Second World War, most of Jews who had taken refuge in Turkey in the wartime period, left Turkey to settle down in the newly established State of Israel. On the other hand, between 1950-51, around 154,000 Bulgarian Turks emigrated to Turkey.⁷ In 1955, as a result of the so-called Istanbul Pogrom, which took place between September 6-7, 1955, the vast majority of Istanbul's Greek minority decided to leave Turkey. In the immediate aftermath of the 1963-64 crisis in Cyprus, the rest of the Rum population has been permanently displaced from Istanbul.⁸

1.1.4 The emergence of new migration patterns in the 1980s

As it was above mentioned, from the perspective of Turkish authorities, the migration and asylum system had not faced substantial problems till the end of the 1970s. However, since the early 1980s, Turkish migration and asylum regime has changed considerably. More concretely, the Turkish State for the first time in its history directly faced not only inflow of "culturally and ethnically familiar" people but immigration of "non-Turks", i.e. "foreigners", as well. The sudden flow of irregular migrants to Turkey has been caused not only by the regional conflicts, such as the Russian invasion in Afghanistan in 1979, Iranian Revolution of 1979, Iran-Iraq War (1980-88) but due to overall globalisation process as well.

Indeed, since the beginning of the 1980s, Turkey has been transformed from a *de facto* "migrant-sending" country to a "migrant-receiving country". In fact, Turkey has gradually turned into a transit country for people coming predominantly from Central Asia and the unstable Middle Eastern countries, characterized by economic underdevelopment, sectarian division, constant conflicts and political turmoil, perceiving Turkey as a country from where they can more easily

⁶Kirişçi, Kemal (1996). Is Turkey lifting for the Geographical Limitation? The November 1994 Regulation on Asylum in Turkey. *International Journal of Refugee Law*, vol. 8, no. 3, pp. 296.

⁷Markova, E. (2010). Effects on Migration Sending Countries: Lessons from Bulgaria. The Hellenic Observatory – London School of Economics, pp. 3.

⁸İçduygu, A., Aksel, D. B (2013). Turkish Migration Policies: A Critical Historical Retrospective. *PERCEPTIONS*, vol. 18, no. 3, pp. 173.

cross into Europe without possessing any special documents.

Iranian Revolution (1979)

In the early 1980s, i.e. in the aftermath of the Iranian Revolution of 1979, a large number of Iranians opposing Khomeini's regime arrived in Turkey. Unfortunately, there is no specific data on their numbers since most Iranians were allowed to enter and leave Turkey without any proper registration on a regular basis, which effectively enabled them to maintain their residence in Turkey without any appropriate permission. In general, Turkish authorities required Iranians only to provide them with valid passports and to prove that they have enough economic means to meet the ends in Turkey. On the other hand, Iranians who were unable to show any adequate identity document or those who entered Turkey illegally were, in most cases, charged only with a symbolic fine and then sent free.⁹

It has been assumed that between 1980-91, around 1.5 million Iranians benefited from Turkey's relatively liberal migration policy towards them.¹⁰ Meanwhile, as a political move not to offend the Iranian regime, the Turkish State tried to discourage Iranians from submitting official applications for asylum in Turkey. Only in exceptional cases, when Iranians insisted on their asylum applications, Turkish authorities allowed the UNHCR Office in Ankara to fully complete the protection status determination. The Iranian asylum seekers concerned were allowed to stay in Turkey, however, only until their refugee status was determined and their resettlement to a third country, preferably to one of the European countries, the USA, or Canada, was provided.¹¹

Iran-Iraq War (1980 - 1988)

As a result of the Iran-Iraq War which took place between 1980-1988, around 51,542¹² Iraqis applied for asylum in Turkey. Initially, Turkey did not allow Iraqis to enter its territory. However, due to the ardent international and domestic criticism, Turkey, in the end, admitted Kurdish asylum seekers and provided them with humanitarian protection, without granting them a refugee status. Based on the amnesty for Kurds which was later proclaimed by the Iraqi government, most Iraqi Kurds returned to Iraq.¹³

⁹Kirişçi, Kemal (1996). Is Turkey lifting for the Geographical Limitation? The November 1994 Regulation on Asylum in Turkey. *International Journal of Refugee Law*, vol. 8, no. 3, pp. 296.

¹⁰Aras, N.E.G., Mencutek, Z.S. (2015). The international migration and foreign policy nexus: the case of Syrian refugee crisis and Turkey. *Migration Letters*, vol. 12, no. 3, pp. 197.

¹¹Kirişçi, Kemal (1996). Is Turkey lifting for the Geographical Limitation? The November 1994 Regulation on Asylum in Turkey. *International Journal of Refugee Law*, vol. 8, no. 3, pp. 298.

¹²Aras, N.E.G., Mencutek, Z.S. (2015). The international migration and foreign policy nexus: the case of Syrian refugee crisis and Turkey. *Migration Letters*, vol. 12, no. 3, pp. 197.

¹³Aras, N.E.G., Mencutek, Z.S. (2015). The international migration and foreign policy nexus: the case of Syrian refugee crisis and Turkey. *Migration Letters*, vol. 12, no. 3, pp. 197.

Mass influx of Bulgarian Turks (1989)

In 1989, as a result of decades-lasting discriminatory policies of Bulgarian State towards its Turkish minority, around 360,000¹⁴ ethnic Turks left Bulgaria for Turkey. At that time, Turkish government many times officially declared that the Turkish State would admit Bulgarian Turks with open arms and would facilitate their integration into the Turkish society.

1.1.5 Migration in the 1990s

In the 1990s, after the dissolution of the Soviet Union (USSR), the number of the asylum seekers coming from the former Soviet republics has decreased to a minimum. Even though there was a certain amount of asylum applications submitted by Azeris, Chechens, and Uzbeks, the Turkish authorities refrained to accept them. Instead, they let the asylum applicants of the above mentioned nationalities stay in Turkey without any proper registration. The Turkish State also allowed them to benefit from the rights which were applicable for the asylum seekers of "Turkish descent and culture" whereas after a certain period of time they were eligible for being granted Turkish citizenship.¹⁵

In 1992/93, Turkey offered a humanitarian protection also to Bosnian Muslims who fled to Turkey in order to escape wartime atrocities of the Yugoslav war. As of 1996, Turkish government gave a green light to the UNHCR plan for the voluntary repatriation of refugees and displaced persons from former Yugoslavia.¹⁶

Even though the irregular transit migrants have already started to flow to Turkey since the early 1980s, until the mid-1990s, the Turkish State ignored the issue of transit migration to a great extent. The fact that the core European states had raised the problem of transit migration to their territories on their political agendas was, indeed, the prime stimulation for Turkish government to get aware of the urgent need to address the new phenomenon and to reconsider its migration policies. Moreover, the sudden mass influx of Iraqis (of Kurdish origin) to Turkey in the aftermath of the First Gulf War (1990/91) made utmost clear that Turkey did not have enough capacity to admit such an enormous number of "refugees".

In the 1990s, the tension between Turkish authorities and the UNHCR had gradually intensified. Turkish authorities were highly disturbed by the fact that they frequently discovered the UNHCR-recognised refugees, without being recognised as refugees by Turkish authorities, only at the international airports in Istanbul and Ankara when the asylum seekers were about to be

¹⁴Markova, E. (2010). Effects on Migration Sending Countries: Lessons from Bulgaria. The Hellenic Observatory. London School of Economics, pp. 3.

¹⁵Kirişçi, Kemal (1996). Is Turkey lifting for the Geographical Limitation? The November 1994 Regulation on Asylum in Turkey. *International Journal of Refugee Law*, vol. 8, no. 3, pp. 296.

¹⁶Ibidem.

resettled to third countries. Moreover, when Turkish authorities tried to prevent the departure of the UNHCR-recognised refugees, they often had to face an ardent criticism from the international community. To make the matters worse, it sometimes happened that even the members of Turkish Parliament or Ministers intervened in favour of the refugees.¹⁷

The mass influx of the Iraqi refugees in the aftermath of the First Gulf War (1990/91)

Initially, the Iraqi refugees (of Kurdish origin) who sought refuge in Turkey in the aftermath of the First Gulf War (1990/91) were prohibited by Turkish government to enter its territory. However, due to a strong international and domestic criticism, Turkish government finally allowed Iraqis to take shelter on its territory. Nonetheless, without being granted *de iure* a refugee status. Indeed, Turkish officials regarded Iraqis as a serious threat to national security rather than people in need of humanitarian protection.¹⁸

The Iraqi mass influx was a great challenge for the Turkish State. Turkish officials have realized that they did not have enough capacity to deal with the crisis. Meanwhile, they accused the international community, especially the UN, that it has left Turkey alone without providing it with a sufficient humanitarian assistance.

In the end, with the creation of the "no-fly zone/safe heaven", most Iraqis returned to Northern Iraq. Iraqis who remained in Turkey, were regarded by Turkish authorities only as illegal migrants seeking a better economic life. In this sense, Turkish officials often pointed out that with the creation of the no-fly zone, Northern Iraq became a safe place, therefore, Iraqis did not have a reason to take shelter in Turkey anymore. With this mindset, Turkish authorities tended to deport Iraqis from Turkey on a frequent basis.

1.1.6 Migration since the 2000s

Especially since the early 2000s, the migration in Turkey has been characterized by more or less four migrant categories, i.e. the irregular labour migrants, the transit migrants, the asylum seekers and refugees, and the regular migrants. The irregular migrants are people who either come to Turkey only with the aim to cross into a third country, or people who stay in the country without required documents. The asylum seekers and refugees, too, are considered irregular migrants since most of them come to Turkey through irregular border crossings. The regular migrants are

¹⁷Kirişci, Kemal (1996). Is Turkey lifting for the Geographical Limitation? The November 1994 Regulation on Asylum in Turkey. *International Journal of Refugee Law*, vol. 8, no. 3, pp. 296.

¹⁸Aras, N.E.G., Mencutek, Z.S. (2015). The international migration and foreign policy nexus: the case of Syrian refugee crisis and Turkey. *Migration Letters*, vol. 12, no. 3, pp. 198.

foreigners who arrive in Turkey for education, employment, or for a long-term residence.¹⁹

Since 2012, the number of Afghan migrants has increased significantly. In 2013, the UNHCR even refrained from accepting asylum applications submitted by Afghan asylum seekers for an undefined period of time. During that time, new applications were rejected whereas the existing applications were put on hold, only with the exception of the most vulnerable cases.²⁰

In the recent years, there has been a significant increase in immigration to Turkey of economically motivated people of African origin. The irregular migration of Africans to Turkey has been considered by the Turkish authorities a serious problem since most African migrants have been dropped off in Turkey by international human smugglers only by coincidence without a prior knowledge.²¹ In general, African migrants profit from Turkey's asylum procedure based on the principle of *non-refoulement*. In most cases, Africans remain in Turkey despite the fact that their asylum applications have been rejected by the UNHCR until they try to cross into Europe illegally.²²

Even though Turkey's migration and asylum regime has been significantly liberalized in the last two decades, i.e. taking into consideration the *Settlement Law of 2006*, the *Law of Foreigners and International Protection*, in practice, however, the immigration to Turkey has still been restricted to the asylum seekers of "Turkish descent and culture".²³

1.2 Development of Turkey's asylum and migration legal framework

Until the 1990s, the migration and asylum policy had been slightly ignored by Turkish governments. Since the establishment of the Republic of Turkey in 1923, a nation-state building process has been introduced. According to the official policy, all Turkish citizens were to be Turks and Muslims. In line with this policy, a homogenisation of the society was to be achieved. In fact, the migration and asylum regime of the new Turkey was shaped in line with this national policy. As a result, only migrants of "Turkish descent and culture" were to be formally recognised as asylum seekers.

In 1950, Turkey became a signatory party to the *1951 UN Refugee Convention* which set the basic standards of the international refugee law. Turkey, however, adopted the *1951 UN Refugee Convention* only with a geographical and time limitation. As a result, only people of European

¹⁹İçduygu, A., Aksel, D. B (2013). Turkish Migration Policies: A Critical Historical Retrospective. *PERCEPTIONS*, vol. 18, no. 3, pp. 179.

²⁰Skrieland, Ö.G. (2016). Seeking Asylum in Turkey. Norwegian Organisation for Asylum Seekers, pp. 23.

²¹Kolukirik, S., Aygül, H.H. (2009). Refugees and Asylum Seekers in Turkey: Sociological Aspects of an International Migration Movement. *Journal of Muslim Minority Affairs*, vol. 29, No. 1, pp. 79.

²²İçduygu, A., Yüksek, D. (2008). Rethinking Transit Migration in Turkey: reality and representation in the creation of a migratory phenomenon. *Population, Space and Place*, vol. 18, no. 4, pp. 9.

²³İçduygu, A., Aksel, D. B (2013). Turkish Migration Policies: A Critical Historical Retrospective. *PERCEPTIONS*, vol. 18, no. 3, pp. 181.

origin escaping from the countries of their origin 'as a result of events occurring before 1 January 1951'²⁴ might have been officially recognised as refugees. With the adoption of the *1967 Protocol*, Turkey ultimately refrained from the time limitation to the *UN 1951 Refugee Convention*. Nonetheless, the geographical limitation has been unconditionally kept by Turkey until the present time. In this regard, Turkish representatives have frequently underlined that without the geographical limitation, Turkey would immediately turn into a buffer zone between the West and the East.

Already since the 1980s, Turkey has been facing an increased number of irregular migrants to its territory. It might be even stated that the rising irregular movement of migrants coming predominantly from the unstable Middle Eastern region, characterized by a sectarian division, economic underdevelopment, frequent conflicts and constant political turmoil, have gradually transformed Turkey into a transit country. Indeed, since the end of the 1980s, Turkey has started to feel the heavy social and economic burden caused by the irregular migration. The sudden arrival of ethnic Turks from Bulgaria as well as the mass influx of Iraqis (mostly of Kurdish origin) as a result of the First Gulf War literally put oil into fire.

Until the beginning of the 1990s, it was the UNHCR which had a full control over the refugee status determination in Turkey. This matter of fact, however, made Turkish government pretty uncomfortable, with feeling enshrined on its sovereignty. As a result, in 1994, Turkish Parliament adopted the so-called *1994 Asylum Regulation* according to which a wide scope of privileges previously granted to the UNHCR Office in Ankara were transferred to Turkish authorities. The *1994 Asylum Regulation*, in fact, might be considered a turning point in Turkey's migration and asylum regime which has been characterized by a more pro-active policy since that time.

Since the beginning of the 2000s, as a result of the official recognition of Turkey as the candidate state for the full membership in the EU at the 1999 Helsinki European Council, a wide range of reforms in Turkey's migration and asylum system has been introduced. The prior goal of the reforms was to harmonize Turkey's migration and asylum policy in line with the international and European standards.

The migration and asylum legal framework developed since the establishment of the Republic of Turkey in 1923 until the 1950s was more or less determined by the official state policy granting asylum only to people of "Turkish descent of culture". Contrary to the Ottoman Empire and its multi-ethnic nature, the founders of the Republic of Turkey put a great emphasis on the nation-state building and on the homogenization of Turkish society. In the early stage of the Republican period, the migration and asylum policy has been determined by following

²⁴1951 Convention Relating to the Status of Refugees, art. 1.

documents: the *Treaty of Lausanne* (1923), the *Convention Concerning the Exchange of Greek and Turkish Populations* (1923), the *Constitution of the Republic of Turkey* (1924), the *Turkish Citizenship Law* (1928), and, most importantly, the *Law on the Settlement* (1934).²⁵

The *Treaty of Lausanne* is a document concluded in order to determine the conditions to be implemented in the post-Ottoman Turkey. Besides the territorial, financial and miscellaneous matters, the Treaty sets rules concerning the minority issues and the nationality of the people inhabiting territories detached from Turkey after the dissolution of the Ottoman Empire.

The articles 30-36 of the *Treaty of Lausanne* determine the conditions regarding the nationality in the post-Ottoman period. According to Art. 32, the resident of the territory which was detached from Turkey had a free choice to decide in what of the two states s/he would like to opt for a citizenship. On the other hand, the articles 37-45 deal with the issues related to minorities. According to Art. 38, all inhabitants of Turkey can enjoy '*protection of life and liberty without distinction of birth, nationality, language, race or religion*'. Meanwhile, a full freedom of movement was to be ensured to the non-Muslim minorities. According to Art. 39, Turkish nationals belonging to non-Muslim minorities were to enjoy the same civil and political rights as the citizens of Muslim belief. Besides, it has been underlined that '*all the inhabitants of Turkey, without distinction of religion, shall be equal before the law*'.

The *Convention concerning the Exchange of Greek and Turkish population*, consisting of 19 articles, stipulates a compulsory exchange of Turkish nationals of Greek Orthodox religion residing in Turkey, and Greek nationals of Muslim belief inhabiting Greek territory which was to take place since 1 May, 1923. With the community exchange, the concerned persons were not allowed to return and live on the territory previously inhabited without the permission of Turkish Government or Greek Government respectively. Only Greeks living in Istanbul and Muslims living in the Western Thrace were to be exempt from the compulsory exchange.²⁶

The *Constitution of the Republic of Turkey*, coming into force in 1924, consists of 105 articles whereas specifically the *Section V* (Art. 68-88) regulates the Public Law of Turks and precisely determines the term "Turk". The rights and obligations of Turkish citizens were specified in more detail in the *Turkish Citizenship Law* of 1928.

The *Law on the Settlement of 1934* (Law no. 2510), consisting of 50 articles, might be considered the most important document regulating the immigration into Turkey in the early Republican era. According to Art. 1, the settlement of the immigrants fell under the competence of the Ministry of Internal Affairs and the Ministry of Health and Social Assistance, under the auspices

²⁵İçduygu, A., Aksel, D. B (2013). Turkish Migration Policies: A Critical Historical Retrospective. *PERCEPTIONS*, vol. 18, no. 3, pp. 171.

²⁶Convention Concerning the Exchange of Greek and Turkish Population (1923), art. 2.

of the Council of Ministers. The immigrants were deemed to be only people of "Turkish descent and culture", thus, they could contribute to the nation-state vision of the new Turkey. Basically, after the arrival in Turkey, the immigrants were required to be registered with the highest civil governor. Besides, the officially recognised immigrants were allowed to apply for Turkish citizenship, based on the approval of the Council of Ministers. According to Art. 23, the province and district governors were authorized to assign buildings and land which were to be distributed to the immigrants. On the other hand, *'the persons who failed to apply for the settlement within two years of the date of their arrival in Turkey were supposed to be exempt from the settlement assistance'*.²⁷

In the period between 1950s and the end of the 1970s, a wide range of migration and asylum regime related documents were adopted. The most decisive of them were as follows: the *Passport Law of 1950* (Law 5682/1950), the *Law on Residence and the Travel of Foreign Nationals* (Law no. 5683, 1950), the *Law on Sojourn and Movement of Aliens* (Law no. 5687), the *United Nations Convention Relating to the Status of Refugees* (1951) and its *Protocol of 1967*, i.e. the *UN Protocol Relating to the Status of Refugees*, *Turkey-West Germany Labour Recruitment Agreement* (1961), and the *Turkish Citizenship Law* (Law no. 403, 1964). In this chapter, I will focus only on the selected ones.

The *United Nations Convention Relating to the Status of Refugees*, i.e. the *1951 UN Refugee Convention*, is a fundamental document regulating the international refugee law. Turkey became a signatory party to the *1951 UN Refugee Convention* on 24 August 1951. However, it is important to mention that Turkey preserved both the geographical and the time limitation when adopting the *1951 UN Refugee Convention*. The reservation was approved on 29 August 1961 whereas the ratification Act no. 359 was published in the Official Gazette no. 10898 on 5 September 1961.

With regards to the time limitation, Turkey refers to the provisions set in Art. 1 (a)(2), i.e. refugee is a person who *'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'*.

Similarly, Turkey underlines that, according to the geographical limitation, only people of European origin might be recognised as refugees. In this sense, Turkish authorities point out to the provisions stated in Art. 1 (b)(1), i.e. *'as a result of events occurring in Europe before 1 January 1951'*. Turkey also puts forward that *'no provision of this Convention may be interpreted as*

²⁷İskan Kanunu (1934), art. 7.

granting to refugees greater rights than those accorded to Turkish citizens in Turkey'.²⁸

Turkey's limitation to the *1951 UN Refugee Convention* is not only a prime result of Turkey's nation-state building policy but it also stems from the concerns over what consequences the immigration to Turkey might have on Turkish society. In fact, Turkish officials have many times expressed their concerns that without the geographical limitation Turkey would immediately turn into a "buffer zone" for the migrants coming predominantly from the unstable Middle East. With the adoption of the *UN Refugee Convention* in 1950, Turkey adopted both the geographical and the time limitation. In the end, however, with the ratification of the *1967 Protocol*, Turkey completely refrained from the time limitation.

Since the 1980s, Turkish governments have been focusing on the development of strategies which would address the drastically increasing emigration of Turkish population to European countries, caused more or less by poor economic conditions in Turkey. In 1981, a law permitting a dual citizenship for Turks was adopted. The prior aim was to grant Turkish citizenship to Turks who emigrated to European countries and were naturalized there by time.

Indeed, the emigration of Turkish citizens to Europe has become a great matter of concern for Turkish government. In order to support the inclusion of expatriate Turks into Turkish society, a wide range of measures was taken. Most importantly, according to Art. 62 of the *1982 Constitution*, '*the State shall take the necessary measures to ensure the family unity, the education of the children, the cultural needs, and the social security of Turkish Nationals working abroad, and shall take the necessary measures to safeguard their ties with the country and to help them on their return home*'. Turkish citizenship has been further clarified in Art. 66 according to which '*everyone bound to the Turkish State through the bond of citizenship is a Turk*' and '*no Turk shall be deprived of citizenship, unless he commits an act incompatible with loyalty to the motherland*'. It has been also stipulated that '*the child of a Turkish father or a Turkish mother is a Turk. The citizenship of a child of a foreign father and a Turkish mother shall be defined by law*'.

Starting with the first government of Turgut Özal (1983-87), the issue regarding Turkish communities living abroad has been highly politicized. The Ministry of Education and the Directorate of Religious Affairs has become even authorized to send teachers and imams, supported by religious organisations, to the countries with a considerable number of Turkish expatriates.²⁹

Last but not least, in 1983, the *Law on Foreign Students Studying in Turkey* (Law no. 2922) was adopted. The *Law on Foreign Students Studying in Turkey* provides a wide range of provisions

²⁸ <http://www.unhcr.org/protection/convention/3d9abe177/reservations-declarations-1951-refugee-convention.html>, [1 April 2018].

²⁹ İçduygu, A., Aksel, D. B (2013). Turkish Migration Policies: A Critical Historical Retrospective. *PERCEPTIONS*, vol. 18, no. 3, pp. 177.

regulating the stay of foreign students in Turkey.

In the 1980s, Turkey has gradually turned into a transit country for migrants coming to Turkey predominantly from the Middle Eastern region as a result of armed conflicts in the countries of their origin. However, until the 1990s, the issue of transit migration in Turkey has remained *de facto* taboo. Only at the beginning of the 1990s, as a result of a mass emigration of Turks of Bulgaria to Turkey and the mass influx of Iraqis (particularly of Kurdish origin) in the aftermath of the First Gulf War (1990-91), Turkish government acknowledged that the rising irregular migration to Turkey had become a matter of concern for the Turkish State.

As a result of the sudden influx of Iraqis to Turkey in the aftermath of the First Gulf War and due to the rising irregular migration of people coming predominantly from the Middle Eastern, Asian and African countries seeking to reach Western Europe, Grand National Assembly of Turkey (TBMM) adopted the so-called *1994 Asylum Regulation (Regulation no. 6169/1994 on the Procedures and Principles related to Possible Population Movement and Aliens arriving in Turkey either as Individuals or in Groups Wishing to Seek Asylum either from Turkey or Requesting Residence Permission in order to seek asylum from another country)*. With the *1994 Asylum Regulation*, the conditions for the asylum application in Turkey have been clarified in a great detail.³⁰ In fact, until the introduction of the *1994 Asylum Regulation*, there was no national law regulating the status of the migrants coming from outside Europe.³¹

The Regulation is divided into 5 sections, including 33 articles. According to Art. 3 of the *1994 Asylum Regulation*, a refugee is '*an alien who as a result of events occurring in Europe 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*'. On the other hand, the asylum seeker is defined as '*an alien who 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*'.

³⁰Regulation No. 1994/6169 on the Procedures and Principles related to Possible Population Movements and Aliens Arriving in Turkey either as Individuals or in Groups Wishing to Seek Asylum either from Turkey or Requesting Residence Permission in order to Seek Asylum From Another Country, art. 1.

³¹Kirişçi, Kemal (1996). Is Turkey lifting for the Geographical Limitation? The November 1994 Regulation on Asylum in Turkey. *International Journal of Refugee Law*, vol. 8, no. 3, pp. 296.

In line with Art. 4 of the Regulation, all migrants seeking refuge in Turkey were obliged to register with the local governorate immediately after their arrival in Turkey. Most importantly, according to Art. 6, the decision over the asylum application was to be concluded by the Ministry of Interior in line with the provisions set in the *1951 UN Refugee Convention*. With the successful registration, the asylum seeker would undergo an interview in order to identify whether s/he can be officially recognised as a person to be granted an asylum.³² The officially recognised asylum seekers would be placed in the guesthouses from which they would be resettled into third safe countries.³³ On the other hand, the person whose application was not accepted had the right to appeal to the relevant governorate within 15 days.³⁴ Most importantly, it was underlined that the person seeking asylum in Turkey was essentially under the protection and supervision of the state.³⁵ At the same time, the Turkish State was expected to work on the status determination in a close collaboration with other national/international institutions and organizations (governmental and non-governmental), such as the UNHCR and the International Organization for Migration (IOM).³⁶

The *1994 Asylum Regulation* might be considered a huge step forward with regards to the regulation of Turkey's migration and asylum system since the *1994 Asylum Regulation* provided a greater clarity over the rights and obligation of all parties involved in the asylum application and asylum determination process.

Until the adoption of the *1994 Asylum Regulation*, the international protection status determination was under full supervision of the UNHCR office in Ankara. With the Regulation being implemented, however, some of the UNHCR privileges were transferred to Turkish authorities. This, in fact, strengthened the control of the Turkish State over the migration movements on its territory to a great extent.

Another positive development has been related to the adoption of the principle of *non-refoulement* which in the past had not been fully recognised by Turkey.³⁷ Based on the provision

³²Regulation No. 1994/6169 on the Procedures and Principles related to Possible Population Movements and Aliens Arriving in Turkey either as Individuals or in Groups Wishing to Seek Asylum either from Turkey or Requesting Residence Permission in order to Seek Asylum From Another Country, art. 12.

³³Regulation No. 1994/6169 on the Procedures and Principles related to Possible Population Movements and Aliens Arriving in Turkey either as Individuals or in Groups Wishing to Seek Asylum either from Turkey or Requesting Residence Permission in order to Seek Asylum From Another Country, art. 6.

³⁴Regulation No. 1994/6169 on the Procedures and Principles related to Possible Population Movements and Aliens Arriving in Turkey either as Individuals or in Groups Wishing to Seek Asylum either from Turkey or Requesting Residence Permission in order to Seek Asylum From Another Country, art. 6.

³⁵Regulation No. 1994/6169 on the Procedures and Principles related to Possible Population Movements and Aliens Arriving in Turkey either as Individuals or in Groups Wishing to Seek Asylum either from Turkey or Requesting Residence Permission in order to Seek Asylum From Another Country, art. 10.

³⁶Regulation No. 1994/6169 on the Procedures and Principles related to Possible Population Movements and Aliens Arriving in Turkey either as Individuals or in Groups Wishing to Seek Asylum either from Turkey or Requesting Residence Permission in order to Seek Asylum From Another Country, art. 7.

³⁷Kirişçi, Kemal (1996). Is Turkey lifting for the Geographical Limitation? The November 1994 Regulation on Asylum

endorsed in Art. 29, 'a refugee or an asylum seeker who is residing in Turkey legally can only be deported by the Ministry of Interior under the terms of the 1951 Geneva Convention relating to the Status of Refugees or for reasons of national security and public order'.

Undoubtedly, the 1994 Asylum Regulation provided a greater clarity into Turkey's migration and asylum legal framework. Despite this fact, however, the Regulation still consisted of a wide range of lacking points.

The most frequently cited issue was related to the 5-day deadline for submitting the asylum application with Turkish governorates. It was highlighted that the fixed period was too short for the asylum seekers who were, in most cases, not well-informed about the asylum procedure. According to a common rule, the migrants seeking refuge in Turkey were required to register in the province of their entrance to Turkey. In general, however, the asylum seekers submitted their application first to the UNHCR Office in Ankara. As a result, their application was rejected and they were obliged to come back to the original province to register there. Under those conditions, it was often hard to comply with the fixed 5-day deadline for the submission of the application by the asylum seekers. Indeed, the 5-day limit for the submission of the asylum application was a great excuse for Turkish authorities to reject the cases and to be authorized to deport the irregular migrants from Turkey without delay.³⁸ Moreover, even though the migrants were officially recognised as asylum seekers, they might have been asked to leave Turkey in case no resettlement opportunity was found for them within a "reasonable" period of time.³⁹

In practice, the 5-day limit for the submission of the asylum application had much severe consequences. Since some of the the asylum seekers did not manage to register in Turkey, they went underground in order to escape deportation by Turkish authorities. As a result, until nowadays there is a large number of irregular migrants who have stayed in Turkey without the official permission of Turkish authorities.⁴⁰

The cooperation between Turkish authorities and the UNHCR, stipulated in the Regulation, was implemented very ambiguously in practice. There were several cases when the application submitted by the asylum seekers was accepted by Turkish authorities, however, it was rejected by the UNHCR on the ground of not having fulfilled the refugee criteria. This is also connected to the vaguely defined role of the UNHCR in the Regulation. Moreover, the ongoing security problems caused by the clashes between Turkish armed forces and the PKK is another reason of

in Turkey. *International Journal of Refugee Law*, vol. 8, no. 3, pp. 303.

³⁸Kirişci, Kemal (1996). Is Turkey lifting for the Geographical Limitation? The November 1994 Regulation on Asylum in Turkey. *International Journal of Refugee Law*, vol. 8, no. 3, pp. 304.

³⁹Regulation No. 1994/6169 on the Procedures and Principles related to Possible Population Movements and Aliens Arriving in Turkey either as Individuals or in Groups Wishing to Seek Asylum either from Turkey or Requesting Residence Permission in order to Seek Asylum From Another Country, art. 28.

⁴⁰Kirişci, Kemal (1996). Is Turkey lifting for the Geographical Limitation? The November 1994 Regulation on Asylum in Turkey. *International Journal of Refugee Law*, vol. 8, no. 3, pp. 304.

a high cautiousness of Turkish police towards the asylum seekers.⁴¹

Last but not least, a lack of knowledge/expertise of the personnel responsible for the status determination, insufficient capacity of the staff – the personnel is often understaffed and overloaded with cases - and a lack of translators were reasons of the inadequate migration management regulated by the *1994 Asylum Regulation*.⁴²

In the 1990s, Turkey's migration and asylum regime was shaped by other legal documents as well. The most important of them were as follows: the *1995 Act on Amendments to Citizenship Law* (Law 4112/1995), the *Law Concerning the Fight Against Global Criminal Organisations* (Law no. 4422, 1999), and the *Regulations Concerning International Road, Transport of People and Goods* (1994). All of the above mentioned documents clarified the rules and provisions regulating the migration in Turkey.

In 1999, the Helsinki European Council took place. According to the conclusion of the Helsinki European Council, Turkey was officially recognised as a candidate state for a full membership in the EU.⁴³ Indeed, the recognition was a prime stimulation for an overwhelming reform process of Turkey's migration and asylum policy which was supposed to be aligned with EU *acquis communautaire*.

Since the beginning of the 2000s, an overwhelming reform of Turkey's migration and asylum system has been introduced.⁴⁴ In this sense, a wide range of laws and regulations have been adopted, including: the *Law on the Work Permit for Foreigners* (No. 4817, 2003), the *Foreign Direct Investment Law* (Law no. 4875, 2003), the *Regulation on the Inter-City Transportation of People* (2003), the *Criminal Code* (Law no. 5237, 2004), the *Turkish National Action Plan for Asylum and Migration* (2005), the *Law 5543/2006 on Settlement* (2006), the *Turkish Citizenship Law* (Law 5901/2009), the *Labour Law* (Law no. 4857, 2003), and, most importantly, the *Law on Foreigners and International Protection* (Law 6458/2013).

Besides, in 2010, the Presidency for Turks Abroad and Related Communities (YTB) was established. Nowadays, YTB has been overseeing scholarship programmes available for Syrian youth as well.

According to the revised *Passport Law* and the provisions determined in the *Law on Foreigners and International Protection* (LFIP), all travellers are obliged to prove a valid passport or any other travel document⁴⁵, such as visa in pre-determined cases, when entering or leaving Turkey.

⁴¹Kirişçi, Kemal (1996). Is Turkey lifting for the Geographical Limitation? The November 1994 Regulation on Asylum in Turkey. *International Journal of Refugee Law*, vol. 8, no. 3, pp. 305.

⁴²Ibidem.

⁴³Helsinki European Council Conclusions (1999), art. 12.

⁴⁴<https://www.ab.gov.tr/files/pub/prt.pdf>, [1 April 2018].

⁴⁵Yabancılar ve Uluslararası Koruma Kanunu, art. 5.

The issuance of residence permits has been regulated by the *Law on Residence and the Travel of Foreign Nationals* and by the provisions set in the *Law on Foreigners and International Protection*. According to Art. 19 of the LFIP, '*foreigners who would stay in Turkey beyond the duration of a visa or a visa exemption or, [in any case] longer than ninety days should obtain a residence permit*'. The applicants may apply for one of the following residence permits: a short-term residence permit, a family residence permit, a student residence permit, a long-term residence permit, a humanitarian residence permit, and a residence permit for victims of human trafficking.⁴⁶

In 2003, the *Law on the Work Permit for Foreigners* (LWPF) was adopted. The provisions of the LWPF are in line with international and European standards whereas the Law enables the foreigners to obtain the work permit in Turkey more easily.

The work permits are administered by the Ministry of Labour and Social Security in a close cooperation with the Ministry of Interior. Indeed, one of the prior goals of the introduction of the LWPF was to prevent the illegal employment of foreigners in Turkey. According to the LWPF, foreign workers are allowed to practice all kinds of professions.⁴⁷

According to Art. 4 of the LWPF, '*the foreigners are obliged to get permission before they start to work ... in Turkey*'. The working permission is given to the foreigners for a definite period of time, for at most one year, while '*taking into consideration the situation in the business market, developments in the labour life, sectorial and economic conjuncture changes regarding employment, according to the duration of foreigner's service contract or the duration of work, to work in a certain workplace or enterprise and in a certain job*'. In some cases, the work permission might be prolonged up to six years on condition of '*working in the same workplace or enterprise and in the same job*'.⁴⁸

At the 1999 Helsinki European Council, Turkey has been officially recognised as a candidate state for the full EU membership. As a result, Turkey made a genuine commitment to align its national laws with EU *acquis communautaire* by the means of the introduction of wide-ranging reforms.

The year 2003 was a milestone with regards to the reformation of Turkey's migration and asylum policy. In that year, most of the legislation related to the irregular migration in Turkey was adopted, including the *2003 European Council Directive* laying down the minimum standards for the reception of asylum seekers.⁴⁹

In order to harmonize the migration and asylum legislation, Turkey has adopted in total four

⁴⁶Yabancılar ve Uluslararası Koruma Kanunu, art. 30.

⁴⁷Yabancıların Çalışma İzinleri Hakkında Kanun, art. 2.

⁴⁸Yabancıların Çalışma İzinleri Hakkında Kanun, art. 5.

⁴⁹<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32003D0398&from=EN>, [1 April 2018].

Accession Partnerships documents, i.e. in 2001, 2003, 2006, and 2008. According to the *EU Accession Partnership documents*, in order to harmonize immigration and asylum legislation, Turkey has been supposed to meet the following fundamental objectives: 'to align of visa legislation and practice with those of the EU', 'to adopt and implement the EU *acquis* and practices on migration (admission, readmission, expulsion) so as to prevent illegal migrations', 'continue strengthening border management and prepare for full implementation of the *Schengen Convention*', and 'lift the geographical reservation to the *1951 Geneva Convention* in the field of asylum and develop accommodation facilities and social support for refugees'.⁵⁰

Under the *National Programmes for the Adoption of the Acquis* adopted in 2001, 2003 and 2008 respectively, Turkey made a commitment to embrace the EU *acquis* in the national legislation, including the migration and asylum legal framework whose provisions were supposed to become in line with the principles endorsed in the *Accession Partnership documents* and in the *National Programmes for the Adoption of the EU Acquis*.

1.3 Irregular migration in Turkey

Due to its geostrategic position as well as to the relatively liberal migration policies pursued in the recent decades, Turkey has gradually transformed into a transit country for most irregular migrants, coming predominantly from Central Asia, Africa and the Middle Eastern countries seeking to cross into Europe illegally.

It is particularly due to the long land borders with Syria, Iraq and Iran, mountainous terrain, and harsh climate conditions in the winter time that the migrants can cross to Turkey without substantial complications. More importantly, since the distance between Turkey's West coast and the Greek islands in the Aegean Sea is comparatively short, the Turkey-Greek islands route has always been regarded by the irregular migrants as the easiest way to pass to Europe.

In the recent decades, the rise in irregular migration has become a reason of serious concerns of the Turkish State. Indeed, the uncontrolled movement of irregular migrants have utmost negative social, economic and security consequences for Turkey. It is not an easy task for Turkey to control its long land and sea borders since the security forces operating in the border region are responsible for several tasks simultaneously, i.e. fighting against smuggling and irregular migration as well as targeting the insurgent group PKK. To make the matters worse, since its non-European neighbours do not pay much attention to the border security, Turkey faces a heavy economic burden as a result of safeguarding security on its borders alone without sharing the security responsibility with the neighbouring countries.

⁵⁰https://www.ab.gov.tr/main-documents-on-accession-process_123_en.html, [1 April 2018].

Nowadays, apart from 3,567, 130⁵¹ registered Syrians, the number of African, Afghan and Iraqi irregular migrants coming to Turkey has been on a steady rise. Their numbers are, however, not available due to their illegal stay in Turkey. With regards to Iraqi asylum seekers, most of them reside in Turkey under the "humanitarian protection" which was granted to them after the First Gulf War (1990-91).⁵² In fact, the humanitarian residence permit is not considered an integral part of Turkey's standard protection regime. It is only one of the six residence permit types that foreigners are allowed to obtain in Turkey under "extraordinary circumstances".⁵³ Moreover, the humanitarian protection provides the persons concerned only with limited rights and a narrow access to public social services.

Since mid-2014, i.e. in the aftermath of the expansion of the so-called Islamic State (ISIS) at the Iraqi territory, the number of Iraqi asylum seekers, Yazidi community in particular, has further increased. Initially, Turkey did not allow Iraqi asylum seekers to apply for international protection. Instead, Iraqis were granted only a "humanitarian residence permit". Only since February 2015, based on a non-public circular, Iraqis taking shelter in Turkey have been permitted to apply either for the international protection or a humanitarian residence permit.⁵⁴

Re-admission agreements

In order to reduce the rising irregular border crossings, human trafficking, illegal smuggling and other illegal activities related to the irregular migration, Turkey signed a wide scope of readmission agreements with most of the countries whose citizens make up a large group of irregular transit migrants in Turkey. The re-admission agreements have been concluded with the following countries and political actors: Syria (2001), Greece (2001), Kyrgyzstan (2003), Romania (2004), Ukraine (2005), Pakistan (2010), Nigeria (2011), Russia (2011), Yemen (2012), Bosnia and Herzegovina (2012), Moldova (2012), Belarus (2013), Montenegro (2013), and the EU (2013).

In fact, the readmission agreements have been a reason of serious concerns of Turkish governments. Turkish officials have often pointed out that Turkey would ultimately face a heavy flow of irregular migrants trying to reach Europe through Turkey in case the agreements are fully implemented in practice. The effectiveness of the readmission agreements as such have been questioned as well. More concretely, it has been underlined that the persons who were sent back to the country of their origin would subsequently return to Turkey and try to reach Europe once

⁵¹<https://data2.unhcr.org/en/situations/syria/location/113>, [1 April 2018].

⁵²Skrieland, Ö.G. (2016). Seeking Asylum in Turkey. Norwegian Organisation for Asylum Seekers, pp. 12.

⁵³Yabancılar ve Uluslararası Koruma Kanunu, art. 46.

⁵⁴Skrieland, Ö.G. (2016). Seeking Asylum in Turkey. Norwegian Organisation for Asylum Seekers, pp. 22.

again.⁵⁵

In order to cross to the EU territory, the irregular migrants follow one of the two main routes, i.e. the northern or the southern route. In case of the northern route, the migrants are transferred to Istanbul from where they continue their way to Europe either through Edirne, İzmir, Çanakkale or Muğla. On the other hand, the migrants opting for the southern route come to Mersin from where they continue to Italy.

Illegal smuggling and trafficking

In general, the illegal smugglers and human traffickers enter Turkey from the provinces of Van, Ağrı, Iğdır, Şırnak, Hakkari and Hatay. In 2003, Turkey adopted the *UN Convention Against Transnational Organized Crime* and its *Additional (Palermo) Protocol Against the Smuggling of Migrants by Land, Sea and Air* whose prior aim is to tackle illegal smuggling and trafficking in Turkey. Concurrently, in 2005, Turkish Grand National Assembly adopted a new *Turkish Penal Code* (No. 5237) according to which migrant smugglers are to be fined and arrested for the period of 3 up to 8 years when being caught by the illegal activity.⁵⁶ Moreover, according to Art. 79 of the *Penal Code* amended in 2010, even though the operation of smugglers was only at the stage of an attempt, it would still be fully considered a crime being committed. In case the smuggling operation is an organized action, the smugglers are to be charged with the highest penalty possible.

In the framework of the EU accession process, Turkey has developed an overwhelming international cooperation on combatting the migrant smuggling. More concretely, since 2013, Turkey has been closely cooperating with the security forces of Germany, France, Sweden, Romania, Greece, Austria, Hungary, Bulgaria, Italy and the Russian Federation in order to combat the international networks of the migrant smuggling organisations more effectively.⁵⁷

In 2006, Turkey and the EU signed the *Action Plan for Implementing Border Management Strategy* whereas, in 2011, the *Turkey-EU Twinning Project on Integrated Border Management* was launched. The prior goal of the *Turkey-EU Twinning Project* is to tackle the irregular migration and to develop secure border controls. Moreover, the cooperation between the EU and Turkey has been further strengthened with the official institutionalisation of the security ties between Frontex and Turkey in 2013.

Turkey takes part in a wide range of intergovernmental dialogue initiatives focusing on combatting the irregular migration as well. More concretely, Turkey participates in the Hague

⁵⁵Kirişçi, K. (2003). The Question of Asylum and Illegal Migration in EU-Turkish Relations. *Turkish Studies*, vol. 4, no. 1, pp. 98.

⁵⁶Türk Ceza Kanunu (No. 5234), art. 79.

⁵⁷İçduygu, A., Karacay, A.B., et al. (2015). Study of smuggling of migrants. Characteristics, Responses and Cooperation with Third Countries. Case Study 3: Pakistan-Turkey-Greece. International Centre for Migration Policy Development, pp. 70.

Process on Refugees and Migration, the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, the Prague Process, the Almati Process, the Rabat Process, the Mediterranean Transit Migration Migration Dialogue, and the Budapest Process.

Apart from political initiatives, Turkey has taken further measures in order to tackle irregular migration. In 2012, as a result of the Syrian refugee crisis, a wall in Eastern Greece was constructed. On the other hand, in 2016, a fence along the border between Bulgaria and Turkey was constructed. Even though the construction of the fence has been widely criticised as inhuman by the international community, in fact, the fence might be considered an effective tool to prevent irregular migration from Turkey to the EU.

Turkey's Integrated Border Management

In the framework of the EU accession process, Turkey made a genuine commitment related to the development of an integrated border management strategy in order to reduce, eventually to prevent irregular migration to its territory. Meanwhile, the EU expects Turkey to create non-military professional corps of border guards and to overwhelmingly modernize its official border crossings.

Currently, the border management falls under full responsibility of the Ministry of Interior which delegates the subsidiary tasks to governors and district governors. On the other hand, under the *Law of Protection and Security of Land Borders*, Turkish Land Forces are responsible for the protection of land borders.

In 2004, the Directorate for Project Implementation on Integrated Border Management was established. The prime task of the Directorate is to plan, prepare, and administer the EU projects on integrated border management. In 2008, the responsibilities of the Directorate were transferred to the Agency for Development and Implementation of Legislation and Administrative Capacity for Border Management, which was renamed to the Bureau for Border Management in 2012.

The Bureau for Border Management is primarily responsible for the development of the legal and institutional framework of the integrated border management system. The Bureau is supposed to be operated by 70,000 officers from the gendarmerie and coast guard commands and the National Police Department, under a direct supervision of the Ministry of Interior. In the recent years, the border controls in Turkey have undergone a thorough process of technologization, i.e. the introduction of electronic passports with biometric features etc. Meanwhile, the Commandership of Coastal Security has been provided with boats, helicopters, planes etc. Moreover, on the borders with Iran mines were laid down and watchtowers were erected.⁵⁸

In conclusion, I would like to highlight the considerable transformation in Turkey's security

⁵⁸Koca, B.T. (2015). Deconstructing Turkey's 'Open-door' Policy towards Refugees from Syria. *Migration Letters*, vol. 12, no. 3, pp. 215.

perception. In the past, Turkish authorities, did not pay too much attention to the irregular border crossings. With the start of the Syrian refugee crisis, however, Turkey has substantially increased its military personnel on the borders with Greece whereas, in cooperation with Turkish authorities, Frontex as well has become more active on the Turkish-Greek borders.⁵⁹



⁵⁹Ibidem.

2. SYRIAN REFUGEE CRISIS IN TURKEY

2.1 Relations between Turkey and Syria before the Syrian crisis

Since the dissolution of the Ottoman Empire, the relations between Turkey and Syria have been marked by an intense political tension caused by a wide range of political and territorial interests which none of the actors was willing to relinquish. The territorial dispute over Hatay might be considered *de facto* a red line in Turkish-Syrian relations.

According to the *Treaty of Lausanne* (1923), the Hatay province was assigned to the French mandate of Syria with a special administrative status. On September 2, 1938, the Hatay State was declared. In fact, the Hatay State might be considered a puppet state which lasted only one year under the military supervision of France and Turkey. In 1939, based on the results of the referendum, Hatay was incorporated to Turkey, thus, becoming *de facto* an incentive for the ardent strife between the two states which has been lasting until today.

Apart from having been on different sides in the bipolar world during the Cold War, i.e. Turkey supporting the USA while Syria being loyal to the USSR, the two states have been in a fierce disagreement over the water resources since the early beginning. More importantly, the strain between those neighbouring countries escalated as it became evident that Syria was sheltering the militant Kurdish separatist group PKK and its Syrian affiliate PYD at its territory. In this context, it is worth to highlight that Turkey considers the PKK members nothing but irredentists and a serious threat to its territorial integrity. Not surprisingly, such an event led right away to Turkey's diplomatic ultimatum towards Syria in 1998. Only intense diplomatic negotiations prevented the two countries from declaring a war to each other.

Indeed, Syria's support to the PKK caused big concerns on the side of Turkey. In order to normalize the relations, the two states took immediate measures aimed at enhancing cooperation in security, economic and cultural matters. The cooperation between the former enemies had been strengthened to a great extent between 2003 and 2011. Partially, the rapprochement might be a result of the stable domestic environment in both states, i.e. a gradual strengthening of power of the governing party AKP in Turkey and the regime consolidation of President Bashar Assad in Syria. Meanwhile, since Turkey's AKP coming to power, Turkish government has adopted an entirely new approach in its foreign policy under the leadership of Minister of Foreign Affairs Ahmet Davutoğlu.

According to the theory of Ahmet Davutoğlu, encompassed in his pioneering work *Strategic Depth*, Turkey has the potential to become a regional power, extending its influence in the Middle East, in the Balkans, North Africa and Southern Caucasus. For this purpose, Turkey is supposed to pursue an active diplomacy and to keep "brotherly" relations with its neighbourhood. According to

the theory, Turkey has also the potential to become a mediator in regional disputes. With this in mind, Turkey should use a soft-power in the negotiations with other countries and should de-securitize traditional foreign policy challenges and threats. In other words, in order to gain international respect, Turkey should introduce new soft policy instruments, such as trade relations, public and humanitarian diplomacy, civilizational discourse, cultural cooperation etc.

In line with Davutoğlu's pro-active policy, in January 2007, the *Free Trade Agreement* between Syria and Turkey was concluded. However, the *Free Trade Agreement* was not a final goal of the two reconciled states. More importantly, mutual economy should have been further strengthened whereas a zone of a free movement of goods and persons among Syria, Turkey, Jordan and Lebanon was to be created. In line with this vision, High Level Strategic Council (HLSCC) was established in 2009. Moreover, Turkey also took up a mediator role in the peace talks between Syria and Israel. As a result, in 2009, *Visa Exemption Agreement* was signed, abolishing mutual visa requirements between the parties concerned.

However, the rapprochement between Turkey and Syria did not last very long. As the Syrian Civil War broke out, relations between Turkey and Syria have deteriorated drastically. At the initial stage of the Syrian uprising, Turkey pursued a diplomatic policy with the aim to persuade Assad to take up reforms which the Syrian people was longing for. However, as President Erdoğan turned out to fail in his attempts to convince Syrian President Bashar Assad to go along with the will of the Syrian opposition, Turkey adopted a clear anti-Assad stance calling President Assad to resign and to recognize the Syrian National Council (SNC) as the official representative of the Syrian opposition. In the immediate aftermath of this event, the diplomatic relations between the two states were interrupted whereas the diplomatic representations were withdrawn in a short notice. The free trade agreement between the two states was put on hold as well. Since then, the relations between Turkey and Syria have worsened further.

2.2 Turkey in the face of the Syrian crisis

Turkey's anti-Assad stance

Since the outbreak of the Syrian uprising in March 2011, the atmosphere in Syria has changed drastically. Step by step, the peaceful uprising of the Syrian people calling for reforms has transformed into brutal clashes between the government's army and the opposition forces demanding Assad's resignation and a prompt handover of the power to the Syrian National Council (SNC) and its sympathizers. In fact, the peaceful uprising has gradually evolved into a civil war marked by intense armed clashes of a wartime nature while having a direct impact on the civil population. As a result of the grave wartime atrocities, millions of Syrians were forced to leave their

homes and to seek refuge especially in the neighbouring countries in order to save their lives.

In the early stage of the Syrian uprising, Turkey assumed that President Assad would step down from power and the conflict would be resolved in a short period of time. With this mindset, Turkey adopted a strong anti-Assad stance and officially declared an "open-door" policy for those Syrians who had escaped the war and were at that time in need of shelter.

Having adopted a clear anti-Assad stance, Turkey followed a one-line policy with the prior aim to isolate Assad's regime at the international stage. However, by the end of 2011, Turkey had to acknowledge that its unilateral policy had failed. As a result, Turkey openly declared its support for regional and international initiatives, including the mediator activities of Arab League and the UN envoy Annan's plan to achieve a political solution to the crisis.

Meanwhile, Turkey initiated the establishment of the international coalition known as *Group of Friends of the Syrian people* whose aim was to provide support to the Syrian opposition. While officially hosting and assisting the armed and unarmed Syrian opposition, Turkey was also delivering humanitarian assistance to civilians and internally displaced persons inside Syria.

"Open-door" policy

At the initial stage of the crisis, Turkey adopted an "open-door" policy towards Syrians escaping the Syrian Civil War. Turkey refused any international assistance arguing that it had enough capacity to manage the flow of Syrians to its territory. Ironically, it might be stated that the Syrian crisis emerged at the "right" time and turned out to be a unique opportunity for Turkish leadership to implement its "neo-Ottomanism" idea into practice, putting forward the vision of Turkey being a regional power and a mediator in regional political disputes and humanitarian crises. With the Syrian crisis, Turkey gained ideal conditions to use a "soft-power" and show itself as an "order establishing actor" in the Middle East.⁶⁰

In fact, Turkey's new humanitarian approach has considerably differed from its past responses to similar refugee mass influxes which were marked by a securitization discourse and burden-sharing requests. Turkey's new humanitarian approach gained a widespread recognition among the international community. In order to address the refugee crisis, Turkey adopted a wide range of measures. Most importantly, Turkey gave a green light to the establishment of the refugee camps where Syrian "refugees" were supposed to take shelter. Despite some lacking points, the refugee camps are of a high quality offering Syrians basic social services, such as education, healthcare etc. In addition, the refugee camps, established in the region bordering with Syria, offer Syrians a safe and stable environment which might prevent them from keeping in mind that several

⁶⁰Aras, N.E.G., Mencutek, Z.S. (2015). The international migration and foreign policy nexus: the case of Syrian refugee crisis and Turkey. *Migration Letters*, vol. 12, no. 3, pp. 194.

kilometers away a savage war is ongoing.

Turkey refused to perceive Syrians taking shelter on its territory as a threat. At the same time, however, Turkish government refrained to recognise them as "refugees". Instead, Syrians have been referred to as "guests" and "brothers" in need of help. Turkish government justified its decision by arguing that Turkey cannot grant a refugee status to Syrians since it retains a geographical limitation to the *1951 Refugee Convention*. However, the fact that Syrians have been labelled only as "guests" without being granted a refugee status has raised a lot of questions over the hidden agenda of Turkish government. More concretely, Syrians without being officially acknowledged as refugees are excluded from the international protection regime, thus, they cannot enjoy rights which the legally recognised refugees do.

Instead, Syrians stay in Turkey under the temporary protection, on a group basis, which was designed by the former Migration and Asylum Bureau (which was subsequently transformed into the General Directorate of Migration Management, based on the provisions endorsed in the Law on Foreigners and International Protection published in 2013), under the supervision of the Ministry of Interior. Turkey declared its policy shift and the intention to put Syrians staying in Turkey under the temporary protection in November 2011 at the UNHCR conference in Geneva.

In order to prove its capacity to deal with the Syrian refugee crisis, Turkey enhanced a reformation process of its migration and asylum regime. It is worth to mention that until the outbreak of the Syrian refugee crisis, Turkey had slightly ignored its migration and asylum policy. It is true that in the 1990s, the *1994 Asylum Regulation* was adopted while at the beginning of the 2000s, in the framework of the EU accession process, several reform steps were introduced. However, the adopted reforms proved to be insufficient and had a lot of lacking points. In addition, most of them were implemented incoherently. Due to those reasons, a new law, later to be known as the *Law on Foreigners and International Protection*, was introduced. In this sense, it might be stated that it was, paradoxically, the Syrian refugee crisis which might be considered the prime stimulation for overwhelming reformation of Turkey's migration and asylum regime.

Initially, Turkey expected that the Syrian crisis would be resolved in a short period of time, thus, Syrians would return to their home country immediately when the infrastructure in Syria would be reconstructed. Indeed, when the Syrian refugee crisis started, Turkish government, many times, officially declared that 100.000 Syrians would be a welcomed population.⁶¹ The actual development of the situation, however, has caused huge concerns for Turkey. With the prolongation of the armed clashes in Syria, the number of Syrians escaping the wartime atrocities has been on a steady rise until today. More concretely, in January 2012 only 9,500 Syrians were registered

⁶¹Aras, N.E.G., Mencutek, Z.S. (2015). The international migration and foreign policy nexus: the case of Syrian refugee crisis and Turkey. *Migration Letters*, vol. 12, no. 3, pp. 194.

in Turkey.⁶² The number had gradually increased to 562,658 Syrians as of December 2013.⁶³ As of May 2015, there was already 1,7 million⁶⁴ Syrians taking shelter in Turkey. As a result, the gradual mass influx of Syrians has by time made Turkey to perceive the newcomers as an economic burden and an immediate threat to its border security, even though this perception has not been officially acknowledged.⁶⁵

Undoubtedly, Turkey's "open-door" policy has had its limits. In comparison to Sunni Syrians arriving in Turkey, Yazidis have not been allowed to benefit from the same rights. In fact, Yazidis were required to prove their identity by showing their passports when entering Turkey, even though it is generally acknowledged that the victims of the war are in most cases in an emergency situation which prevents them from being able to take their belongings, including personal documents. In this regard, the requirement for proving the identity of a war escapee on the border appears highly discriminatory and against the principles of international refugee law.⁶⁶

Non-arrival policy/"Zero-point delivery"

As the number of Syrians taking shelter in Turkey increased to hundred thousands in 2012, Turkey came to a conclusion that its humanitarian approach needed to be thoroughly re-evaluated. As a result, Turkish government introduced the so-called "zero point delivery" which was expected to slow down the mass arrival of Syrians into Turkey. The "zero point delivery" was adopted in line with the international law, thus, Syria's national sovereignty should not be infringed on while delivering aid shipments to the border crossings, from where they were picked up by Syrian humanitarian workers (from local councils or NGOs) and delivered to the camps on the border, in particular, to the Atmeh camp.⁶⁷

There have been several factors which caused a shift in Turkey's policy in the face of Syrian refugee crisis. First of all, Turkey started to face substantial difficulties when delivering the humanitarian assistance to Syrians without the approval from the Syrian government. Secondly, Turkish government's support to Syrian opposition became crystal clear. The opposition, however, has been utmost fragmented and has not had the capacity to create a uniform coalition against Assad regime. Most importantly, with the mass influx of Syrians into Turkey, the border crossings had been slowly falling out of control of Turkish authorities. When taking into consideration

⁶²<https://data2.unhcr.org/en/documents/download/39309>, [1 April 2018].

⁶³Ibidem.

⁶⁴İçduygu, A. (2015). Syrian refugees in Turkey - The Long Road Ahead. Migration Policy Institute, pp. 1.

⁶⁵Aras, N.E.G., Mencutek, Z.S. (2015). The international migration and foreign policy nexus: the case of Syrian refugee crisis and Turkey. *Migration Letters*, vol. 12, no. 3, pp. 194.

⁶⁶Koca, B.T. (2015). Deconstructing Turkey's 'Open-door' Policy towards Refugees from Syria. *Migration Letters*, vol. 12, no. 3, pp. 218.

⁶⁷Ahmadoun, S. (2014). Turkey's Policy Towards Syrian Refugees. Stiftung Wissenschaft und Politik, German Institute for International and Security Affairs, pp. 4.

the uncontrolled arrivals of the newcomers, it became obvious that without taking appropriate measures the security in Turkey would be put at stake soon or later.⁶⁸

In addition, Turkish public started to be increasingly concerned over the frequent attacks emanating from Syria's border region. In this sense, it was pointed out that the clashes in Syria might have an imminent effect on peaceful public cohesion in Turkey's border region, too. Especially, Hatay, with its multi-ethnic/religious social composition, might be considered a prime example of the fragile nature of the local community whose cohesion might be disturbed by any little incentive. Moreover, Turkish public appeared to be utmost dissatisfied with the government allegedly allowing Syrian opposition fighters to use the refugee camps for their recovery after the fights in Syria and for a recruitment of new fighters against Assad's army.⁶⁹

Turkey's request for international assistance/burden-sharing

At the beginning of the Syrian crisis, when Syrians started to arrive in Turkey, Turkish government refrained from any international assistance arguing it had enough capacity to deal with the refugee crisis on its own. However, as the Syrian crisis did not appear to finish soon and while the number of Syrians arriving in Turkey was steadily increasing, Turkish government decided to slightly re-evaluate its humanitarian policy. In 2012, Turkey asked the international community for financial support for the first time.⁷⁰

Since the very beginning of the Syrian refugee crisis in Turkey, Turkey had spent a great amount of financial means on the humanitarian assistance for Syrians even though Turkey's economy is not a developed one. Indeed, such a big devotion to the humanitarian assistance to Syrians is worth appraisal. On the other hand, Turkey has continuously complained that even though the country is not economically well-off, the international financial assistance to Turkey has been pretty narrow, not even reaching half of the funds requested by Turkey to partly cover its humanitarian efforts, in comparison to the expenses Turkey spent on Syrians taking refuge on its territory. Moreover, Turkey started to blame the international community, particularly the European states, for the failure to fulfill the refugee quotas requested by the UN. In addition, by mid-2012, apart from the request for financial assistance, Turkey has additionally started to ask for burden-sharing, as well.⁷¹

⁶⁸ Aras, N.E.G., Mencutek, Z.S. (2015). The international migration and foreign policy nexus: the case of Syrian refugee crisis and Turkey. *Migration Letters*, vol. 12, no. 3, pp. 204.

⁶⁹ Ahmadoun, S. (2014). Turkey's Policy Towards Syrian Refugees. Stiftung Wissenschaft und Politik, German Institute for International and Security Affairs, p. 4.

⁷⁰ Aras, N.E.G., Mencutek, Z.S. (2015). The international migration and foreign policy nexus: the case of Syrian refugee crisis and Turkey. *Migration Letters*, vol. 12, no. 3, pp. 202.

⁷¹ Ahmadoun, S. (2014). Turkey's Policy Towards Syrian Refugees. Stiftung Wissenschaft und Politik, German Institute for International and Security Affairs, pp. 2.

"Close-door" policy/Securitization

In June 2012, a Turkish fighter jet was shot down by the Syrian regime army. Indeed, this event was a turning point in Turkey's Syrian refugee policy since Turkish government has become blissfully aware of the impacts the Syrian crisis might have on Turkey in the long run. The violent incidents on the Turkish-Syrian border have further contributed to the perception that there might have been a potential spill-over risk of the Syrian Civil War to Turkey. As a result, at the UN Security Council meeting in 2012, Turkey raised the request for the creation of a buffer zone or a no-fly zone in the Syrian border region which would have similar patterns as the one established between 1991-2003 in Northern Iraq. Moreover, Turkish representatives pointed out that they would fully support a military operation against Assad regime if it was deemed necessary.⁷²

Since 2014, Turkey has definitely embraced a "close-door" policy due to several reasons. First of all, it turned out that the Syrian refugee crisis is not only a substantial economic burden for Turkey but also it has had very negative effects on the security and social cohesion in Turkey. Therefore, Turkey, instead of following its "open-door" policy, has started to securitize the issue entirely. Moreover, the uncontrolled mass flow of Syrians crossing the Turkish-Syrian border made it utmost difficult for Turkish authorities to follow who, in fact, was entering the country. With the massive influx of Syrians into Turkey, it has been widely claimed that not only Syrian "refugees" but also Syrian Islamist militants were seeking shelter in Turkey. In addition, the uncertainty with regards to how long the Syrian crisis would last and the fact that Turkey, due to the long-lasting nature of the crisis, has slowly fallen apart of financial resources which were spent on the humanitarian aid for Syrians staying in Turkey, contributed to the unanimous decision to close Turkey's borders to Syrians.⁷³

Since 2014, the DGMM started a new campaign with the motto "Register and Benefit from Rights and Services". Within its framework, Syrians were required to register themselves at the local police stations in the place of their residence. The obligatory registration of Syrians has been introduced not only for a better expertise of Turkish authorities with regards to persons under temporary protection, but also in favour of Syrians. More concretely, without a proper registration, the non-camp refugees have not been eligible for access to basic social services. The only exception has been the right for a free primary healthcare that has been granted by the government decree to all Syrians since January 2013.⁷⁴

Turkey has made the admission of Syrians on the official border crossings conditional on

⁷²Aras, N.E.G., Mencutek, Z.S. (2015). The international migration and foreign policy nexus: the case of Syrian refugee crisis and Turkey. *Migration Letters*, vol. 12, no. 3, pp. 204.

⁷³Aras, N.E.G., Mencutek, Z.S. (2015). The international migration and foreign policy nexus: the case of Syrian refugee crisis and Turkey. *Migration Letters*, vol. 12, no. 3, pp. 205.

⁷⁴Aras, N.E.G., Mencutek, Z.S. (2015). The international migration and foreign policy nexus: the case of Syrian refugee crisis and Turkey. *Migration Letters*, vol. 12, no. 3, pp. 205.

the availability in the refugee camps, respectively on specific humanitarian circumstances, e.g. in case an emergency medical treatment was required.⁷⁵ In practice, however, the border crossings have been completely closed for an undefined period of time. Meanwhile, it has been reported that, in order to protect Turkish territory from any unwanted arrival of Syrians, "push-back" operations have been pursued by Turkish border officials. The prior aim of those operations has been the prevention from Syrians' entry into Turkish territory. Unfortunately, the use of violence resulted into death of several escapees. The chaotic situation and the inadequate screening procedure on the border crossings, however, have caused that those events have been successfully hidden in Turkish public.⁷⁶

As the situation on the border crossings has deteriorated, Turkish government decided to construct walls along the borders with Syria, including the one between Ceylanpınar and Serekaniye, Şeynurt and Dirbesiye, and Kilis and Afrin. The most disputable, however, is the "Wall of Shame", having been under construction since October 2013. The wall takes place between Nusaybin and Quamişko. According to the plan, it has been supposed to be erected on a 7 km stretch and barbed wire of 1.5 m high. In fact, the "Wall of Shame" strikingly resembles the wall constructed on the border between the US and Mexico. The construction of the wall evokes a huge surge of anger among the local people, particularly from the population of Kurdish origin. They have blamed Turkish government that it intends to separate Turkish and Syrian Kurds from each other.⁷⁷

Among others, Turkish government put forward the idea to create a more sophisticated "Risk Analysis Unit" which would operate at the custom gates and the transportation centres. For this purpose, the Turkish-Syrian border has been further militarized and equipped with more personnel, drones and reconnaissance aircrafts. Turkish government has also ordered to construct a modular wall on the Turkish-Syrian border in the framework of the "Border Physical Security System" project. The wall has been supposed to be around 150 km long and consisting of flood-lighting, surveillance balloons, thermal cameras and motion sensors.⁷⁸

In August 2016, Turkish army, in cooperation with the allied Syrian armed-opposition factions, launched the *Operation Euphrates Shield* whose officially declared aim was to create a safe zone in Northern Syria where Syrians could stay if another refugee wave would come from

⁷⁵Tolay, J. (2014). The EU and Turkey's Asylum Policies in the Light of the Syrian refugee crisis. *Policy Brief 10*, Istanbul Policy Center, pp. 4.

⁷⁶Koca, B.T. (2015). Deconstructing Turkey's 'Open-door' Policy towards Refugees from Syria. *Migration Letters*, vol. 12, no. 3, pp. 218.

⁷⁷Koca, B.T. (2015). Deconstructing Turkey's 'Open-door' Policy towards Refugees from Syria. *Migration Letters*, vol. 12, no. 3, pp. 219.

⁷⁸Koca, B.T. (2015). Deconstructing Turkey's 'Open-door' Policy towards Refugees from Syria. *Migration Letters*, vol. 12, no. 3, pp. 220.

Aleppo.⁷⁹

Indeed, Turkey's gradual adoption of the "close-door" policy towards Syrians might be considered nothing else but a pure re-introduction of its traditionally restrictive refugee policy. The selective approach with regards to the admission of refugees and the perpetual militarization of the border gates is not in line with the principle of *non-refoulement* at all. On the contrary, Syrians escaping the war have been deliberately prevented from seeking protection in a safe environment.

Not surprisingly, with the shortcut of the financial means, Turkey has re-established cooperation with the international organizations, such as the UNHCR, and has applied for a financial aid provided by the Syrian Regional Response Plan (RRP) and the Syrian Humanitarian Assistance Response Plan (SHARP).

Turkey's support for Syrian opposition

Turkey's support for Syrian armed opposition groups became crystal clear already at the beginning of the Syrian crisis. Turkish government has not concealed its political, economic, and military assistance to the opposition groups. It might be even stated that Turkey became *de facto* a "transit country" not only for Syrian civil population, but also for the radical groups. Turkey has also supported the formation of the *National Coalition of Syrian Revolutionary and Opposition Forces* which has been based in Turkey. In fact, the *National Coalition of Syrian Revolutionary and Opposition Forces* is an entity established with the prior aim to overthrow Assad regime. Besides, the Free Syrian Army's senior commanders are based in Turkey as well.⁸⁰

By time, Islamist groups have gradually gained more dominance in Syria. In 2013, the Islamic State of Iraq and the Levant (ISIS) was founded. In fact, the ISIS, a radical Islamist group with an extreme interpretation of Sunni Islam, became the most prominent one among the opposition groups seeking to overthrow Assad regime. Strikingly, there has been a wide range of indications that Turkey and Saudi Arabia supported the ISIS. First of all, Turkey has been accused of letting the wounded ISIS members be cured in Turkish hospitals. More importantly, Turkey has been blamed for providing overwhelming support, including transit points, logistics etc. to the ISIS. In January 2014, a convincing evidence related to Turkey's assistance to the ISIS was put forward. There were several photographs showing Turkish trucks of Turkish security forces being caught near the Turkish-Syrian border when having allegedly been carrying weapons to the ISIS members.⁸¹

⁷⁹Turkey's Refugee Crisis: The Politics of Permanence. International Crisis Group. 2016, pp. 2.

⁸⁰Aras, N.E.G., Mencutek, Z.S. (2015). The international migration and foreign policy nexus: the case of Syrian refugee crisis and Turkey. *Migration Letters*, vol. 12, no. 3, pp. 201.

⁸¹Karakoç, J., Doğruel, F. (2015). The Impact of Turkey's Policy Toward Syria on Human Security. *Arab Studies Quarterly*, vol. 37, no. 4, pp. 353.

2.3 The Syrian refugee crisis in Turkey and the Legal Framework

2.3.1 Law on Foreigners and International Protection (2013)

On 10 April 2013, the *Law on Foreigners and International Protection* (Law no. 6458, LFIP) was adopted, entering into force in 2014. With the introduction of the LFIP, a detailed migration and asylum legal framework has been set up. Apart from the preserved geographical limitation, the principle of *non-refoulement* has become one of the key elements endorsed in the LFIP. According to Art. 4 (1) of the LFIP, '*no one should be returned to a place where he or she may be subjected to torture, inhuman or degrading punishment or treatment or, where his/her life or freedom would be threatened on account of his/her race, religion, nationality, membership of a particular social group or political opinion*'.

In fact, the LFIP is the outcome of the two previously planned separate laws, i.e. the *Law on Aliens* and the *Law on Asylum*. Indeed, it has been under the LFIP when landmark reforms in Turkey's migration and asylum system have been launched.

The LFIP is divided into five parts which are subdivided into separate sections. *Part I* defines the 'purpose, scope, definitions and the principle of *non-refoulement*'. On the other hand, *Part II* provides a broad overview of the rights and obligations of foreigners staying in Turkey. In this sense, following issues are particularly highlighted - entry into and exit from Turkey and related issues, such as document checks, visa requirements, residence, etc. *Part III* of the LFIP might be regarded as the most important with regards to my analysis of the current Syrian refugee crisis in Turkey. In the *Part III*, the core principles of international protection and the eligibility for being granted a refugee status are clarified. Among others, in the *Part III*, a great attention is paid to the application procedure and the subsequent registration of the asylum seekers in Turkey. Besides, the *Part IV* deals with the common provisions regarding foreigners and international protection. Most importantly, in the *Part V*, the establishment and mandate of the Directorate General of Migration Management (DGMM) is defined.

With the introduction of the LFIP, Turkey's migration and asylum system has got a more coherent legal framework with precisely determined legal terms and definitions. The prior aim of the LFIP is to put irregular migration in Turkey under a full control of Turkish authorities by the means of establishing an efficient management which would safeguard Turkey's national interests as well as it would successfully integrate immigrants in the country in line with international and European standards.⁸²

⁸²İçduygu, A., Aksel, D. B (2013). Turkish Migration Policies: A Critical Historical Retrospective. *PERCEPTIONS*, vol. 18, no. 3, pp. 181.

International protection/Temporary protection

Under the LFIP, the temporary protection regime has been established. The temporary protection regime is a legal framework which provides a temporary protection to Syrians taking shelter in Turkey. The temporary protection defined in the LFIP loosely resembles the *EU Temporary Protection Directive* (2001/55/EC) of 2001, which, however, remained only a draft having not been implemented in practice.

According to Art. 2 (2) and Art. 91, '*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 addition, the management of the reception of such foreigners in need of temporary protection is to be carried out by the Council of Ministers.

Meanwhile, in order to provide a sufficient assistance to the temporary protection seekers, the Council of Ministers is supposed to cooperate with the UNHCR, the IOM, and other international organisations and non-governmental organisations.⁸³ Most intense cooperation, however, should be conducted with the UNHCR which is responsible for the supervision of the implementation of the principles endorsed in the *1951 Refugee Convention*. Nevertheless, the Council of Ministers, in consultation with the Ministry of Foreign Affairs, remains the key actor which is in full charge of the refugee status determination procedure.⁸⁴ Within the refugee status determination, the UNHCR is supposed to have a free access to the information related to the protection provided to the applicant whereas it is authorised to share its views with regards to the application of the asylum seeker to Turkish authorities.⁸⁵

An updated and accurate information should be provided to the UNHCR and other authorised parties involved in the refugee status determination process.⁸⁶ In order to collect and to be able to analyse the data in a coherent way, a well-functioning information system is to be established. Meanwhile, the data stored in such a system might be available to the authorised public institutions and agencies.⁸⁷

It is important to mention that the international protection might be terminated in case the protection status holder decides so.⁸⁸ The international protection might be also cancelled in case the international protection applicant deliberately provides decision-making authorities with a false identification document or in case, after granting status to the applicant, it is found out that

⁸³Yabancılar ve Uluslararası Koruma Kanunu, art. 92 (1).

⁸⁴Yabancılar ve Uluslararası Koruma Kanunu, art. 92 (2).

⁸⁵Yabancılar ve Uluslararası Koruma Kanunu, art. 92 (3).

⁸⁶Yabancılar ve Uluslararası Koruma Kanunu, art. 93 (1).

⁸⁷Yabancılar ve Uluslararası Koruma Kanunu, art. 93 (2).

⁸⁸Yabancılar ve Uluslararası Koruma Kanunu, art. 85.

the person concerned should have been excluded from the protection status determination.⁸⁹

International protection statuses

Under the LFIP, a person who applies for the international protection in Turkey might be granted one of the three protection statuses, i.e. the refugee status, the conditional refugee status, or the subsidiary protection. On the ground of security reasons and the public order, unlike the refugees, the conditional refugees and the persons under the subsidiary protection are required to reside in the province assigned to them and to regularly report to the local authorities updated information related to their stay in Turkey.⁹⁰

According to Art. 61, the refugee status might be granted only to a person who *'as a result of events occurring in European countries 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 citizenship and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of that country; or who, not having a nationality and being outside the country of his former residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it, shall be granted refugee status upon completion of the refugee status determination process'*.

On the other hand, only a person who *'as a result of events occurring outside European countries 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 or herself of the protection of that country; or who, not having a nationality and being outside the country of former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it, shall be granted conditional refugee status upon completion of the refugee status determination process'* might obtain the conditional refugee status. More importantly, a conditional refugee is permitted to stay in Turkey only temporarily until s/he is resettled to a third country.⁹¹

The subsidiary protection is applied only in such cases when a foreigner can be classified neither as a refugee nor as a conditional refugee. The subsidiary protection can be granted only to a person who if s/he would return to the country of origin would face a death penalty or other degrading treatment.⁹²

⁸⁹Yabancılar ve Uluslararası Koruma Kanunu, art. 86.

⁹⁰Yabancılar ve Uluslararası Koruma Kanunu, art. 82.

⁹¹Yabancılar ve Uluslararası Koruma Kanunu, art. 62.

⁹²Yabancılar ve Uluslararası Koruma Kanunu, art. 63.

Temporary Protection Regulation

Though, the LFIP ensures a legal framework for Turkey's current temporary protection regime, the temporary protection has not been enough clarified in the document. On 13 October 2014, with the aim to provide a precise definition of the term "temporary protection", the *Temporary Protection Regulation* (TPR) was adopted, entering into force on 22 October 2014. The TPR is a secondary legislation which defines the term "temporary protection", its scope, and the rights and obligations of a person under temporary protection in detail.

The TPR relates not only to the Syrian refugee crisis. Even though it consists of provisional articles declaring its applicability to the Syrian crisis with retroactivity, based on the decision of the Council of Ministers, it can be applied in any mass influx to Turkey.⁹³

According to the TPR, '*...temporary protection will be provided for foreigners 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...*'. Meanwhile, the TPR grants Syrians the right to temporary asylum until the Syrian Civil War ends and Syrians return to their home country. It is important to mention that the duration of the temporary protection is determined by a decision of the Council of Ministers.⁹⁴

Rights and benefits under international protection

Both the LFIP and TPR refer to the social and economic rights and obligations of a person under temporary protection. However, it is important to mention that not all of them are binding upon the state. The temporary protection regime has been deliberately designed in a way that no obligation is set upon the state. The provision of the humanitarian assistance should depend only on the availability of the resources and other factors related to the administrative management.

The scope of the rights and benefits granted to the protection applicants cannot exceed the rights and benefits accorded to Turkish citizens.⁹⁵ The rights related to the employment and the access to social services being granted to a person under international protection are regulated by the Ministry of Labour and Social Security, in consultation with the Council of Ministers.⁹⁶

Under temporary protection, Syrians are obliged to register themselves upon their arrival to Turkey whereas they are given refugee ID cards which provide them with free access to basic social services, such as primary and secondary education, healthcare etc.⁹⁷ Meanwhile, the person under international protection is eligible to apply for a work permit after six months since his/her

⁹³http://www.goc.gov.tr/files/_dokuman38.pdf, [1 April 2018].

⁹⁴Ibidem.

⁹⁵Yabancılar ve Uluslararası Koruma Kanunu, art. 88 (2).

⁹⁶Yabancılar ve Uluslararası Koruma Kanunu, art. 89 (4).

⁹⁷Yabancılar ve Uluslararası Koruma Kanunu, art. 89.

registration in Turkey. The access of the person under international protection to the labour market might be restricted due to specific reasons. However, such restrictions must not be applied to persons under international protection who have been residing in Turkey for three and more years.⁹⁸ With having been employed, the person under the international protection is obliged to report updated information related to his/her employment to the authorities concerned.⁹⁹

The satellite city system

According to Art. 95 of the LFIP, a person under international protection has to provide his/her own accommodation. Nonetheless, the Directorate General '*may establish reception and accommodation centres to meet the accommodation, food, healthcare, social and other needs*' of the persons under the international protection. In this context, the persons with special needs should be given priority.

In the framework of the so-called "satellite city system", a person under international protection is assigned to one of the designated provinces where s/he is required to register, reside and periodically report updated information concerning his/her stay in Turkey to the local authority. In case the person under international protection leaves the province without the official permission or refrains from reporting to the local authority, his/her non-compliance with the basic requirements might be regarded as a criminal act resulting in charge of fine. Meanwhile, the person concerned might be denied the access to the basic social services and his/her international protection status might be withdrawn.

2.3.2 National Action Plan on Irregular Migration

In 2015, the *National Action Plan on Irregular Migration* was published. The *National Action Plan on Irregular Migration* is a roadmap designed to cut down on irregular migration and to prevent organised crime in Turkey. In fact, the *National Action Plan* is a result of the cooperation between the IOM and the Ministry of Interior. The prior aim of the document is to prevent irregular migration, in particular, and to combat migrant smuggling respectively. In this regard, the main focus should be concentrated on border controls, combatting organized crime, and multi-level governance.¹⁰⁰

⁹⁸Yabancılar ve Uluslararası Koruma Kanunu, art. 89 (4).

⁹⁹Yabancılar ve Uluslararası Koruma Kanunu, art. 90.

¹⁰⁰https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/turkey/ipa/2015/ipa2015-038-404.5-home_affairs_new.pdf, [1 April 2018].

2.4 Institutions responsible for the management of the Syrian refugee crisis

The Syrian refugee crisis is a severe humanitarian crisis which requires a wide range of actors at the local as well as international level to get involved. Initially, Turkish government refrained from accepting any international humanitarian assistance. With the prolonged nature of the Syrian crisis, however, the situation went out of Turkey's control. Turkish government got blissfully aware of the fact that without the establishment of an efficient cooperation among the state institutions, the Syrian refugee crisis could hardly be managed. Apart from traditional state institutions, such as the Ministry of Interior, the Council of the Ministers, the Ministry of Foreign Affairs etc., new actors have got involved in the management of the Syrian crisis. First of all, based on the regulations endorsed in the *Law on Foreigners and International Protection (LFIP)*, the Directorate General for Migration Management (DGMM) was established. The DGMM operates under the supervision of the Ministry of Interior. Meanwhile, the Disaster and Emergency Management Authority (AFAD), founded in 2009, has been charged to take over a full control over the logistical management of the refugee camps which were established in the provinces near the Turkish-Syrian border.

Directorate General of Migration Management (DGMM)

Under the LFIP, the Directorate General of Migration and Management (DGMM) has been established. The DGMM fully assumed its role in May 2015 and started to operate under the supervision of the Ministry of Interior. The DGMM is in a full charge of the migration and asylum issues which were previously regarded much more as issues related to the national security, and therefore, being managed by the National Police.

According to the LFIP, the prior goal of the DGMM is to '*implement migration policies and strategies, ensure coordination among relevant agencies and organisations, and carry-out functions and actions related to the entry into, stay in and exit from of foreigners in Turkey as well as their removal, international protection, temporary protection and the protection of victims of human trafficking*'.¹⁰¹ Moreover, the DGMM has been tasked to develop legislation, administrative capacity as well as strategies for an effective management of migration in Turkey which have been pre-determined by the Council of Ministers. Similarly, the DGMM has been in charge of monitoring and coordinating the implementation of migration policies.¹⁰²

Among others, the DGMM, in a close cooperation with the Migration Policies Boards, is responsible for:

a) The policies in line with the provisions set in the 2006 Settlement Law,

¹⁰¹Yabancılar ve Uluslararası Koruma Kanunu, art. 103.

¹⁰²Yabancılar ve Uluslararası Koruma Kanunu, art. 104.

- b) providing protection to the victims of human trafficking,
- c) the harmonization of the migration laws with the EU and international standards,
- d) the consistent implementation of provisions related to the temporary protection,
- e) coordination of the cooperation among the public institutions and agencies, universities, local governments, non-governmental organisations, private and international organisations,
- f) combating the irregular migration,
- g) assisting public institutions and agencies in developing projects related to the migration.¹⁰³

In the past, the issues related to the applications for international protection were handled centrally in Ankara. However, with the establishment of the DGMM, the decision over the international protection status of the applicant might be taken in every DGMM offices across Turkey. In the past, the asylum seekers had to be registered with both the UNHCR and Turkish authorities. In general, Turkish authorities went along with the UNHCR's refugee status determination decisions and its resettlement recommendations. With the adoption of the LFIP and related regulations, however, the DGMM should gradually become a key decision-maker over the asylum applications.

However, the current migration system has several lacking points too. With the DGMM local offices having become respective decision-makers over the asylum applications, the local courts are in charge of jurisdiction over the asylum-related cases as well. When decisions were passed centrally in the past, it was relatively easier to appeal to the relevant court in Ankara. However, with the decentralised decision process and with the court decisions not necessarily published in Turkey, it is utmost doubtful that each of the court in the country is interpreting the new asylum laws consistently and in the same manner.¹⁰⁴ These doubts are based on the fact that the new migration and asylum legal framework has been relatively newly introduced, thus, the personnel is unlikely to be well-informed and experienced enough to implement the provisions in a coherent manner. In this sense, delays in the decision-making are expected to happen for a certain period of time.

Migration Policies Board

The Migration Policies Board, too, is one of the key actors being involved in the management of the Syrian refugee crisis in Turkey. The Migration Policies Board is an institution composed of the undersecretaries of each of the ministry of the Republic of Turkey, in particular the Ministry of Labour and Social Security and the Ministry of Justice, the President of

¹⁰³Yabancılar ve Uluslararası Koruma Kanunu, art. 104.

¹⁰⁴Skrieland, Ö.G. (2016). Seeking Asylum in Turkey. Norwegian Organisation for Asylum Seekers, pp. 19.

the Presidency of the Turks Abroad and Related Communities, and the Director General for Migration Management. When required so, the meetings of the Migration Policies Board might be attended by other representatives from the ministries, other national or international agencies and organisations, and non-governmental organisations.¹⁰⁵

The prior aim of the Migration Policies Board is to make official decisions on issues on migration and asylum, and to coordinate public institutions and agencies in order to ensure coherent management of migration in Turkey. Among others, the Migration Policies Board is responsible for:

- a) The determination of Turkey's migration policies and strategies and their immediate implementation,
- b) the creation of strategic documents regarding migration in Turkey,
- c) the development of strategies in case of an unexpected mass influx to Turkey,
- d) setting binding principles and procedures to be adopted in case of a potential humanitarian crisis,
- e) determination of principles to be applied with regards to the foreign labour force in Turkey,
- e) determination of conditions for issuing long-term residence permits to foreigners,
- f) determination of a legal framework designed for an effective cooperation on migration with foreign countries and international organisations,
- g) make decisions to ensure coordination among public institutions and agencies working in the field of migration.¹⁰⁶

AFAD

The Disaster and Emergency Management Authority (AFAD) has played a strategic role in the management of the Syrian refugee crisis in Turkey. Based on the decision of Turkish government, AFAD has been a sole governmental agency taking control over the logistical management of the refugee camps which were established in the provinces near the Turkish-Syrian border.

AFAD was established as a single governmental institution in 2009 under the Prime Ministry, based on the Law No. 5902, in response to the Marmara earthquake which took place in 1999. AFAD is supposed to be a fully operational agency, with a legal mandate, in disaster and emergency situations.¹⁰⁷ Among others, AFAD has been tasked to '*prevent disasters and minimize disaster-related damages, plan and coordinate post-disaster response, and promote cooperation among various government agencies*'.¹⁰⁸ Under AFAD, a completely new disaster management model has

¹⁰⁵Yabancılar ve Uluslararası Koruma Kanunu, art. 105.

¹⁰⁶Yabancılar ve Uluslararası Koruma Kanunu, art. 105 (2).

¹⁰⁷https://www.afad.gov.tr/upload/Node/2584/files/Afad_Strtjk_web_en_son.pdf, pp. 9, [6 April 2018].

¹⁰⁸<https://www.afad.gov.tr/en/2572/About-Us>, [6 April 2018].

been developed. In this sense, the so-called "Disaster Management System" refrains from the traditional crisis management. Instead, it puts a great emphasis on the risk management.¹⁰⁹

Currently, there are 81 AFAD provincial branches with additional 11 search and rescue units cooperating with a wide range of government institutions and non-governmental organizations. As a sole government agency being in charge of disaster and emergency management, AFAD has been strongly attached to the Prime Ministry. Meanwhile, AFAD has a well-trained and experienced personnel contributing to well-functioning management of the agency. Last but not least, AFAD has solid financial resources which enables it to "undertake serious aid initiatives".¹¹⁰

With regards to the Syrian refugee crisis, AFAD has been fully responsible for the logistical management of the 25 refugee camps being in operation in provinces near the Turkish-Syrian border. In a close collaboration with the relevant ministries, such as the Ministry of National Education, the Ministry of Social Affairs etc., AFAD has been providing displaced Syrians with basic social services, such as healthcare, education/training as well as psychological support which help Syrians overcome the trauma which they had experienced as a result of the war.¹¹¹

With regards to the refugee camps, AFAD officials have acknowledged that, after Syrians return to Syria, the newly established refugee camps are supposed to be transformed into permanent shelters which could be used in case of any natural disaster. This is also one of the reasons why Turkish government puts a great emphasis on the outstanding management of the camps.¹¹²

The UNHCR

The UNHCR was established in 1950 as one of the UN programmes with the mandate to protect refugees, forcibly displaced communities and stateless people, and to assist their voluntary repatriation, local integration or resettlement to third countries.¹¹³

The role of the UNHCR has gradually changed since the mid-1990s. Until then, the UNHCR in Turkey had been a sole authority with regards to the refugee status determination. By then, Turkish government had only a consultative role. With the adoption of the *1994 Asylum Regulation*, the UNHCR's role as the only decision-maker over refugee status determination has been partly undermined. Since then, the refugee status was to be determined only by the mutual decision taken both by the UNHCR and Turkish authorities. Moreover, as the recent development has showed, there has been a strong tendency from the side of Turkish government to completely transfer refugee status determination competency from the UNHCR to Turkish authorities. In this sense,

¹⁰⁹https://www.afad.gov.tr/upload/Node/2584/files/Afad_Strtjk_web_en_son.pdf, [6 April 2018].

¹¹⁰Ibidem.

¹¹¹<https://www.afad.gov.tr/en/2601/Turkey-Response-to-Syria-Crisis>, [6 April 2018].

¹¹²Orhan, O. (2014). *The Situation of Syrian Refugees in Neighbouring Countries: Findings, Conclusions and Recommendations*. ORSAM, pp. 13.

¹¹³Statute of the Office of the United Nations High Commissioner for Refugees, art. 1.

the establishment of the Directorate General for Migration Management (DGMM) in 2014 might be regarded as a crucial step in this direction.

Until recently, since the Turkish State does not grant a refugee status to the migrants who are not of European origin, the UNHCR has worked on the refugee status determination in a close cooperation with the Ministry of Interior and the Turkish Security Forces. With the UNHCR and the Ministry of Interior having reached a mutual decision, the officially recognised refugees were eligible to be resettled to third safe countries. Meanwhile, the UNHCR was also responsible for the promotion of the migration management culture in Turkey via organizing conferences, seminars, and trainings.¹¹⁴

With regards to the duration of the refugee status determination, until the mid-1990s, the UNHCR was able to take decision within a few weeks up to maximum two years. With the increasingly restrictive migration policies of the Western European states, the decision-making related to the refugee status determination has been gradually prolonged.¹¹⁵ Nowadays, the workload of the UNHCR in Turkey is overburdened whereas the refugee status determinations, in general, last up to several years.

International Organisation for Migration (IOM)

Turkey became a member of the International Organisation for Migration (IOM), i.e. another actor which has largely contributed to the management of the Syrian refugee crisis and provided material as well as non-material humanitarian assistance to Turkey, in 2004.

The IOM Turkey, which has offices in Ankara and Istanbul, is responsible for the 'management of migration and the effective respect for the human rights of migrants in accordance with international law'.¹¹⁶ Meanwhile, the IOM is supposed to be 'a primary reference point for migration information, research, and data collection' and to provide support to the states in order to facilitate the integration of the immigrants in the new environment. Besides, the IOM officials have been developing strategies particularly aimed at combatting smuggling and trafficking in persons as well as programmes which would facilitate return and re-integration of the persons under international protection.¹¹⁷

¹¹⁴İçduygu, A., Aksel, D.B. (2012). Irregular Migration in Turkey. International Organisation for Migration in Turkey, pp. 57.

¹¹⁵Kirişçi, K. (1996). Is Turkey lifting for the Geographical Limitation? The November 1994 Regulation on Asylum in Turkey. *International Journal of Refugee Law*, vol. 8, no. 3, pp. 306.

¹¹⁶<https://www.iom.int/mission>, [3 March 2018].

¹¹⁷Ibidem.

The Ministry of Foreign Affairs

Under the Ministry of Foreign Affairs, the Deputy Directorate General for Migration, Asylum, and Visa has been in charge of the policies related to the illegal migration, migrant smuggling, and trafficking in human beings. In fact, the Deputy Directorate General for Migration, Asylum, and Visa has *de facto* been an intermediary between the IOM and the UNHCR.

First of all, the Department is responsible for the preparation of bilateral readmission agreements, bilateral cooperation protocols on combating trafficking, conducting negotiations with other countries on illegal migration, migrant smuggling, and trafficking in human beings as well as it is in charge of ratification of those agreements. Meanwhile, the Department is working on strategies regarding illegal migration and trafficking in human beings, border management, all of whom are supposed to be implemented in line with the EU *acquis communautaire*. Besides, the Department is working on strategies and projects which would contribute to a more efficient and more integrated border management. Last but not least, the Ministry of Foreign Affairs is preoccupied with negotiations with the EU on issues related to the EU refugee policy as well as on readmission agreements which are generally supposed to mitigate the uncontrolled irregular migration on the territory of both actors.¹¹⁸

Other actors involved in the management of the Syrian refugee crisis

Only as time passed, Turkish government has realized that the Syrian refugee crisis is not a temporary situation. As a result, the relevant ministries have adopted a wide range of measures in order to address the refugee influx. In 2016, the number of administrative staff has been enlarged and language and professional training programs have been introduced.¹¹⁹

The Presidency of Turks Abroad and Related Communities (YTB), which is responsible for Turkish scholarship programme, provides Syrian youth with tertiary education opportunities supported by a wide range of scholarship opportunities.¹²⁰

On the other hand, the Turkish Labour Agency (İŞKUR) is currently working on the development of comprehensive projects with the aim to determine the sectors which would need additional work force that could be provided by Syrians. Currently, İŞKUR is trying to identify the competencies, education and professional knowledge/experience of Syrians in order to detect work opportunities for Syrians. Meanwhile, İŞKUR has even started to work on a comprehensive plan to identify the sectors in need of additional work force which could be provided by Syrians. As a result, the lack of work force would be addressed while Syrians who could be integrated into

¹¹⁸İçduygu, A., Aksel, D.B. (2012). Irregular Migration in Turkey. International Organisation for Migration in Turkey, pp. 55.

¹¹⁹Turkey's Refugee Crisis: The Politics of Permanence. International Crisis Group, pp. 4.

¹²⁰<https://www.turkiyeburlari.gov.tr/en/english-home/>, [17 March 2018].

the Turkish labour market.¹²¹

2.5 Registration and the protection status application procedure

The prior aim of the application procedure is to determine whether the applicant has a legitimate need for being granted asylum in Turkey. In this context, it might be highlighted that already since the adoption of the *1994 Asylum Regulation*, Turkish authorities have been in charge to complete the refugee status determination independently from the UNHCR assessment.

According to Art. 65 (1) of the LFIP, the international protection applications shall be lodged with the governorates in person. The applicant is also eligible for being granted the protection status on behalf of his/her accompanying family members whose applications are on the same grounds.¹²² Meanwhile, the persons with special needs and victims of torture or any kind of violence are supposed to be given priority within the application assessment.¹²³

The applications of the asylum seekers of non-European origin are administered by the IOM Office based in Turkey and the UNHCR Branch Office in Ankara operating on the ground of the *Memorandum of Understanding*.¹²⁴

Administrative detention of applicants

According to Art. 68 of the LFIP, the applicants for the international protection cannot be put into the administrative detention merely for having submitted the application for the international protection. The administrative detention should be chosen only in exceptional cases which require so. The administrative detention might be adopted in case there is a need to determine the identity of the person which is believed to have provided a false document to the officials. Apart from that, the person might be put into the administrative detention also in case s/he is suspected to pose a serious threat to the public order. The administrative detention must not exceed thirty days. In fact, all procedures related to the administrative detention shall be completed as soon as possible and in case there is no further reason to keep the applicant in the administrative detention, the person should be released immediately.

¹²¹Syrian refugees in Turkey: Challenges to and Opportunities for Longer-Term Integration. 2016. ORSAM, pp. 9.

¹²²Yabancılar ve Uluslararası Koruma Kanunu, art. 65 (3).

¹²³Yabancılar ve Uluslararası Koruma Kanunu, art. 67.

¹²⁴Memorandum of Understanding between the United Nations High Commissioner for Refugees and the International Organisation for Migration.

Registration

First of all, the asylum seeker is given a registration appointment at the local foreigners police where the applicant is required to answer questions related to his/her background and the reasons that forced him/her to leave the country of his/her origin. Meanwhile, the applicant is informed about all requirements related to temporary asylum which are to be fulfilled in order to process the application at the UNHCR.¹²⁵ Based on the applicant's request, the translators might be included in the application procedure as well.¹²⁶ At the first registration appointment, the applicant is being issued with a registration document. The registration document is valid for thirty days and serves as a proof of the international protection granted to the applicant and as a temporary residence permit for him/her. The registration document might be extended for an additional period of time and is not a subject to any fee.¹²⁷

After a successful completion of the application at the foreigners police, the asylum seekers are registered at the UNHCR. Based on the decision of the IOM and the UNHCR, the temporary asylum claimant is referred to one of 28 "satellite cities" where the asylum applicant is required to reside.¹²⁸

Subsequently, the asylum seeker is obliged to regularly report to the local foreigners police to document his/her uninterrupted residence in the city.¹²⁹ However, the asylum applicants usually do not have any links to the province which they are assigned to. In case the asylum seeker wants to temporarily leave the province, s/he has to apply to the local foreigners office in order to obtain a permission which would allow him/her to do so. In case the asylum seeker leaves the assigned province without any official permission, s/he might be charged for a criminal act.¹³⁰

Until recently, there had been a separate registration procedure performed by AFAD and Turkish Red Crescent. This administration, however, turned out to be very ineffective and hindering a collection of data in a coherent manner. In 2013, a single database GÖÇNET was created. The gathered data, however, became available only in November 2015.¹³¹ Moreover, with the increased number of Syrians taking refuge in Turkey, there have been many lacking points related to the coordination of the registration of Syrians, including the inadequate access to basic social services. One of the reasons of the uncoordinated registration proceedings was the fact that Syrians even did not know where to register.¹³²

¹²⁵Yabancılar ve Uluslararası Koruma Kanunu, art. 70 (1).

¹²⁶Yabancılar ve Uluslararası Koruma Kanunu, art. 70 (2).

¹²⁷Yabancılar ve Uluslararası Koruma Kanunu, art. 69 (7).

¹²⁸Yabancılar ve Uluslararası Koruma Kanunu, art. 69 (1).

¹²⁹Yabancılar ve Uluslararası Koruma Kanunu, art. 71.

¹³⁰Durukan, O., et al. (2009). *Unwelcome Guests: The Detention of Refugees in Turkey's 'Foreigners' Guesthouses'*. *Refuge*, vol. 26, no. 1, pp. 80.

¹³¹Syrian refugees in Turkey: Challenges to and Opportunities for Longer-Term Integration. 2016. ORSAM, pp. 11.

¹³²Kayalı, N. et al. (2016). *Syrian Refugees in Istanbul*. Istanbul Policy Center, pp. 14.

Moreover, since the adoption of the EU-Turkey Statement, an overwhelming modification of the registration procedure has been conducted. In fact, there is an urgent need for a creation of a detailed and accessible database where required information concerning Syrians would be collected. Meanwhile, a great attention should be paid to the alignment of the national legislation and its implication at the local level. In fact, there has been a huge gap between the theoretical interpretation of the protection regulations and their actual implementation marked by a wide range of bureaucratic inconsistencies. The language has been another problem which has been one of the reasons of the unsuccessful integration of Syrians into Turkish society. Since a lot of Syrians do not understand Turkish, they are unable to get basic information which would facilitate their daily life. The lack of Turkish knowledge is also one of the reasons why Syrians do not know where to register whereas without the registration they are not allowed to benefit from the free access to basic social services. In this sense, counter measures taken by Turkish government to prevent such situation would be recommendable. More concretely, with official web sites translated into Arabic, Syrians would be better informed about the official procedures which would be beneficial not only for Syrians but for Turkish authorities, as well.¹³³

In fact, a comparatively large number of Syrians do not prefer registration. There are many reasons which lead Syrians to take such a decision. First of all, registration might complicate their situation when their family members are registered in different provinces. Even though, persons under temporary protection have a theoretical right to apply to the DGMM for a change of their residence, in practice, these applications have not been taken into consideration very often. On the other hand, some Syrians do not register since they doubt it would somehow change their situation. In general, Syrians who entered Turkey legally prefer to apply for a residence permit rather than for the temporary protection.¹³⁴

Interview/Refugee status determination

With a successful registration, the interview date is set.¹³⁵ According to Art. 75 of the LFIP, the interview with the asylum applicant should be carried out within thirty days since the date of registration. The prior aim of the interview is to fairly decide whether the applicant is eligible for the protection status. The asylum seeker should be allowed to express himself/herself freely and to provide the officials with all necessary information and documents voluntarily and in the best possible manner. The confidentiality of the speech should be respected. Meanwhile, the officials should take into consideration all special circumstances in case of the applicants with special needs.

¹³³Kayalı, N. et al. (2016). Syrian Refugees in Istanbul. Istanbul Policy Center, pp. 15.

¹³⁴Kayalı, N. et al. (2016). Syrian Refugees in Istanbul. Istanbul Policy Center, pp. 5.

¹³⁵Yabancılar ve Uluslararası Koruma Kanunu, art. 69 (5).

During the interview, the UNHCR officers pose detailed questions, such as the reasons of the applicant to leave the country of his/her origin etc., in order to determine whether the applicant has legitimate reasons to seek asylum in Turkey.¹³⁶ The proof of personal documents is a very sensitive issue. It has been widely accepted that people who escape their countries in an emergency situation often do not have time/opportunity to bring their belongings, including personal documents. Therefore, the officers responsible for the refugee status determination often rely only on the applicant's narrative report explaining the reasons for leaving the country of origin.¹³⁷

After a successful completion of the interview, the applicant is issued an International Protection Applicant Identity Document which is valid for six months. The document serves as a proof of the international protection application of the asylum seeker. In fact, the document might be considered a substitute to the residence permit and is not a subject to any fee.¹³⁸

Decision

According to Art. 78, the assessment of the application should be finalised no later than six months since the date of the applicant's registration. In case the decision cannot be reached in the fixed time, the applicant has to be informed about this matter of fact. During the evaluation process, applicant's personal circumstances and the current general conditions in the country of his/her origin should be taken into consideration unconditionally. In case the applicant can be provided with a protection in a certain part of the country of his/her origin, s/he is not eligible for being granted the international protection in Turkey.¹³⁹ Moreover, some applications lodged at UNHCR might be considered inadmissible if the applicant submits already rejected application with the same reason or does not prove well-founded reasons which would force him/her to escape his/her home country.¹⁴⁰

The duration of the refugee status determination is variable. The procedure might last from several months up to more than one year, depending on the national background of the asylum applicant, the amount of asylum applications lodged at the UNHCR, and the number of available personnel.¹⁴¹ When the person is recognised as a refugee, the case is submitted to the durable solutions unit which initiates a third country resettlement. In case the person is recognised to be eligible for the resettlement, the UNHCR transfers the issue to the embassy of the countries which

¹³⁶Biehl, K.S. (2015). Governing Through Uncertainty: Experiences of Being an Refugee in Turkey as a Country of Temporary Asylum. *Social Analysis*, vol. 59, no. 1, pp. 59.

¹³⁷Biehl, K.S. (2015). Governing Through Uncertainty: Experiences of Being an Refugee in Turkey as a Country of Temporary Asylum. *Social Analysis*, vol. 59, no. 1, pp. 63.

¹³⁸Yabancılar ve Uluslararası Koruma Kanunu, art. 76.

¹³⁹Yabancılar ve Uluslararası Koruma Kanunu, art. 78.

¹⁴⁰Yabancılar ve Uluslararası Koruma Kanunu, art. 72.

¹⁴¹Biehl, K.S. (2015). Governing Through Uncertainty: Experiences of Being an Refugee in Turkey as a Country of Temporary Asylum. *Social Analysis*, vol. 59, no. 1, pp. 59.

are open to the admission of refugees taking a temporary refuge in Turkey. Particularly, the US, Canada, Australia, and Finland have been considered states with "open-door" policy towards the refugees.

In case the narrative account of the asylum seeker is evaluated by the UNHCR as "non-credible", the asylum application of the person concerned is supposed to be rejected. In that case, the applicant has the right to make an appeal and to request a second interview. However, if his/her application is rejected even after the additional interview, the case is closed and the applicant has to leave Turkey within 15 days. In case the applicant does not leave the country, s/he becomes "an illegal resident in Turkey subject to deportation".¹⁴²



¹⁴²Kaya, I. (2008). Legal Aspects of Irregular Migration in Turkey. CARIM, pp. 5.

3. SYRIAN REFUGEES IN TURKEY

Since the start of the Syrian refugee crisis, Turkey has spent a great amount of budget on covering the humanitarian aid to Syrians taking refuge at its territory. Until November 2017, Turkish government has spent over \$ 30 billion dollar¹⁴³ to provide Syrians under temporary protection with an adequate support and to ensure a sufficient management of the refugee camps.

The Syrian refugee influx, indeed, might be considered a serious humanitarian crisis having wide-ranging consequences for the neighbouring countries of Syria, which had opened their borders to Syrian escapees. In case of Turkey, Syrian refugee crisis has essentially been an enormous economic burden for the state. Not only Turkey is does not range among the developed countries, to make the matters worse, the recent economic crisis puts Turkey under a great economic pressure more than ever. Inflation, rise in unemployment, withdrawal of the international investors from the country as well as declining tourism caused by security concerns – all of those factors put a big question mark over Turkey's capacity to sustain the Syrian refugee crisis on its own.

At the beginning of the crisis, Turkey did not ask for any financial assistance from the international donors due to various political reasons and self-interests. However, by time, it had become apparent that without the international financial help Turkey's support to Syrians would be stretched to limits. Despite a widespread criticism, the March 2016 EU-Turkey Statement, according to which a humanitarian aid in the amount of 6 billion EUR in total was to be provided to Turkey, might be considered a useful financial contribution to the Turkish State to partly cover some of the expenses on Syrians. All in all, it has been commonly believed that the international financial assistance is not sufficient at all. There is need for more inclusion from the side of the international community and for more donors to be included in the humanitarian management of the crisis.

Apart from the economic burden Syrian refugee crisis caused to Turkey, the mass flow of Syrians into Turkey as well as their relatively uncontrolled movement in the country are worrisome and are reasons for security concerns. Thus, apart from its ongoing war in the Southeastern region against the insurgent group PKK, Turkey has been forced to take measures to prevent Syrian militant/jihadist forces from infiltrating into Turkish territory. Meanwhile, according to the EU-Turkey Statement, Turkey is now in charge to cutting down of the illegal crossing of Syrians into the EU territory.

At the beginning of the crisis, Turkey welcomed Syrian newcomers with open arms. Turkish government even talk about Syrians as "guests" and "brothers" in need of help. Turkish society, as

¹⁴³<http://www.hurriyetdailynews.com/turkey-to-continue-responding-to-humanitarian-crises-121982>, [3 March 2018].

well, showed a great deal of understanding whereas, not only in exceptional cases, it has provided Syrians with material and non-material support. With the prolonged nature of the crisis, however, Turkish society has gradually become less tolerant towards Syrians. The public has even started to blame them for the rise in the rental prices and the prices of goods, for the rising unemployment, and for contributing to social/sectarian tension in Turkey. In fact, there has been a steady rise in hostility of Turkish population towards Syrians, particularly in the border region.

The integration of Syrians' into Turkish society does not seem to be an easy task. In order to analyse the integration of Syrians into Turkish society, attention should be focused on the following aspects: Syrians' psychological conditions, their perceptions and expectations, their survival ways, and the social/economic rights which Syrians have been granted under temporary protection. In this chapter, I will focus on those aspects. With the aim to indicate more precisely the living conditions of Syrians taking refuge in Turkey, the survival ways of encamped Syrians and Syrians taking shelter outside the refugee camps will be analysed separately.

3.1 Syrians taking shelter in the refugee camps

Currently, there are 22 camps¹⁴⁴, 13 tent cities, and 2 container sites located in 10 provinces of Southern and Southeastern Turkey, i.e. in Adana, Hatay, Osmaniye, Kahramanmaraş, Malatya, Adıyaman, Gaziantep-Kilis, Şanlıurfa, Diyarbakır, Mardin, Batman. However, due to various reasons, ranging from personal convictions to the management capacity, only 10% of Syrians stay in the camps.¹⁴⁵ The logistics of the refugee camps have been safeguarded by the Disaster and Emergency Management Authority (AFAD) which was established in 2009 under the Prime Ministry. On the other hand, the services in the camps have been provided by the relevant ministries.

The refugee camps situated in Turkey's border region are worth international appraisal for their high standards provided to Syrians, including social, security, education and healthcare facilities. Meanwhile, the camps have been provided with an outstanding infrastructure, including water, electricity, and communication facilities whereas even roads, streets, markets, hospitals with ambulances, and school campuses have been constructed there. Moreover, kitchen sets have been built in the camps in order to enable Syrians to cook their own food and to feel like at home. In cooperation with the UN World Food Programme and the Red Crescent, AFAD also provides Syrians staying in the camps with food cards which are loaded with a certain amount of money.¹⁴⁶

Officially, AFAD staff refrains from using the term "camp" or "temporary accommodation

¹⁴⁴<https://data2.unhcr.org/en/documents/download/54624>, [18 March 2018].

¹⁴⁵Yabancılar ve Uluslararası Koruma Kanunu, art. 95.

¹⁴⁶AFAD President: Turkey Owes Success to Its Experience, Systematic Work and Political Will. An interview with the President of Prime Ministry's Disaster and Emergency Management Agency. *ORSAM Interviews on Regional Affairs*, 2014, no. 1, pp. 7.

centre". Instead, AFAD officials call the newly constructed facilities "tent/container" city. Similarly, AFAD avoids to call encamped Syrians "refugees" or "people under temporary protection". Instead, Syrians have been labelled as "guests". The inclusive approach of AFAD is, indeed, a deliberately pursued policy whose aim is to create a feeling among encamped Syrians that they stay in a safe and stable environment where they would not notice any sign of ongoing war in their country.¹⁴⁷

The camps are intended to be a safe place. When entering the camps, Syrians submit their fingerprints and may bring items from outside only after scanning them by X-ray devices. The camps are illuminated in the nights whereas security guards are present twenty four hours a day. Particularly in the tent cities the order is strictly maintained.¹⁴⁸

In the camps, Syrians have a wide range of training opportunities, including language classes, such as English, Turkish, Arabic, hair-dressing, carpet business, computer etc. Meanwhile, the parents can send their children to the camps' temporary education centres where their kids are taught in Arabic according to the revised Syrian curriculum. With taking into consideration all services provided in the camps, some Syrians staying in the camps acknowledge that "they have even better living conditions than in their own country".¹⁴⁹

Even though Syrians taking shelter in the camps have been provided with the best possible services, most of them acknowledged that they feel bored in the camps because they face the same conditions every day without any change. Moreover, Syrians pointed out that in case they want to leave and enter the camp they have to obtain permission every time. As a result, some Syrians suffer from emotional and psychological problems caused by the perception that there is no satisfactory perspective for them in a long run.¹⁵⁰

Meanwhile, it has been widely believed that the refugee camps are, in fact, a base for opposition fighters and radicals who recover there and recruit for further fights against Assad's army.¹⁵¹ There are many reasons for such perception. Since the early beginning of the Syrian refugee crisis in Turkey, Turkish government had allowed neither non-governmental nor international organisations to enter the camps. Only recently, some of the NGOs have been given official permission to enter the camps. Moreover, there is a huge gap in the implementation of the international refugee law from the side of Turkey. According to the agreement, the refugee

¹⁴⁷AFAD President: Turkey Owes Success to Its Experience, Systematic Work and Political Will. An interview with the President of Prime Ministry's Disaster and Emergency Management Agency. *ORSAM Interviews on Regional Affairs*, 2014, no. 1, pp. 3.

¹⁴⁸The Situation of Syrian Refugees in Neighbouring Countries: Findings, Conclusions and Recommendations. ORSAM. 2014, pp. 12.

¹⁴⁹*Ibidem*.

¹⁵⁰The Situation of Syrian Refugees in Neighbouring Countries: Findings, Conclusions and Recommendations. ORSAM. 2014, pp. 13.

¹⁵¹Karakoç, J., Doğruel, F. (2015). The Impact of Turkey's Policy Toward Syria on Human Security. *Arab Studies Quarterly*, vol. 37, no. 4, pp. 359.

camps should be established away from the war zone and the conflict environment.¹⁵² Some refugee camps in Turkey's border region, however, are right next to the border.

3.2 Syrians living outside the refugee camps

More than 90% of Syrians taking shelter in Turkey live outside the refugee camps in urban and peri-urban areas across whole Turkey.¹⁵³ There are several reasons why Syrians do not prefer to stay in the camps. First of all, when living outside the camp, they have more freedom and are not restricted by the rules applied in the camps. Meanwhile, Syrians outside the camps have the opportunity to work, even though they would be considered illegal workers, in other words, a subject to a fine. Syrians also believe that in case they stay in the camp they would be placed into a vulnerable position facing a risk of a forced return to Syria at any time Turkish government would take such a decision. Some Syrians also feel not comfortable in the camps because different groups of Syrian society might take shelter there. In such an environment, political disagreements and social tension caused by different ethnic origin or religious affinity might flourish and even escalate to harsh disputes. Last but not least, staying in the camp is not acceptable especially for conservative families who do not consider it in line with their norms and values.¹⁵⁴

Most of Syrians taking shelter in Turkey decided to reside in big cities where they can find work more easily, especially in Istanbul. Syrians living in big Turkish cities are called "urban refugees". At the beginning of the Syrian crisis, only rich Syrians escaped their country to Turkey where they established their businesses.¹⁵⁵ Only by time, as the crisis appeared not to finish soon, poor Syrians took a decision to leave the country, too.

Indeed, Syrians living outside of the camps face harsh living conditions. Many Syrians are well-educated and skilled, and in Syria, they often had their own businesses. However, with the arrival to Turkey they became a subject to exploitation. In most cases, they are used as a cheap labour force in the informal sector. They do not often earn even the minimum wage which is set by the Turkish labour law. Only in January 2016, a law permitting Syrians to apply for a work permit was adopted. However, since that time only a small number of Syrians has actually obtained the permission.

In comparison to encamped Syrians, Syrians living outside of the camps do not have an automatic right for a free access to social services. In order to be eligible for the access to social services, Syrians have to be registered. In practice, however, due to various reasons, not all Syrians

¹⁵²<https://emergency.unhcr.org/entry/35944/site-planning-for-camps>, [5 March 2018].

¹⁵³<https://reliefweb.int/sites/reliefweb.int/files/resources/UNHCRTurkeyFactSheet-October2017.pdf>, [7 March 2018].

¹⁵⁴Erdoğan, M.M. (2014). Perceptions of Syrians in Turkey. *Insight Turkey*, vol. 16, no. 4, pp. 68.

¹⁵⁵Karakoç, J., Doğruel, F. (2015). The Impact of Turkey's Policy Toward Syria on Human Security. *Arab Studies Quarterly*, vol. 37, no. 4, pp. 359.

have been registered.

Apart from the lack of protection at the workplace and a limited access to the free social services, urban Syrians often have to cope with extremely high rental prices and they often face hostility from the local people. Moreover, when being interviewed, Syrians have often stressed that they feel "protracted uncertainty"¹⁵⁶ due to the unpredictable legal status they were granted under the temporary protection, an indefinite waiting for official decisions related to the administrative procedures and due to the overall limited knowledge often caused by a lack of Turkish language knowledge. Not surprisingly, under those conditions most Syrians do not see future perspective in Turkey. This is also one of the reasons why they are not enough willing to integrate into Turkish society and, instead, seek to take refuge in Europe.

3.2.1 Integration policies in Istanbul

Since Istanbul with its 39 municipalities is *de facto* a miniature of the entire Turkey, the distinct approach towards new coming Syrians adopted by each of the municipality might be regarded as a representative sample of general perceptions across Turkish social classes. Indeed, the approach towards Syrians differs substantially in each of the municipality. Some municipalities are not interested to host Syrians at all. They have various reasons for such a stance, including distinct political perceptions, fear that their "open-door" policy would attract more Syrians etc. On the other hand, some municipalities, Sultanbeyli municipality at the forefront, are welcoming Syrians. They have even been developing integration programmes to include Syrians into Turkish society.

Sultanbeyli municipality, in particular, has created its own registration process which tracks all Syrians living in the area. Needs assessment has been carried out as well. For this purpose, Sultanbeyli municipality has been organizing workshops with public institutions and national/local NGOs in order to understand the needs of Syrian "refugees" and to take into consideration a social cohesion. In this regard, the municipality launched two supportive schemes to track the service delivery needs. In this sense, the *Refugee and Asylum Seekers Assistance Association* is responsible for the coordination of service delivery while the *SUKOM* is a software package collecting and sharing information about Syrians and their families.¹⁵⁷

¹⁵⁶Biehl, K.S. (2015). Governing Through Uncertainty: Experiences of Being an Refugee in Turkey as a Country of Temporary Asylum. *Social Analysis*, vol. 59, no. 1, pp. 58.

¹⁵⁷Moving towards dignity: Human-Centered Approaches for Displaced Syrians in Turkey, Jordan, and Beyond. A Joint Research and Policy Project of the Boston Consortium for Arab Region Studies and the Migration Research Center at Koç University. 2016, pp. 12.

3.2.2 Syrians Living in the Border Region

The overwhelming majority of Syrians reside in the border region. Due to the short distance to Syria as well as due to the traditional cultural/ethnic ties, Syrians might feel more familiar in the border region than in any other city inside Turkey. At the beginning of the Syrian crisis, Turkish population welcomed Syrians with open arms. In fact, Turkish people showed a great understanding and devotion towards Syrians. They considered them "brothers" in need of help and provided them with material and non-material support. However, due to the prolonged nature of the crisis, tensions between the local community and Syrians have started to arise.

The fragility of social cohesion is most visible in Hatay which has traditionally been considered a crossroad of civilisational flows. Hatay is a center of multiple civilisations in social/ethnic and religious terms. Apart from Turks, Arabs, Kurds, Turkmen, other minorities of various ethnic origins reside in Hatay, as well. The scale of religious affiliations is also wide-ranging. Sunnis, Christians, Alawis - all of them have managed to live together in a relatively peaceful way, with some exceptional cases, since the Ancient Times.

As the Syrian crisis appeared not to finish soon, the local people started to be concerned over the future development. Since the first arrivals of Syrians in Turkey, Syrians were used as a cheap labour force. In most cases, Syrians were employed as seasonal workers with a wage comparatively much lower than that of their Turkish counterparts. In order to survive, Syrians had no other option but to accept any job they would be offered. By time, however, the local population started to perceive Syrians as an economic threat and persons who "steal" their jobs. They have often blamed Syrians for being the reason of rising unemployment and increase in rental prices and prices of goods.

Indeed, since the start of the Syrian crisis, the economy in the border region has deteriorated considerably. In fact, the international transportation was a cornerstone of the local economy. With borders being closed, the business ties between the local people and Syrian entrepreneurs have been cut. As a result, the unemployment has increased considerably.¹⁵⁸

There is a general fear among the local community that the Syrian crisis might have a direct or indirect impact on their daily lives, as well. To some extent, their concerns have reasonable grounds. Especially in Hatay, a sectarian tension has been on the rise. As mentioned above, Hatay is a center of multiple civilisations. However, the vast majority of Syrian newcomers are Sunni Arabs. Particularly Hatay's Alawites, i.e. secular Muslims, are utmost concerned that the long-term stay of Syrian Sunnis would have far-reaching negative impacts on the social cohesion of the local people.

¹⁵⁸Karakoç, J., Doğruel, F. (2015). The Impact of Turkey's Policy Toward Syria on Human Security. *Arab Studies Quarterly*, vol. 37, no. 4, pp. 360.

Hatay's Alawites, with a population of cca. 1,5 million, are the largest Arab minority residing in Turkey's border region and are traditionally very close to Syrian people. Arab Alawites are supporters of Assad regime and in case Syrian Alawites are attacked, they would consider it as a direct attack against them.¹⁵⁹ Arab Alawites have strongly opposed Turkish government's recent policies towards Syria. According to them, Ankara's ardent anti-Assad stance and its sectarian policy based on the support for radical Sunni Islamist groups fighting against the Assad regime has been nothing but a deliberately pursued policy of Sunnification of the local community, with utmost disturbing effects on a peaceful social co-existence of people inhabiting Hatay.¹⁶⁰

In September 2012, the sectarian tension among the local community and Syrian newcomers culminated even into violent clashes. As a result, in order to prevent further escalation, Turkish government had some Sunni Syrians transferred from Hatay to other provinces. Despite this step, Turkish government did not manage to appease local people and their perception of Syrians as a heavy economic and social burden for Turkish society. In fact, anti-refugee sentiments has been on a steady rise since then.¹⁶¹

Polygamy and prostitution might be considered other serious problems which the people inhabiting the border region have faced recently. Basically, polygamy has been considered a crime according to Turkish Civil Code. However, since the early arrivals of Syrians in Turkey, Turkish men have started to get married with Syrian women and girls as their second or third wives. In general, the marriages are concluded based on a religious ceremony.¹⁶²

In terms of business, the Syrian refugee crisis has had not only negative but, in some cases, positive impacts on the local economy. More concretely, at the initial stage of the refugee crisis, in 2013, there was one of the lowest unemployment rates in Kilis and Gaziantep in comparison to the recorded unemployment rates in other Turkish cities.¹⁶³ Moreover, in Gaziantep, in particular, Syrian businessmen established their businesses which have substantially contributed to the development of the local economy.¹⁶⁴

¹⁵⁹Karakoç, J., Doğruel, F. (2015). The Impact of Turkey's Policy Toward Syria on Human Security. *Arab Studies Quarterly*, vol. 37, no. 4, pp. 355.

¹⁶⁰Karakoç, J., Doğruel, F. (2015). The Impact of Turkey's Policy Toward Syria on Human Security. *Arab Studies Quarterly*, vol. 37, no. 4, pp. 364.

¹⁶¹Ahmoud, S. (2014). Turkey's Policy Towards Syrian Refugees (Domestic Repercussions and the Need for International Support). Stiftung Wissenschaft und Politik. German Institute for International and Security Affairs, pp. 3.

¹⁶²Ibidem.

¹⁶³<http://www.tuik.gov.tr/UstMenu.do?metod=temelist>, [3 March 2018].

¹⁶⁴Erdoğan, M.M. (2014). Perceptions of Syrians in Turkey. *Insight Turkey*, vol. 16, no. 4, pp. 70.

3.3 Access to basic social services, employment

Education

According to Art. 29(c) of the Convention on the Rights of the Child, the education of the child should be focused on '*... the respect for the child's parents, his or her own cultural identity, language and values, for the national values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilisations different from his or her own*'.

Originally, Syrian families had the option to send their children to public schools or to the temporary education centres. In most cases, Syrians preferred to send their kids to the temporary education centres where the language of instruction was Arabic and the children were taught according to the revised Syrian curriculum approved by Turkish Ministry of Education. The lessons were taught by Syrian teachers for only a few hours a day. Not surprisingly, Syrian parents considered the temporary education centres most suitable for their kids since their children could have developed proficiency in their mother tongue in those centers and would not face difficulties in case of re-integration into the Syrian school system if they would return to Syria after the war.

Turkish government has become aware of the fact that with Syrian parents sending their children to temporary education centres where the language of instruction was Arabic, by time, Syrian community might have turned into a marginalised group without any inclusion to Turkish society. Based on this assumption, Turkish government took a decision to integrate Syrian children into the national educational system entirely by the means of a gradual closure of the temporary education centres. Since September 2016, Syrian children starting pre-school and primary school, have been allowed to enroll only in Turkish public schools.

Turkish government is fully aware of the fact that Syrian children should be taught in their mother tongue, too, in order not to forget their culture. For this purpose, the Ministry of Education has been developing plans for the introduction of selective and extra-curricular classes on Arabic language in public schools.¹⁶⁵ In addition, in the framework of the informal educational system, public education centres offer a wide range of free of charge courses which are available for Syrians, as well.

At the beginning of the crisis, Syrians assumed that the war would finish soon and they would return to their country. They did not prefer to send their children to Turkish public schools since they did not plan to integrate into Turkish society. Only with having realized that the war was not to end soon, they acknowledged that there is no other way but to try to integrate into the new environment. In this sense, Syrians are blissfully aware of the fact that Turkish is a pre-condition for

¹⁶⁵Turkey's Refugee Crisis: The Politics of Permanence. International Crisis Group. 2016, pp. 6.

being sufficiently informed about their rights and obligations when staying in Turkey.

Despite this fact, Syrian parents are trying to find more suitable alternatives than to enroll their children into Turkish public schools where the language of instruction is Turkish. Syrian parents are aware of the fact that their children, due to the language barrier, drop behind their Turkish peers and cannot develop their capabilities in the best possible way. Therefore, they rather prefer to send their children to work to meet the ends instead of sending them to school.¹⁶⁶

Taking into consideration the statistical data, not many Syrian children are enrolled in school.¹⁶⁷ Especially in the secondary and upper secondary level there is a disproportionately high drop-out rate. Indeed, the period of the secondary/upper secondary schooling is a critical time when most Syrian families decide that their children should start to work (illegally) to earn income for the household. In general, Syrian children serve as a cheap, low-skilled labour force employed in the informal sector, such as construction sites, manufacturing or textiles.¹⁶⁸ Occasionally, Syrian parents send their children to beg on the streets. On the other hand, some Syrian families arrange marriage for their minor daughters with the aim to secure their lives. It is utmost clear that without ensuring that the majority of Syrian children receives at least a basic education there is a potential danger that by time Syrian youth might turn into a "lost generation", i.e. a subject to radicalisation or to criminal activities in general.

Currently there is no publicly available information related to the school enrollment of Syrian children under temporary protection. Nonetheless, based on the data collected by the UNHCR, 36.8% of Syrian children were supposed to attend school in October 2015.¹⁶⁹

Apart from the temporary protection centres and the public schools, there are also some unofficial, privately run Syrian schools in Istanbul. However, they are not financially supported by Turkish government. For most Syrians these private schools are very expensive whereas the quality of the education in those schools has neither been certified by Syrian nor by Turkish authorities.¹⁷⁰

Since 2017, based on the decision of Turkish government, up to 1 million Syrians under the temporary protection who submit an application and will be selected within needs-based process, are supposed to be granted a monthly cash and electronic debit cards with a loaded amount of money to cover the expenses on education of their children. The selected families are expected to be given a Red Crescent card with the monthly loaded support in the amount of 100 TL per person. The prior aim of the assistance is to encourage families to enroll their children in school.¹⁷¹

Taking into consideration the latest public perceptions, the prospects for Syrians in Turkey

¹⁶⁶Turkey's Refugee Crisis: The Politics of Permanence. International Crisis Group. 2016, pp. 5.

¹⁶⁷<https://www.setav.org/suriyeli-cocuklarin-yillara-gore-egitim-verileri-ve-okullasma-oranlari/>, [16 March 2018].

¹⁶⁸Turkey's Refugee Crisis: The Politics of Permanence. International Crisis Group. 2016, pp. 6.

¹⁶⁹Skrieland, Ö.G. (2016). Seeking Asylum in Turkey. Norwegian Organisation for Asylum Seekers, pp. 27.

¹⁷⁰Kayalı, N. et al. (2016). Syrian Refugees in Istanbul. Istanbul Policy Center, pp. 9.

¹⁷¹Turkey's Refugee Crisis: The Politics of Permanence. International Crisis Group. 2016, pp. 7.

do not seem bright. Especially with regards to the education, recently, some schools have proclaimed their unwillingness to admit any Syrian children in their school system.¹⁷² To make the matters worse, even Syrian children are successfully enrolled in school they have to face various problems on a daily basis. First of all, many Syrian parents point out to the fact that Turkish language courses are incomprehensive and not professionally led since the teachers are not enough trained to teach Turkish to foreigners. Meanwhile, it has been widely believed that it is more difficult for Syrian girls to access public education due to cultural stigma.¹⁷³

Employment

Even though most Syrians under temporary protection are well-educated and skilled, due to the difficulty to obtain a work permit, they are forced to work as a cheap labour force in the informal sector, often underpaid, exploited at the workplace and not being paid social security contribution from the side of the employer. Only in January 2016, the *Regulation on Work Permit of Refugees under Temporary Protection* was adopted. The regulation allows Syrians to apply for a work permit six months after their registration under temporary protection status.¹⁷⁴ Meanwhile, the regulation highlights that people under temporary protection cannot be paid less than minimum wage¹⁷⁵ and that Syrian work force cannot exceed 10% of the employed Turkish citizens at the same workplace.¹⁷⁶ Syrians who work in agriculture and husbandry as seasonal workers are exempt from the work permit requirements.¹⁷⁷ In practice, however, only a small number of Syrians has obtained the work permit until nowadays.

The employment of Syrians is, indeed, a serious matter of concern for Turkish government which is currently trying to address the issue in most effective way as possible. Even though some Syrians have obtained nominal right to work legally in Turkey, they have to face other problems before being employed, including legal/language barriers and a cut-throat competition at the labour market caused by a high unemployment in Turkey. Turkish government is aware of the challenging situation and tries to develop strategies which would ensure a successful integration of qualified Syrians into the Turkish labour market for a long period of time. The official recognition of Syrian professors' qualifications is under discussion. There are also suggestions that Syrians with a relevant qualification might be employed as translators in public services where Arabic has started to be used more often as a result of Syrians' presence in Turkey.¹⁷⁸

¹⁷²Kayalı, N. et al. (2016). Syrian Refugees in Istanbul. Istanbul Policy Center, pp. 9.

¹⁷³Kayalı, N. et al. (2016). Syrian Refugees in Istanbul. Istanbul Policy Center, pp. 10.

¹⁷⁴Geçici Koruma Sağlanan Yabancıların Çalışma İzinlerine Dair Yönetmelik, art. 5.

¹⁷⁵Geçici Koruma Sağlanan Yabancıların Çalışma İzinlerine Dair Yönetmelik, art. 10.

¹⁷⁶Geçici Koruma Sağlanan Yabancıların Çalışma İzinlerine Dair Yönetmelik, art. 8.

¹⁷⁷Geçici Koruma Sağlanan Yabancıların Çalışma İzinlerine Dair Yönetmelik, art. 9.

¹⁷⁸Kayalı, N. et al. (2016). Syrian Refugees in Istanbul. Istanbul Policy Center, pp. 16.

With regards to the question whether Syrians would prefer to work legally instead of without the official work permit, most Syrians point out to the fact that they are better off working illegally since they do not need to pay extra taxes which would otherwise be deducted from their wages. Syrians also doubt that the work permit would considerably change their situation.¹⁷⁹

3.4 Perceptions of Syrians taking shelter in Turkey

In general, Syrians have expressed a gratitude to Turkish people who, in their own words, embraced them with open arms. Nevertheless, most Syrians add that they would like to return to Syria as soon as the war ends. As it was above mentioned, most Syrians lack the desire to learn Turkish and to integrate into Turkish society because of the uncertain legal status they are granted under temporary protection, limited job opportunities and their perception that, with their long-term stay in Turkey, they would be regarded by Turkish society as a social and economic burden.¹⁸⁰ Well-educated Syrians, in particular, express their wish to be transferred into one of the countries in Western Europe, in the USA or to Canada.

Among others, Syrians stress that they are highly disturbed by the "Syrian beggars" who have spread out in Turkey since the beginning of the Syrian refugee crisis. In this context, Syrians underline the fact that the beggars were not impoverished due to the crisis. They are rather professional gypsy beggars who were begging in Syria even before the crisis. Indeed, Syrian beggars have very negative impact on the perception of Turkish society towards Syrians.¹⁸¹

On 2 July 2016, Turkish President Recep Tayyip Erdoğan, stated, without any prior indications, that Syrians living in Turkey under temporary protection might be granted Turkish citizenship. President Erdoğan has emphasized that granting the citizenship would concern only up to 300,000 Syrians and their families. In this regard, Syrians would be selected based on specific criteria, i.e. education or technical skills which would be contributonal to Turkish economy. Turkish Prime Ministry also underlined the fact that Syrians would be carefully checked in order to make sure they have no criminal record and no connection to any terrorist network.¹⁸² Under the auspices of the Ministry of Interior, a dual citizenship as well is reported to be introduced. It would concern those Syrians and their families who would 'extraordinarily contribute to industrial investment, science, technology, economy, sports, arts and culture' in Turkey.¹⁸³

¹⁷⁹Kayalı, N. et al. (2016). Syrian Refugees in Istanbul. Istanbul Policy Center, pp. 11.

¹⁸⁰Turkey's Refugee Crisis: The Politics of Permanence. International Crisis Group. 2016, pp. 5.

¹⁸¹Erdoğan, M.M. (2014). *Syrians in Turkey: Social Acceptance and Integration Research*. Hacettepe Üniversitesi Göç ve Siyaset Araştırmaları Merkezi, pp. 20.

¹⁸² <https://www.tccb.gov.tr/haberler/410/45574/suriyeli-kardeslerimize-vatandaslik-imkni-verecegiz.html>, [28 March 2018].

¹⁸³Turkey's Refugee Crisis: The Politics of Permanence. International Crisis Group. 2016, pp. 23.

When having asked Syrians how they perceive the fact they would be granted Turkish citizenship, most of them admitted that temporary protection is more advantageous for them since they are eligible for social benefits while being exempt from the taxes. Only well-educated and skilled Syrians welcomed the citizenship prospects which would provide them with equal opportunities in Turkey's educational system and at the labour market.¹⁸⁴

In sum, Syrians are highly grateful to the Turkish State which has provided them with both shelter and an overwhelming humanitarian assistance. At the same time, however, Syrians express discontent with their unfavourable situation which has been highly politicized rather than being perceived in humanitarian terms.¹⁸⁵ In addition, Syrians admit that they do not feel comfortable when being called "guests", a term reminding them that they have been provided with a shelter only thanks to a good will of Turkish government and that they have to conform with the local culture and habits.¹⁸⁶

Syrians often state that Turkish people welcomed them with open arms at the beginning of the crisis. However, as the crisis appeared not to end soon, Turkish society has gradually changed its attitude towards them, regarding them much more as a social and economic burden. Not surprisingly, media has been one of the key actors shaping the people's stance. In this regard, it might be again the media which has the potential to ease the inter-community tension. In the same matter, Turkish government as well should support the inter-community initiatives in order to successfully integrate Syrians into Turkish society.

¹⁸⁴Turkey's Refugee Crisis: The Politics of Permanence. International Crisis Group. 2016, pp. 25.

¹⁸⁵Erdoğan, M.M. (2014). *Syrians in Turkey: Social Acceptance and Integration Research*. Hacettepe Üniversitesi Göç ve Siyaset Araştırmaları Merkezi, pp. 20.

¹⁸⁶Erdoğan, M.M. (2014). *Syrians in Turkey: Social Acceptance and Integration Research*. Hacettepe Üniversitesi Göç ve Siyaset Araştırmaları Merkezi, pp. 9.

4. THE SYRIAN REFUGEE CRISIS AND THE PERCEPTION OF CIVIL SOCIETY

4.1 Civil Society Institutions engaging with the Syrian refugee crisis

Association for Solidarity with Asylum Seekers and Migrants (ASAM)

The Association for Solidarity with Asylum Seekers and Migrants (ASAM) was established in 1995 with the prior aim to provide a material and non-material support to asylum seekers and refugees in Turkey. ASAM cooperates with the UNHCR, especially on local projects, in order to provide sufficient social services to the refugees and asylum seekers in Turkey and to facilitate their integration into Turkish society. In this sense, ASAM is responsible for the registration of the new coming migrants and for following up the overall procedure related to this task.

ASAM also provides the asylum seekers with health, psycho-social and legal counselling whereas the assistance to the most vulnerable migrants has been ensured by various resources. Indeed, the prior aim is to safeguard a full protection for the migrants in need of help.

ASAM has also been in charge of organizing activities strengthening social harmony and public peace, and raising public awareness on migration issues among Turkish society by providing the civil society organizations and public institutions with statistical data, needs analyses and information about the latest migration tendencies. Last but not least, ASAM significantly contributes to academic studies related to migration issues and to the refugee law whereas it participates in law-making procedures as an unofficial councillor.¹⁸⁷

Human Resource Development Foundation (İKGV)

The Human Resource Development Foundation (İKGV) was established in 1988 as a non-profit, a non-governmental and an autonomous organization. The officially declared mission of the foundation is 'to perform any and all activities in order to contribute to the solution of health, education and employment problems which have a negative impact on the economic, social and cultural development of human resource'.¹⁸⁸ Since its early establishment, İKGV has developed a wide-ranging cooperation network at the national as well as at the international level. At the national level, İKGV has been working on migration issues in a close collaboration with other NGOs and governmental institutions, including ministries, municipalities etc. At the international level, İKGV has been cooperating with the international organisations, foreign

¹⁸⁷http://en.sgdd.info/?page_id=25, [4 March 2018].

¹⁸⁸http://www.ikgv.org/hakkimizda_en.html, [4 March 2018].

embassies, foundations etc.

Research Center on Asylum and Migration (İGAM)

The Research Center on Asylum and Migration (İGAM) was established in 2013 with the prime vision to advocate the rights of the refugees and the asylum seekers, i.e. people in need of the international protection, taking shelter in Turkey and to raise public awareness of migration issues among the civil society. It is important to mention that İGAM is neither a relief nor a rights-based organisation. İGAM is solely a research institution conducting researches on migration issues and carrying out the advocacy of the asylum seekers' rights, lobbying for a better refugee protection standards at national and international level, cooperating with media and focusing on the networking among national and international researchers engaging with asylum and migration issues.

Meanwhile, İGAM coordinates the cooperation among the national and international NGOs engaging with the migration in Turkey with the aim to increase the effectiveness of the support provided to the migrants taking shelter in Turkey. In this sense, İGAM organizes seminars, workshops, conferences and other awareness raising activities promoting the basic rights of refugees enshrined in the *1951 UN Refugee Convention*. İGAM shares the information and expertise related to the issues of migration and asylum with the research institutes across the world. Moreover, İGAM has been providing policy makers with policy proposals whereas it has been enhancing local and regional debates on migration in Turkey to raise public awareness of the migration related issues.¹⁸⁹

Open Society Foundation (OSF)

The Open Society Foundation (OSF) was established in 1993 as an international foundation, based in Turkey since 2001. OSF's Office in Istanbul is supposed to be a representative body of Turkish civil society, supporting projects which deal with the human rights, the rights of LGBT and the rights of Roma. Meanwhile, the OSF promotes art and culture. Especially, it organizes film festivals on a frequent basis.

Recently, the OSF has shifted its focus primarily on the Syrian refugee crisis which is the most urgent issue at Turkey's national agenda nowadays. The OSF perceives itself as an intermediary between Turkish public and the governmental institutions. In this context, the OSF tries to raise public awareness of the issue of the Syrian refugee crisis by providing Turkish civil society with an objective data, analyses and researches on this topic. Besides, the OSF has declared itself to be open to cooperate with the governmental institutions and to provide them with policy

¹⁸⁹<http://en.igamder.org/tuzugumuz/>, [4 March 2018].

proposals which would help them address the refugee crisis more effectively.¹⁹⁰

Association for Solidarity with Refugees (MÜLTECİ-DER)

The Association for Solidarity with Refugees was founded in 2008 with the prior aim to provide refugees with legal counselling and to raise their awareness of the rights granted to them by the international refugee law. The Association for Solidarity with Refugees is an Izmir-based foundation which is a member of the Refugee Rights Coordination, an organization comprised of 6 associations advocating refugee rights in Turkey, and the European Council for Refugees and Exiles (ECRE). With regards to the workload, the Association for Solidarity with Refugees deals with individual refugee cases, carries out border and monitoring activity including a search for missing refugees at sea and other related activities. Meanwhile, the Association for Solidarity with Refugees provides professionals working with the refugees with legal trainings with the aim to promote an all-encompassing refugee protection. Last but not least, the foundation addresses the overall problems which the refugees taking shelter in Turkey face when trying to access the social services.¹⁹¹

Citizens' Assembly

The Citizens' Assembly was established in 1993 as a foundation promoting universal values of peace, democracy and human rights, with the vision to contribute to a peaceful social co-existence and to enhance anti-military approaches among the civil society.¹⁹² Since 2006, Citizens' Assembly has been working on legal support for migrants and refugees taking refuge in Turkey. The foundation has also developed a wide international cooperation with other NGOs, particularly with the European ones, such as European Council on Refugees and Exiles, and Migreeurop.

Since 2008, Citizens' Assembly has even started to apply disputable cases to the European Court of Human Rights (ECHR) in order to protect the asylum seekers against the removal decisions released by Turkish authorities.¹⁹³ Aligned with other NGOs engaged with the migration and asylum issues in Turkey, the Citizen's Assembly, too, has significantly contributed to the management of the Syrian refugee crisis at the social level.

¹⁹⁰<https://aciktoplumvakfi.org.tr/hakkimizda/>, [4 March 2018].

¹⁹¹<http://www.multeci.org.tr/en/hakkimizda/tuzuk/>, [4 March 2018].

¹⁹²<http://www.annalindhfoundation.org/members/helsinki-citizens-assembly>, [4 March 2018].

¹⁹³İçduygu, A., Aksel, D.B. (2012). Irregular Migration in Turkey. International Organisation for Migration in Turkey. pp. 59.

Other NGOs

Other minor NGOs engaging with migration and asylum policies in Turkey are providing Turkish authorities with a legal aid based on the researches and raising public awareness of migration issues in Turkey. Similarly to the above mentioned prominent NGOs, the minor NGOs, too, might be considered key representatives of the civil society and important interlocutors between the Turkish State and the public.

Migration Research Center at Koç University (MiReKoç)

Migration Research Center at Koç University (MiReKoç) was founded as a grant-giving program in August 2004 with the aim to provide grants to researchers working on migration issues in Turkey. In 2010, MiReKoç officially became a fully operating research center. The members of MiReKoç conduct their researches in a close collaboration with Koç University and the Foundation for Population, Migration and Environment, based in Zürich.

Since its establishment, MiReKoç has developed a wide academic collaboration on the issues of migration with other Turkish and international universities and has strengthened dialogue between researchers, policy-makers, international organizations and the representatives of civil society.¹⁹⁴

MiReKoç organizes international conferences, workshops and seminars in order to raise public awareness of migration issues at the national as well as international level. For this purpose, since 2011, MiReKoç has been organizing annually scheduled International Summer School where experts on migration, coming from all over the world, are given the opportunity to share their views with their colleagues.¹⁹⁵

Originally, the research conducted by MiReKoç had been limited only to Turkey related migration. By time, however, the scope of the research was extended to cover migration of other countries, as well. Recently, MiReKoç has been conducting research on migration from an interdisciplinary perspective. In this sense, MiReKoç focuses primarily on following aspects: the root causes of migration, the channels and the networks of migration, the integration of migrants into the local society, the attempts of government institutions and international organisations to manage migration, forced migration, irregular migration, human smuggling and human trafficking.¹⁹⁶

¹⁹⁴<https://mirekoc.ku.edu.tr/about-us/about/>, [4 March 2018].

¹⁹⁵<https://mirekoc.ku.edu.tr/about-us/about/>, [4 March 2018].

¹⁹⁶<https://mirekoc.ku.edu.tr/about-us/about/>, [4 March 2018].

Migration and Politics Research Center (HUGO)

The Migration and Politics Research Center at Hacettepe University (HUGO) has been established with the prior aim to conduct interdisciplinary, academically institutionalized and globally-accepted research on migration related issues. HUGO's research focuses especially on internal and external migration dynamics in Turkey, i.e. the external migration to Turkey and Turkish migrants living abroad, with taking into consideration the national and international political development and other social/cultural aspects. Similarly to other research centers, HUGO, too, has developed an overwhelming cooperation with other actors, including other research centers, NGOs, government institutions, and international organisations.¹⁹⁷

One of the prior aims of HUGO is to conduct precise researches on the past and present migration flows so that a credible prediction of future migration developments could be designed. Apart from research activities, HUGO organizes joint seminars, symposiums, congresses and other academic activities in collaboration with other universities and migration research centers in Turkey. Moreover, HUGO offers consultation and education services to the public and private institutions and back up its researches with publishing activities.¹⁹⁸

İstanbul Bilgi University Center for Migration Research

Initially, İstanbul Bilgi University Center for Migration Research carried out its researches as a unit of the Social, Economic and Political Research Center (TESAR). Only in 2005, İstanbul Bilgi University Center for Migration Research officially started to operate as a research center with the main focus on migration policies. İstanbul Bilgi University Center for Migration Research conducts its researches in close collaboration with other research centres to present reliable analyses of the migration related issues that could contribute to efficient and realistic decision-making processes related to migration in Turkey.¹⁹⁹

With regards to its activities, the Center for Migration Research aims, in particular, to 'promote a multidisciplinary and interdisciplinary research on various aspects of the causes, dynamics and consequences of internal and international migration' and to 'develop professional teaching programs through inter-faculty activities'. The Center is intended to become a 'mid-point of the network of scholars and policy-makers'.²⁰⁰

The research of the Center has been supported by publishing activities in the form of

¹⁹⁷http://www.hugo.hacettepe.edu.tr/en/about_center-19, 4 [4 March 2018].

¹⁹⁸Ibidem.

¹⁹⁹<https://goc.bilgi.edu.tr/en/pages/about-the-center/>, [4 March 2018].

²⁰⁰<https://goc.bilgi.edu.tr/en/pages/objectives/>, [4 March 2018].

research books, and working papers which might serve as advisory tools for the decision-makers. Moreover, the Center has established a well-endowed electronic library and documentation center providing online information database and reference services on migration related issues, audio-visual materials, oral history, and memorials. Last but not least, the Center tries to extend its theoretical and methodological knowledge related to the migration at the regularly organized conferences, symposia, workshops and lectures.²⁰¹

4.2 Information about Interviews

Interviewee A

At the beginning of November 2016, I contacted the *interviewee A*, a Turkish foundation, via e-mail with the request to be allowed to take an interview with any of its representatives who are well-informed about the latest developments about the Syrian refugee crisis in Turkey. I received a reply to my request rapidly and the person concerned accepted my request for conducting the interview. Meanwhile, I offered the researcher that I could provide him/her with a list of my questions beforehand. Nonetheless, the researcher overcame my offer. On the day the interview was scheduled, I came to the foundation where the person concerned was active. Before the interview, I asked the researcher whether I would be allowed to record him/her during the interview. The researcher accepted my request. The interview itself was conducted in a very relaxed atmosphere and the researcher answered all of my questions very openly and in a detailed manner.

Interviewee B

I contacted the *interviewee B*, a representative of Turkish foundation, at the same time as the *interviewee A*. My request to conduct an interview with the *interviewee B* was accepted within one week. Similarly to the case of the *interviewee A*, I offered the researcher to send the list of my questions beforehand. Nonetheless, the researcher did not require the list of the questions. I came to the foundation on the fixed day the interview was scheduled. Similarly to the case of the *interviewee A*, I asked the *interviewee B* whether I would be allowed to record him/her during the interview. My request was accepted. Similarly to the *interviewee A*, the interview was carried out in a pleasant atmosphere. As was the case of the *interviewee A*, the *interviewee B* had a deep knowledge of the latest developments concerning the Syrian refugee crisis in Turkey. The *interviewee B* evaluated the Syrian refugee crisis in Turkey from a more or less neutral point of view and tried to avoid any biased approach to the refugee crisis.

²⁰¹Ibidem.

Interviewee C

At the end of November 2016, I contacted the *interviewee C*, a representative of Turkish research institute, in order to ask him/her for being able to conduct an interview with him/her. The *interviewee C* accepted my request and asked me to send him/her a list of questions beforehand in order to be fully prepared for the interview. As requested, I sent the list to the *interviewee C* via e-mail. Due to the impossibility to meet in person caused by several factors, the interview was carried out via phone. Before the interview, I asked the *interviewee C* for an approval to record him/her during his/her speech. My request was accepted. During the interview, the *interviewee C* turned out to be very well prepared for my questions. The interview was conducted in a very relaxed atmosphere and the *interviewee C* answered all of my questions very thoroughly and in an open manner.

Interviewee D

At the end of January 2017, I contacted the *interviewee D*, a representative of Turkish research center, with a request to be allowed to conduct an interview with him/her on the Syrian refugee crisis in Turkey. I received his/her approval to my appeal promptly. Before the interview, I offered the *interviewee D* to provide him/her with the list of my questions. The *interviewee D* welcomed my offer. Due to the impossibility to meet in person caused by several factors, the interview was conducted via Skype meeting. Before the interview, I asked the *interviewee D* whether it would be possible to record him/her during the interview. The *interviewee D* accepted my request. Meanwhile, the *interviewee D* informed me that s/he had only a limited time for answering my questions. Indeed, the time set by the *interviewee D* was not sufficient at all. As a result, the interview was carried out in a very hasty manner whereas only few questions could be addressed by the *interviewee D*. Due to this fact, the recorded speech of the *interviewee D* lacks, to a certain level, a valuable data needed for a quality analysis of the interview. Despite the hurried manner the interview was conducted, the questions posed were well addressed and openly answered.

Interviewee E

At the end of January 2017, I contacted the *interviewee E*, a representative of Turkish NGO, via e-mail asking for the permission to conduct an interview with one of its representatives. The *interviewee E* accepted my request with one month delay. I offered the *interviewee E* to provide him/her with a list of questions. Nevertheless, my offer remained unanswered. As agreed, the meeting was arranged for April 2017.

On the fixed day, I came to the center where the *interviewee E* was working. Instead of the interview, the *interviewee E* offered me a guidance through the center. The guidance through

the center has been offered to foreign visitors, who got the permission, on a regular basis. The atmosphere in the center was very relaxed and open. The *interviewee E* adopted a very friendly approach and showed me all education, play and administration rooms of the center. The guidance carried out by the *interviewee E* was very descriptive and detailed.

4.3 Turkey and the Syrian refugee crisis from the perspective of Turkish civil society

How the Syrian refugee crisis affected Turkey

Not only the Syrian refugee crisis, but the whole crisis in Syria and Iraq has created a huge instability in the whole region. To make the matters worse, the big powers such as the USA and Russia have got involved in the crisis, too. According to the interviewee C, 'the Middle Eastern region is very fragile now, bringing big powers next to each other and creating new tensions which deteriorates the situation even more'.²⁰²

According to the interviewee B, when the Syrian Civil War started in 2011, Turkish government was relatively prepared for the refugee flow, however, it miscalculated the magnitude of the crisis. At that time, the government had assumed only a couple of thousand people would come to Turkey. As a result, Turkish authorities were prepared to admit only around 150, 000²⁰³ people. The camps were established and other assistance was prepared to be provided for the new coming Syrians. Since 2012, however, there has been a rapid increase in the number of Syrians seeking refuge in Turkey. 'This fact actually created a huge problem for the Turkish State since, by then, only few refugee camps had been established for Syrians'.²⁰⁴

In 2013, it became crystal clear that Turkey had to provide shelter to millions of Syrians. Moreover, since 2013, the government got blissfully aware of the fact that a reformation of the education system, healthcare and other social services deemed to be necessary in order to effectively address the refugee crisis. In 2013, a new migration and asylum legal framework was established. However, a new problem has emerged subsequently. By time, Syrians have avoided coming to the camps. Instead, they preferred to come directly to big cities in Turkey.

At the moment, Turkey is hosting the largest number of Syrian population. Indeed, during the last 7 years, the Turkish State has spent a huge amount of money on the management of the Syrian refugee crisis on its territory, which has had a direct impact on the national budget.

The Syrian refugee crisis affects Turkish society in many ways. More concretely, there are two different communities, i.e. Turkish and Syrian, not knowing each other, not engaging with each

²⁰²Interviewee C, Istanbul, 7 January 2017.

²⁰³Interviewee B, Istanbul, 22 December 2016.

²⁰⁴Interviewee B, Istanbul, 22 December 2016.

other. There are news that Syrians are living in ghettos as a community separating itself from the rest of Turkish society, not letting anybody from outside interfere in their daily life. On the other hand, the host communities do not want to have any interaction with the "refugee" communities. In fact, 'this state of matters creates a huge friction between Turkish society and Syrians'.²⁰⁵ In some parts of the country, especially in Kilis, a town located on the Turkish-Syrian border, Syrian "refugees" have step by step outnumbered the host community 'which created huge concerns among Turkish population and it has actually been the prime source of growing tension between Turkish society and Syrian "refugees"'.²⁰⁶

Recently, Turkey has been facing economic crisis which has had very negative effects on the welfare of Turkish population. Under those conditions, the presence of Syrian "refugees" in Turkey puts oil into fire even more. There is a general perception among Turks that 'Syrians are likely to "steal" their jobs'²⁰⁷ because they easily accept to work as a cheap labour force for much less wage than Turkish people are willing to. This perception leads to xenophobia and other misunderstandings, in some cases even to a violence.

Initially, 'the violence between the host community and the Syrian "refugees" was very low'.²⁰⁸ In fact, despite a certain level of resentment towards each other, there were nearly no incidents between them. One of the reasons is the fact that Syrians who escaped the war to Turkey were predominantly from Northern Syria. They had close cultural, historical and family ties with the host community residing in Turkey's border region. However, the situation has changed drastically over time. As it has appeared that the Syrian war would not finish soon, thus, Syrians would stay in Turkey for a long period of time, the tension between both communities has started to grow increasingly. In fact, it should be the government that should take peace-building measures which would alleviate the rising differences between Turkish population and Syrian "refugees". In this regard, the legislative framework should be reformed and the government itself should start to cooperate with the national/international NGOs that might contribute to government's policy-making on this issue.

The Syrian refugee crisis has effected Turkey in many ways. Most importantly, the sudden influx of Syrians to Turkey has made Turkish civil society aware of the fact that the state has to address its own problems before anything else. Traditionally, in Turkey 'there has been a general problem with regards to the education in the mother tongue'.²⁰⁹ With the mass arrival of Syrians, the Turkish State had to seriously reconsider its education policies with taking into consideration

²⁰⁵Ibidem.

²⁰⁶Ibidem.

²⁰⁷Interviewee A, Istanbul, 15 December 2016.

²⁰⁸Ibidem.

²⁰⁹Interviewee A, 15 December 2016.

the basic rights of Syrians for the education in their mother tongue, endorsed by international law. At this point, however, it is important to mention that Syrians are not only Arabs. Some of Syrians are also Kurds who also want to have education in their mother tongue. Besides gipsies, Loms, Doms, Bektasi etc., Kurds are ethnic groups that had been fighting for the education in the mother tongue already in the past when having lived in Syria. The Kurdish issue has traditionally been an utmost sensitive issue for Turkey and 'it seems highly unlikely that the Turkish State would make any compromises towards Syrian Kurds'.²¹⁰

As a result of the forced emigration from Syria, 'most of the ethnic groups have taken up to interact with each other as well as with other class groups and religious minorities'.²¹¹ They are creating a new kind of vibration in the society. 'They have established new alliances and have strengthened cooperation with international NGOs providing them with a remarkable donation and supporting them with relevant projects. Some of the ethnic minority groups have even received an intense training from the international organisations, respectively from the world powers'.²¹² In brief, it might be stated that every development related to the Syrian war has a direct or indirect impact on Turkey as well.

The civil society is active in media and in public with the aim to make the cause of Syrian "refugees" and their sufferings better-known among Turkish society. The prior goal of those activities is to inform the society about the facts related to the Syrian refugee issue in Turkey, thus, Turkish public would better understand the presence of Syrians in Turkey and would look at the issue in a wider context. The prime aim of the media activities of the civil society is to present the Syrian refugee issue not from a black-and-white point of view, but from different perspectives, which would contribute to the establishment of a mutual understanding between both Turkish society and Syrian "refugees".

The presence of Syrians in Turkey has created a sense of anxiety among Turkish people which by time has culminated into a rising social division across Turkish social classes and ethnic/religious groups. Currently, Turkish society is divided into pro-Syrian and into anti-Syrian camps. Some Turks even fear that Syrians, i.e. Arabs, would gradually tend to undermine Turkish culture.

In fact, the presence of Syrians in Turkey might be an asset for Turkey. Syrians might bring a new culture and new ideas to Turkish society. At this point, however, it is worth to pose several important questions: *'Is the potential enrichment by Syrian culture and ideas exactly what Turkish people really want?'* *'Is there really no threat that the secular nature of Turkish society*

²¹⁰Interviewee A, Istanbul, 15 December 2016.

²¹¹Interviewee C, Istanbul, 4 January 2017.

²¹²Ibidem.

would not gradually turn into more sectarian and fractured one?' 'What effects would the long-term stay of Syrians in Turkey have on the social cohesion?'

Even though a lot of Turks are rather sceptical about the presence of Syrians in Turkey and point out that Syrians have very negative effects on the Turkish economy, there are official indications that Syrians, in fact, contribute to the Turkish economy. The vast majority of Syrians has become a part of informal Turkish labour market whereas 'most Syrians serve as a cheap labour force in sectors in which Turkish people are reluctant to work'.²¹³ Besides, a number of Syrians have established their own businesses in Turkey which prosper, thanks to international ties, predominantly with the Arab world, including Israel.

Due to the long-term nature of the Syrian refugee crisis and the steady arrival of Syrians in Turkey, 'particularly the minority groups have become increasingly concerned over the new situation pointing out that the presence of Syrians in Turkey might deteriorate their disadvantageous social situation much more'.²¹⁴

Undoubtedly, the regional solidarity to refugees is a good idea. In practice, however, a borderless solidarity towards "refugees" is only a kind of utopia since, at the first place, the state should take care about the welfare of its citizens and should follow primarily the national interests. In fact, it might be stated that "Turkey is currently mis/using Syrian "refugees" as a hostage in the relations with the EU".²¹⁵

There are predictions that the number of Syrian "refugees" will not stop, on the contrary, it will keep on rising more and more. 'In order to avoid much more severe humanitarian crisis, the Syrian refugee crisis should be solved at the regional as well as international level'.²¹⁶ In case Turkey does not develop a sustainable refugee strategy, in the future, Turkey might face substantial difficulties in many ways at the national level.

Indeed, it might be stated that the 'Syrian refugee crisis has brought the war from Syria to Turkey to a certain extent'.²¹⁷ Since decades, Turkey has been facing Kurdish issue at the domestic level. Syria, as well, has been tackling its own Kurdish issue. With the Syrian Civil War, the Kurdish issue of both states have turned into one matter of concern. To make the matters worse, Turkish government started to engage in the Syrian war. Nowadays there are thousands of Turkish soldiers in Northern Syria officially declared to secure the border region. In addition, the ISIS problem has emerged. ISIS has been operating in Syria since 2012 and, in the recent years, it has been very active in Turkey, too, having committed a number of terrorist attacks inside the country.

²¹³Interviewee C, 7 January 2017.

²¹⁴Interviewee A, 15 December 2016.

²¹⁵Ibidem.

²¹⁶Interviewee A, 15 December 2016.

²¹⁷Interviewee B, 22 December 2016.

In brief, the violence in Syria has been transferred to Turkey as well.

The refugee crisis has created a strain between Turkish government and the European Union as well. 'Some government officials are regarding the refugee crisis as a bargain issue in order to meet the self-interests. On the other hand, the European countries do not want to get involved in the Syrian refugee crisis at all. The only concern of the EU is to ensure that Syrian "refugees" are safe in Turkey and do not come to Europe'.²¹⁸

The Syrian refugee crisis has created anti-Islamic feelings in Europe. It helped the radical right-wing parties to strengthen their basis. Indeed, 'the human rights values in the West have been put under a big question mark'.²¹⁹ The West closed its borders, built fences and walls. From the normative side, the newly re-born Realpolitik has had a very negative impact on the well-established human-oriented values both in Europe and in the region.

Current development of the Syrian refugee crisis in Turkey

Contrary to the common belief among the Turkish society that the number of Syrian "refugees" would slow down by time and would be held at a certain level, the number of Syrians taking shelter in Turkey has been on a constant rise. As a result, due to the uncontrollable mass flow of Syrians to Turkey, Turkish government took a decision to completely close its borders at the end of 2015. 'It has been widely believed that with the establishment of Turkish presence in Northern Syria there would be no need for border security anymore'.²²⁰ Indeed, with the creation of the safe zone in Northern Syria, Syrians are supposed to take shelter there.

'The criticism coming from Europe pointing out that Turkey is not opening its border to Syrian "refugees" is unfounded because the EU has closed its borders to Syrians since the early beginning of the Syrian refugee crisis. What Turkey has done with regards to the refugees is unique in the world and no other country has performed anything similar. Therefore, Turkey has a right to ask for material and non-material assistance and to take decisions on Syrians taking shelter on its territory on its own'.²²¹

Indeed, the Syrian refugee crisis is a very dynamic situation, changing every day. The year 2015 turned out to be a critical point, when the refugees decided to cross to Europe illegally, having undertaken a dangerous journey through the Aegean Sea to Greece. The mass flow of the "refugees" ended up with the EU-Turkish Statement, agreed on upon the request of the EU. Nonetheless, the EU-Turkey Statement is a very problematic issue.

²¹⁸Interviewee D, 11 January 2017.

²¹⁹Interviewee C, Istanbul, 7 January 2017.

²²⁰Interviewee A, Istanbul, 15 December 2016.

²²¹Interviewee A, Istanbul, 15 December 2016.

'At the moment, the integration of Syrian "refugees" into Turkish society is still taboo'.²²² Nevertheless, Turkish people have become more and more familiar with the fact that Syrians, due to the ongoing war, cannot return to their country in a short period of time and that they are not welcomed in the EU. Under those conditions, Turkish government has been aware of the fact that a sustainable, long-lasting and coherent integration strategy, which is missing at the moment, has to be developed. At this point, it is important to mention that 'without the international financial assistance Turkey can hardly cope with the refugee crisis on its own'.²²³ There have already been some steps taken which were aimed to improve the living conditions of Syrian "refugees" in Turkey. Unfortunately, 'they were not enough sufficient so far'.²²⁴

Initially, the Syrian refugee crisis was regarded as a temporary situation. Turkish government envisaged that there would be a change of regime in Syria and that Syrians would return to their home country soon. These assumptions, however, have proved to be wrong. In fact, due to the prolonged nature of the Syrian Civil War, Syrian "refugees" are likely to stay in Turkey for a long period of time, to make the matters worse, under temporary protection without being granted a refugee status.

Worryingly, 'until nowadays, no comprehensive integration strategy for Syrians under temporary protection nor a durable solution has been developed'.²²⁵ What a durable solution in the refugee dictionary actually means? Either the refugees will go to the country of their origin, they will be integrated into the host community or they would be resettled in the third country. However, in case of Syrian "refugees" none of those options has taken place. Syrians under temporary protection cannot return to Syria nor there is any opportunity for their resettlement. Indeed, 'only 3000 Syrians have been resettled until now'.²²⁶ When it comes to the integration – 'Syrians under temporary protection do not receive enough support for integration in Turkey from Turkish government. Moreover, the temporary protection and other supportive measures have been arranged quite late'.²²⁷

²²²Ibidem.

²²³Ibidem.

²²⁴Interviewee A, Istanbul 15 December 2016.

²²⁵Interviewee C, Istanbul 7 January 2017.

²²⁶Interviewee C, Istanbul 7 January 2017.

²²⁷Ibidem.

Syrian refugee crisis as a stimulation for a positive development of Turkey's asylum and migration policy?

'The Syrian refugee crisis cannot be considered a prime stimulation for the ongoing reform process of Turkey's migration and asylum regime'.²²⁸ Already before the Syrian refugee crisis had begun, Turkey was adopting EU *acquis communautaire* in the field of migration and asylum policy. Despite the adoption of EU *acquis*, 'Turkey was completely unprepared when the Syrian crisis broke out'.²²⁹ Indeed, according to the interviewee A, 'there is still a long way to go in order to develop a coherent legal framework of the migration and asylum policy'. Meanwhile, the interviewee A points out that at least the temporary protection might be considered a progressive measure in political terms.

Before the outbreak of the Syrian refugee crisis, the migration and asylum regime in Turkey had been relatively ignored. Only due to the stimulation coming from the EU, Turkey has started a reform process in the field of the migration and asylum policy. In 2013, Turkey adopted the *Law on Foreigners and International Protection* which fully came into effect in 2014. 'Traditionally, in the public and in the media, there had been little interest in asylum policy, because the number of the asylum seekers in Turkey was very low due to the geographical limitation. The presence of asylum seekers in Turkey was regarded only as a temporary phenomenon'.²³⁰ 'With the growing number of Syrians coming to Turkey, however, the public has become more and more interested in the issue'.²³¹

At the present time, people are trying to understand the complexity of the problem.²³² 'Even, the Syrian refugee crisis has gradually become a politicized issue. To a certain degree, it is also a positive development, since the public may discuss the issue more openly'.²³³ Despite the introduction of the reform process, 'there has been no remarkable improvement in Turkey's asylum and migration policy'.²³⁴ In this sense, it has been commonly believed that 'first of all the *1951 Refugee Convention* should be changed. Only after then other modifications could be performed'.²³⁵

²²⁸Interviewee A, 15 December 2016.

²²⁹Ibidem.

²³⁰Interviewee C, Istanbul, 7 January 2017.

²³¹Interviewee D, Istanbul, 11 January 2017.

²³²Interviewee C, Istanbul 7 January 2017.

²³³Interviewee D, Istanbul, 11 January 2017.

²³⁴Interviewee B, Istanbul, 22 December 2016.

²³⁵Interviewee B, Istanbul, 22 December 2016.

The UNHCR and the Syrian refugee crisis in Turkey

Currently, the UNHCR is not directly working in Turkey and its role in Turkey's migration and asylum policy is very limited. The UNHCR is providing Turkey only with an advisory and technical assistance. Instead, the leading role with regards to the management of the Syrian refugee issue has been handed over to AFAD.

In general, the involvement of the UNHCR in the stabilization of the Syrian refugee crisis has been regarded rather sceptically. 'The UNHCR was trying to establish good relations with the government at the expense of the ignorance of some problems'.²³⁶ More concretely, until 2015, based on a close cooperation with the UN Agencies, Turkish government and AFAD were focusing on the establishment of the refugee camps. However, 'the increased number of Syrians in the cities was completely ignored. Moreover, there was no single reference to the fact that due to the prolonged nature of the Syrian crisis a complex integration strategy should be developed'.²³⁷ In fact, 'the UNHCR ignored, to a certain level, its duties coming from its mandate and from its status. The UNHCR, instead of being an international organisation with a relative autonomy, was more or less uncritically supporting the government's policies'.²³⁸

The UNHCR Office in Turkey is responsible for the refugee status determination and the resettlement of the asylum seekers. Despite the above mentioned facts related to the recent policies of the UNHCR, there is no doubt about it that the 'UNHCR is a critical institution and that Turkish government should be in dialogue with it'.²³⁹

4.4 Syrian "refugees" from the perspective of Turkish civil society

Actors involved in the management of the refugee crisis

Both Turkish government and AFAD, a governmental organisation being in charge of the management of the Syrian refugee crisis, have been widely believed to be the key players with regards to the stabilization of the emergency situation. Apart from them, the DGMM, other related ministries and the UN Agencies have been directly involved in the migration management as well. Especially, the UN Agencies, in cooperation with the Turkish Red Crescent, have been responsible for the distribution of the cash assistance to the refugees. They have also provided know-how and international channel assistance to Turkey. Indeed, the 'UN Agencies might be considered secondary actors significantly contributing to the stabilization of the crisis'.²⁴⁰

²³⁶Interviewee C, Istanbul 7 January 2017.

²³⁷Ibidem.

²³⁸Ibidem.

²³⁹Interviewee D, Istanbul, 11 January 2017.

²⁴⁰Interviewee C, Istanbul, 7 January 2017.

Besides, an increasing number of the NGOs/INGOs have got involved in the management of the Syrian refugee crisis as well. According to the interviewee A, the NGOs might be considered important counterparts to Turkish government since they can contribute to its policy with advices and recommendations based on the results from the field works and needs assessments. In practice, however, the 'important role of the NGOs/INGOs has been neglected until nowadays'.²⁴¹

Education

There have been a lot of associations and foundations engaging with the Syrian refugee crisis in Turkey. The prior aim of those institutions is to develop sustainable strategies which would address the refugee crisis. The main focus of the civil society engaging with the Syrian refugee crisis has been on the education. In this regard, the civil society institutions pay attention particularly to two things, i.e. Turkish language training and a pre-school education.

Most of the civil society representatives believe that 'Syrian refugee children who came to Turkey should not attend Syrian schools. Instead, they should be integrated into the Turkish public school system'²⁴² in order to learn Turkish properly since Syrian children and their parents will most likely stay in Turkey for a long period of time.

When we have a look at the past refugee crises in the world and at the figures provided by the UN – the 'minimum stay of the refugees in the host country has been at least 17 years'.²⁴³ Therefore, there is no other option but to integrate Syrian "refugees" into Turkish society. There are a lot of associations, foundations and initiatives, that aim to provide education for "refugee" children and to develop models which would help those children to be integrated into Turkish society. According to the interviewee B, the prior aim is to ensure that Syrian children, after their Turkish is in line with Turkish curriculum, leave Syrian schools and start studying in Turkish schools. With this process being completed, the civil society foundations would follow their progress further. There is a wide range of projects taking place in Istanbul, Mersin, Şanlıurfa, Gaziantep, and Çankaya.

As it was mentioned above, the civil society organisations are developing programs with the aim to enhance the enrollment of Syrian children in Turkish public schools. There are many education models from Europe, the USA and all over the world, but it is not possible to implement those models at the national level as an individual. The reformation of the public education can be implemented only by the government, more concretely, by the Ministry of National Education. However, it is not an easy task. 'In Turkey, the national education system has its own rules. It is not

²⁴¹Interviewee A, Istanbul, 15 December 2016.

²⁴²Interviewee B, Istanbul, 22 December, 2016.

²⁴³Interviewee C, Istanbul, 7 January 2017.

an open system where you can adopt education models implemented already in other countries'.²⁴⁴ In this regard, Turkish civil society organisations face a problem. The civil society organisations might develop outstanding education models. However, the Ministry of National Education will most likely not implement them at the national level. Instead, the 'Ministry prefers to put forward its own models, even though, they might have a lot of lacking points'.²⁴⁵

Most recently, Turkish government has adopted a policy of closing down Syrian schools, 'with the aim to enhance the enrollment of the "refugee" children in public schools and finding a solution while re-evaluating the related problems'.²⁴⁶ Indeed, the number of Syrian children enrolled in Turkish schools is not very high. First of all, many children at the school age are not able to go to school due to various family/survival reasons. Those who are registered and go to school, prefer to go to the temporary education centres.

According to the interviewee C, there are indications that Turkish families in areas with a high concentration of Syrian "refugees" do not want more Syrian children to be enrolled in Turkish schools. They think that the quality of education would deteriorate. On the other hand, some Syrian families complained that their children are discriminated and that they are being handled unfairly due to their unclearly defined social status.

According to the interviewee A, Syrian refugee children should definitely be placed in the same classes with Turkish students. However, it is a matter of fact that at the moment the Turkish education system is not ready to absorb such a large number of Syrian students. Despite this fact, Syrian children need to start regular classes and to learn Turkish. If not, big problems both for the students and the teachers would emerge. The interviewee A also points out that Turkish teachers should adopt a know-how how to deal with foreign students in the class-rooms. In this regard, they should get a training for being prepared to deal effectively with the initial trauma experienced by Syrian children. The teachers should understand what sufferings a Syrian kid has to overcome as a result of the war in Syria because those facts have a direct impact on their school performance. Besides, the teachers should be utmost sensitive towards Syrian children and treat them in favour. According to the interviewee A, at the moment, the teachers are unfortunately not well-trained in this regard. Moreover, a wide range of other problems have to be addressed in the Turkish education system.

There are both advantages and disadvantages of the temporary education centres and Turkish public schooling for Syrian "refugee" children. According to the interviewee D, Syrian parents should have the right to decide which of the two education schemes their child would attend.

²⁴⁴Interviewee B, Istanbul, 22 December 2016.

²⁴⁵Ibidem.

²⁴⁶Ibidem.

Meanwhile, the interviewee A points out that even though Syrian children should learn Turkish unconditionally, they should also be taught Arabic according to Syrian curriculum since it is their mother tongue. In this context, the interviewee C puts forward that thanks to the multi-levelled nature of the education Syrian children would receive, they could literally establish a bridge between Turkish and Syrian culture.

Taking into consideration all efforts shown by the civil society with regards to the management of the Syrian refugee issue, the interviewee B acknowledges that Turkish civil organisations are, indeed, doing their best to find a solution to the problem. Particularly, the development of peace-building strategies and the vision to enhance a higher school enrollment of Syrian children are worth appraisal.

Shelter provided to Syrians

According to the interviewee C, the shelter has been the most ignored aspect since the early beginning of the crisis. In this context, the interviewee C highlights that it is not easy for Syrians to access the refugee camps due to the capacity limitation, indicating that Turkey is currently²⁴⁷ hosting around 270.000 Syrians in the 25 camps. However, the camp population represents only 10% of the overall Syrian population in Turkey. 2.5 million of Syrians are living in the cities or in the urban area.

In the cities, housing is a big problem. 'Syrians who have money, which is only a minority of them, rent houses and live in comparatively good conditions'.²⁴⁸ But for the majority of Syrians, housing is a big problem which affects other sectors, such as the education, labour market etc. as well. If the housing conditions are not good, the children, of course, cannot make their homework properly. According to the interviewee C, Syrians are not provided with enough social assistance in this regard. More concretely, most of them have to live in overcrowded houses while facing constant troubles related to heating their homes in the winter time.

'Even though the refugee camps are well-equipped and organisationally well-managed, most Syrians are not happy there'.²⁴⁹ Indeed, a refugee camp is not a natural settlement. Syrians are bored in the camps because of the daily routine which is not likely to change. Indeed, in the refugee camps, you can live only temporarily. In general, people need a regular life, i.e. they need to work and to live in a free environment. Moreover, it has been widely believed that in the refugee camps 'Syrian opposition fighters and other Islamist radicals have been provided with material and non-material support and were allowed to make propaganda and to recruit new fighters'.²⁵⁰

²⁴⁷As of 7 January 2017

²⁴⁸Interviewee C, Istanbul, 7 January 2017.

²⁴⁹Interviewee B, Istanbul, 22 December 2016.

²⁵⁰Interviewee A, Istanbul, 15 December 2016.

Temporary protection

As a result of the geographical limitation to the *1951 UN Refugee Convention*, Syrians are not entitled to apply for asylum in Turkey. They have been granted only temporary protection, which provides them with a free access to basic social services, such as healthcare, education, and a right to apply for a work permit. Syrians do not have right to travel freely inside the country. They have to stay where they are registered.

According to the interviewee D, the temporary protection does not lead to a durable solution. On the contrary, it causes more troubles to Syrians. In the daily life, the Syrian "refugees" do not feel being granted a valuable social status. In fact, they are confused. They are not necessarily informed about temporary protection nor about the rights safeguarded under the temporary protection status. Indeed, the interviewee D points out to the fact that Syrians do not understand what temporary protection means since the information has not been channelled to them. In brief, temporary protection causes a great uncertainty among Syrians who, due to this fact, cannot arrange their future life.

Temporary protection – a work permit

In theory, Syrian "refugees" can work in many professional sectors. In practice, however, only few of them have successfully entered the official Turkish labour market. 'The vast majority of Syrians is still struggling with bureaucratic obstacles'.²⁵¹ Moreover, there are some professions which are under the protection of Turkish labour law. Until today, only around 10.000 Syrians under temporary protection have been allowed to apply for a work permit.²⁵² This is, indeed, a very small number which should be increased in the future unconditionally.

Turkish society and Syrian "refugees"

It should not be only the government, but also the civil society, who should take care of Syrian "refugees". Currently, however, 'Turkish society is not prepared enough to face the presence of Syrian "refugees" in the country. Despite this fact, Turkish public has addressed the refugee crisis very well'.²⁵³ Indeed, Turkish society has developed a kind of solidarity towards Syrians taking shelter in Turkey. According to the interviewee A, the initial approach of Turkish people was as follows: 'Oh, I am poor, they are also poor, our country is bad and their country is also bad – one day we may be also like them'. There are also religious motivations, i.e. Muslim people are supposed to take care of Muslims. The interviewee A acknowledges that until recently, Turkish

²⁵¹Interviewee B, Istanbul, 22 December 2016.

²⁵²Interviewee C, Istanbul, 7 January 2017.

²⁵³Interviewee A, Istanbul, 15 December 2016.

public has had a great mercy for Syrians. At the same time, however, s/he adds that even mercy has its end.

Humanitarian assistance to Syrians

According to the interviewee A, no serious problems have emerged in terms of the management of humanitarian aid since the NGOs/INGOs, the civil society institutions as well as Turkish public have helped Syrians to a great extent. All in all, the interviewee A acknowledges that it has been the state which has provided the largest humanitarian assistance to Syrian "refugees".

In case of the urban communities, there have been some problems which, however, according to the interviewee B, are not unique problems related to the Syrian refugee issue. They are rather general problematic issues having been faced in Turkey for decades, such as a poorly managed healthcare sector or an inconsistent education system. More recently, it has been speculated that the current economic crisis in Turkey might negatively affect the provision of humanitarian assistance to Syrian "refugees". These assumptions, however, proved to be unfounded since 'most of the resources related to the humanitarian assistance to Syrians has come from outside of Turkey'.²⁵⁴

Stabilization of the Syrian refugee crisis – the measures to be taken

According to the interviewee B, Syrians should be, first of all, officially acknowledged as refugees and should be granted a proper refugee status which would entitle them to benefit from refugee rights safeguarded under the international refugee law. Meanwhile, Syrians should be accepted as actors who would be able to deal with their own future and would not be a subject of political self-interests, more concretely, a subject of a bargain in the negotiations with the EU.

Currently, Syrians are staying in Turkey under temporary protection. However, it is only an interim protection status which does not provide Syrians with any durable, long-lasting protection safeguards. On the contrary, Syrians under temporary protection can benefit only from a limited scope of rights whereas they are allowed to apply neither for asylum nor for international protection. As a result, Syrians under temporary protection live under a huge pressure and face a prolonged uncertainty about their future lives.

With the outbreak of the Syrian refugee crisis, temporary protection has been implemented for the first time. If Syrians have a family abroad, they can accompany their family members. On the other hand, if they want to work in Turkey, it is very hard to get a work permit because there is a wide range of limitations in this regard. For instance, 'the number of Syrian workers cannot

²⁵⁴Interviewee A, Istanbul, 15 December 2016.

exceed 10% of the local workers'.²⁵⁵ Indeed, the temporary protection is a very problematic issue. It gives only few rights to Syrians whereas it forces them to stay in Turkey. 'Turkish government does not want Syrian educated people to leave Turkey, so it offers them Turkish citizenship'.²⁵⁶ However, according to the interviewee A, most Syrians are not interested in becoming Turkish citizens. Instead, they want to be granted a proper refugee status which would automatically provide them with international protection.

In case Syrians are officially recognised as refugees, they would be provided with legally binding protection which would safeguard their right for education in their mother tongue. According to the interviewee A, with being recognised as refugees, Syrians would not stay in Turkey like prisoners and would not be under a steady pressure because of the temporariness of the temporary protection. In this context, the interviewee A stresses that this uncertain situation has a mental and material impact on the lives of Syrians. S/he adds that Syrians are in a legal limbo, i.e. they do not know what to do, what to work for, whether they should settle in Turkey or whether they should leave the country.

It is important to mention, however, that despite some lacking points in the management of the refugee issue, a wide range of measures has been taken in order to stabilize the situation. More concretely, social and economic rights have been granted to Syrians and the refugee camps have been established. Nowadays, 'Syrians are even allowed to almost freely travel around the country'.²⁵⁷

Moreover, the interviewee C highlights that most recently Turkish government has been taking steps to establish first degree health clinics where Syrian doctors and nurses could be employed. The interviewee C puts forward that the employment of Syrian doctors and nurses would solve the general problem, i.e. miscommunication between Syrian patients and Turkish hospital staff. Moreover, the fact that Syrian doctors understand much better the circumstances related to the refugee crisis might facilitate the overall situation. In this sense, the interviewee C acknowledges that the healthcare sector is addressing the Syrian refugee crisis very efficiently.

On the other hand, with the outbreak of the Syrian refugee crisis, the education system has started to face more serious problems than ever before. Theoretically, Turkey recognises the elementary education for all kids. In practice, however, almost 1 million Syrian pupils do not go to school. There are different kinds of schools and temporary education centres. However, 'they are more or less out of control of Turkish authorities and their curriculum is not well-managed'.²⁵⁸ The interviewee C admits that Turkish schools are not very receptive to enroll Syrian students.

²⁵⁵Ibidem.

²⁵⁶Interviewee A, Istanbul, 15 December 2016.

²⁵⁷Interviewee C, Istanbul, 7 January 2017.

²⁵⁸Interviewee C, Istanbul, 7 January 2017.

Meanwhile, s/he refers to the fact that many children instead of attending the lessons are sent to work by their families in order to meet the ends. According to the interviewee C, transportation to school of those children is another problem.

The impact of Syrians' presence on Turkey

It has been widely believed that the Syrian refugee crisis has not been analysed enough until nowadays. According to the interviewee D, a thorough research into the impacts of the Syrian refugee crisis on Turkey should be conducted. In this sense, the interviewee D points out that crucial questions, such as *What is the impact of Syrians on Turkish economy?*, *What is the impact of Syrians on Turkish labour market?* should be unconditionally answered in order to be able to develop sustainable strategies which would effectively address the Syrian refugee crisis and which would identify the human resource of Syrians, i.e. how many of them are IT experts, architects etc.

According to the interviewee D, Syrians' presence in Turkey might have positive impact on the informal labour market with remarkable benefits for Turkish employers. More concretely, Syrians ask for lower wages while accepting the fact that they would not be provided with social security. On the other hand, the interviewee D questions whether this state of matters is actually good for Turkey.

The interviewee D admits that Syrian businessmen in Gaziantep might have positive impact on Turkish economy. However, s/he adds that this fact must be further analysed. The interviewee D refers to the fact that at the beginning of the Syrian refugee crisis, the government pursued a deliberate policy of 'information conservation', not letting the civil society be involved in the management of the refugee issue at all. By time, the ban was lifted. Nonetheless, a kind of self-censure is still in the air. Meanwhile, the interviewee D points out to the fact that the institutions are not helpful at all, in fact, they openly refuse to cooperate with the civil society organisations.

According to the interviewee A, since 2015, the situation has improved considerably whereas the state authorities have become more open with regards to Syrian "refugees". Since that time, more research on the Syrian refugee crisis has been conducted. Nonetheless, according to the interviewee A, there should still be more in-depth research into the perception of the host community towards Syrian "refugees" and vice versa in order to learn how both communities perceive each other. The interviewee A admits that this is one of the data which is not available at the moment. The interviewee A points out that at the initial stage, Syrians were officially considered "brothers". As time passed, however, this approach proved to be not justifiable enough. Therefore, s/he highlights that in order to evaluate the positive impacts of Syrian "refugees" on Turkey, the official statistics and data have to be analysed.

According to the evaluation of the interviewee C, there have been some positive impacts of

Syrians' presence in Turkey. First of all, Arabic has become the most used second language in Turkey. There have been some cultural as well as economic outcomes as well. More concretely, some business partnerships have been established. In schools, Turkish children have started to learn about Syrian culture. Nowadays, there are also a lot of Syrian restaurants cooking delicious Arab food. Indeed, according to the interviewee C, Syrians are contributing to Turkish culture as cultural intermediators and to the economy as a labour force.

The Syrian refugee crisis has affected Turkey mostly in a negative way. Most importantly, with the sudden influx of the "refugees" a huge economic burden has been created for Turkey. Turkish education and healthcare services had been in very bad conditions even before the Syrian refugee crisis. 'With the mass arrival of the "refugees", the problems have been aggravated even more'.²⁵⁹ Moreover, according to the interviewee B, there is a kind of xenophobia and a widespread perception that jobs aimed to be for Turkish citizens might be "stolen" by Syrian "refugees". 'The rising rents have been another negative outcome of the refugee crisis'.²⁶⁰

To make the matters worse, 'the Syrian refugee crisis has created a new political divisions and some kind of hatred among Turkish society'.²⁶¹ In this sense, the interviewee C highlights that particularly secular Turkish society worries about the occupation of Turkish by Arabic culture. All in all, the interviewee C admits that despite this fact, there are no systematic racist attacks against Syrians as it might be observed in some European countries against the foreigners/migrants.²⁶² Moreover, according to the interviewee C, the Syrian refugee influx has created an identity crisis among Turkish people. In this regard, s/he adds that there is an urgent need to find new ways to appease Turkish society with the "refugee" community in order to make both people understand each other better.

Granting Turkish citizenship to Syrians under temporary protection

'According to the international law, Turkey or another country is not obliged to provide citizenship to the refugees. The international refugee law only encourages the states to grant citizenship to the persons concerned'.²⁶³ According to the interviewee A, the question of granting citizenship to Syrian "refugees" should not be an urgent issue at the moment. Instead, Syrians should firstly be provided with a proper refugee status which would grant them basic refugee rights. According to the interviewee A, in case Syrians stay in Turkey for another 5 years, each application should be evaluated according to Turkish nationality law. S/he adds that not all Syrians under

²⁵⁹Interviewee A, Istanbul, 15 December 2016.

²⁶⁰Interviewee D, Istanbul, 11 January 2017.

²⁶¹Interviewee C, Istanbul, 7 January 2017.

²⁶²Ibidem.

²⁶³Interviewee C, Istanbul, 7 January 2017.

temporary protection should receive Turkish citizenship. Only well-educated refugees ought to be the targeted ones. In this context, the interviewee A mentions that, in fact, the government wants only religious Syrians to stay in Turkey since it is regarding them as a supportive force for its policies.

According to the interviewee B, it is highly unlikely, however, that Syrians under temporary protection would be granted Turkish citizenship. According to the interviewee B, this is out of question due to the ardent disapproval of Turkish population. Meanwhile, s/he suggests that instead of granting Turkish citizenship to Syrians, the temporary protection should be re-defined and the exact duration of temporary protection should be specified.

Turkish society's perception of Syrians taking shelter in Turkey

The interviewee D highlights that there is no systematic measurement which would provide us with satisfactory answers to the question '*What is the perception of Turkish society towards Syrian "refugees"*'. According to him/her, a number of researches on the perception of Turkish public towards Syrians has been conducted, however, most of them were "old-fashioned" and the results were not adequate at all. Despite this fact, the interviewee D concludes that there have been mixed feelings among Turkish society towards Syrians. These feelings have changed over time. S/he puts forward the example of Şanlıurfa. If you visited the province in 2012, the mood was different. When the people got under tougher conditions, new tensions and anti-Syrian feelings among the local people have sparked.

On the other hand, the interviewee D acknowledges that in some parts of Turkey, the local people are happy about the presence of Syrians. The reason of the positive approach towards Syrians is the fact that some Syrian businessmen established medium-size businesses in Turkey which by time turned out to be very prosperous and have had a very positive impact on the local economy.

According to the interviewee A, at the beginning of the Syrian refugee crisis, most Turkish people regarded Syrians as "guests" and people in need of temporary humanitarian protection. It was expected that the Syrian Civil War would finish soon and Syrians would return to Syria. With the prolonged nature of the Syrian war, however, anti-refugee tendencies have gradually arisen among Turkish population. The interviewee A points out that nowadays there is a kind of jealousy among Turkish people towards Syrians. More concretely, Turks fear that Syrians might "steal" their jobs. S/he also mentions that it has been widely believed that Syrians under temporary protection are better off than ordinary Turkish citizens with regards to taxes, healthcare and even education.

When analysing the situation more deeply, the interviewee D comes to the conclusion that the perception of Turkish citizens towards Syrians is quite negative. S/he points out to the fact that

Turkish people do not want Syrians around. Moreover, there is not enough willingness among Turkish people to change this perception. Therefore, according to the interviewee D, it should be a prior task of Turkish government to inform its citizens about Syrian refugee crisis in a more comprehensive way. Meanwhile, the interviewee D underlines that Turkish government should also develop a sustainable integration policy which would contribute to social cohesion.

In general, 'Turkish people do not consider Syrian "refugees" a security threat to Turkey'.²⁶⁴ According to the interviewee C, there is a widespread perception among Turkish educated public that Syrians are well-educated people who are not a burden for Turkey. However, the interviewee C adds that in case Syrians stay longer in Turkey, and if the Syrian youth would not get appropriate education, the Syrian youngsters would potentially be victims of criminal organisations, or victims of other social problems. Indeed, in case Syrian children spend the whole time on the street, they would pose huge problems to Turkish society. Therefore, an immediate action should be taken in order to enhance a higher enrollment of Syrian children in Turkish schools, to improve living conditions of Syrians taking shelter in Turkey, and to develop better integration strategies.

Meanwhile, the interviewee A proposes that Syrians should live in the cities rather than being placed in the refugee camps. Despite all of the problems they might face in the cities, they would be able to integrate into Turkish society more easily, i.e. to socialize with Turkish people, to find jobs etc. The interviewee A acknowledges that Syrians have experienced a big trauma as a result of the civil war in Syria. In this sense, s/he assumes that Syrians would overcome the trauma more easily when they would be integrated into the host community. On the other hand, the interviewee A stresses that Turkish people should accept Syrians' presence and consider them potential contributors to the welfare of Turkey.

Among others, the interviewee C shares the opinion that Syrians should have freedom of movement. They should not be pushed to live in one pre-determined area. In this sense, the interviewee C underlines that the policy of a free movement for Syrians should be more flexible. Syrians should go and travel where they could find a job, where they find a better house, and where people are more friendly to them.

'According to migration theories, the longer the refugees stay in the host country the higher probability is that the refugees will stay in the country permanently'.²⁶⁵ Based on those assumptions, the interviewee A believes that a vast majority of Syrians, who have stayed in Turkey already for several years, might not return to Syria when the war ends. On the other hand, the interviewee C

²⁶⁴Interviewee B, Istanbul, 22 December 2016.

²⁶⁵Interviewee A, Istanbul, 15 December 2016.

strongly believes that the majority of Syrians would return to Syria when the war ends, especially Syrians who have property in Syria. According to him/her, Syrians who would not be able to come back to Syria would stay in Turkey, which could be an opportunity for Turkey to develop transnational economic connections with Syria and the Arab world respectively.

4.5 Coordination of the Syrian refugee crisis at the state level

Request for the international humanitarian assistance

Particularly since 2015, a kind of cooperation between Turkey and the EU has been developed. In March 2016, the EU-Turkey Statement, generally known as the EU-Turkey Refugee Deal, was agreed on. According to the Statement, the EU would send one Syrian who has crossed to Greece illegally, to Turkey whereas Turkey would send one registered Syrian to be resettled in Europe. In exchange, the EU would provide Turkey with 3 billion Euro that would be used for both peace-building projects and for Syrian "refugees" in general.²⁶⁶ Nevertheless, according to the interviewee A, the deal itself is very disputable and its provisions have many lacking points.

In general, the EU-Turkey Statement has been perceived rather negatively. Nonetheless, there are also positive judgements among Turkish society, indicating that the 'deal has been the best agreement Turkey and the EU could have reached'.²⁶⁷ At the same time, however, it has been highlighted that the 'way how the deal is implemented matters too'.²⁶⁸

Having signed the Statement, Turkey made crystal clear that in exchange for its willingness to cooperate with the EU on the "refugee" issue it is expecting the EU to fulfill its long-term promises related to the opening of the new chapters in the framework of the EU accession process. Most importantly, Turkey underlined its expectation that the EU would ultimately ensure a visa free travel to the EU for Turkish citizens. Under the current political conditions, i.e. after the 15th July attempt of coup d'état, however, the implementation of the EU-Turkey Statement in its full scale appears very unlikely. In fact, according to the interviewee B, Syrian "refugees" have been placed into an unfavourable position as a tool of political bargain between the EU and Turkey instead of being handled as a subject of humanitarian aid.

According to the interviewee A and B, there should be more dialogue, more understanding and a better cooperation between the EU and Turkey. According to the interviewee B, a new understanding of cooperation between the EU and Turkey has already been established with the conclusion of the Statement. As a result, a further step should be taken, inasmuch, Turkey should be granted a larger financial aid from the EU and the international donors. On the other hand,

²⁶⁶EU-Turkey Statement, 18 March 2016.

²⁶⁷Interviewee B, Istanbul, 22 December 2016.

²⁶⁸Ibidem.

the interviewee B acknowledges that Turkey as well should change its traditional attitude and should learn how to use a financial assistance in more effective way.

According to the interviewee C, the question of the resettlement of Syrians should be unconditionally discussed between the EU and Turkey in the framework of the enhanced cooperation. Meanwhile, the interviewee C points out to the fact that the cooperation between the two actors with regards to the "refugee" issue should unconditionally be handled separately from other negotiations between the EU and Turkey. Otherwise, the "refugee" issue could become a tool of bargain and misused for political self-interests.

AFAD

AFAD is a coordination body for a disaster management and related issues. AFAD has been in charge of the management of the Syrian refugee crisis. It has been operating predominantly in the border region where it is coordinating Turkish NGOs which have been working on the stabilization of the Syrian refugee crisis. The INGOs were not able to work in Turkey for a long time due to the registration hurdles. Only since 2015, the INGOs have been allowed to operate in Turkey. Nowadays, AFAD is coordinating both the NGOs and INGOs.

AFAD was established in 1999, after the Marmara earthquake, as an emergency institution. Since then, AFAD has been tasked only with the management of natural disasters and other emergency situations. Since the outbreak of the Syrian refugee crisis, AFAD has become fully responsible for the stabilization of the refugee influx and coordination of the activities of all relevant ministries as well.

Originally, AFAD focused on the establishment of the refugee camps. In this sense, AFAD was in charge of provision and coordination of basic social services in the refugee camps. It is important to mention, however, that AFAD 'is not a refugee organisation nor AFAD's officials have enough knowledge and experience in integration'²⁶⁹. Indeed, AFAD's main task is only to supervise the provision of shelter including the tents, nutrition, food, and the blankets. The integration issue is completely out of AFAD's scope. 'Integration is a long-term process. However, AFAD is not well-equipped to engage with the development of integration strategies'.²⁷⁰

All in all, it is a matter of fact that AFAD has been managing the refugee camps very well. Indeed, AFAD has spent a lot of money on the shelter for Syrian "refugees". The other side of the coin is the fact, however, that Turkey is spending most of the money only on the refugee camps even though the Syrian population staying in those stationaries makes out only less than 10% of all Syrian "refugees" taking shelter in Turkey. Indeed, the majority of Syrians are non-camp refugees.

²⁶⁹Interviewee C, Istanbul, 7 January 2017.

²⁷⁰Ibidem.

Due to this reason, 'AFAD should not only focus on the humanitarian assistance for encamped Syrians, but also for Syrians who live outside the refugee camps'.²⁷¹

According to the interviewee A, the monopolistic position of AFAD with regards to the Syrian refugee issue should be re-evaluated. As it was above mentioned, all NGOs/INGOs have to be registered in Turkey. When AFAD lists the needs of Syrians in Southern part of Turkey, the NGOs willing to assist AFAD could contribute with a material donation. As a result, the NGOs would not be in the field anymore and AFAD would be the only decisive actor taking control over the management of the refugee issue. According to the interviewee A, AFAD is very successful at this policy. The eligibility of the NGOs to operate in Turkey depends on the accreditation. Due to this reason, none of the NGOs would like to counter the state. It is a matter of fact, however, that most of the NGOs in Turkey are not registered. As a result, the non-registered NGOs are not in AFAD's system, thus, they are not allowed to provide humanitarian assistance to Syrians. Despite this fact, the interviewee A acknowledges that the role of AFAD is crucial since the cooperation among NGOs is very low.

'Since AFAD is an emergency institution providing Syrians only with humanitarian assistance, Turkish government should create a new institution which would focus on the integration issues in particular'.²⁷² According to the interviewee C, it might be the Integration Ministry or the Integration Directory General which would develop comprehensive plans and strategies for the integration of Syrian "refugees" into Turkish society and for a development of a legal framework which would provide them with more rights. According to the interviewee C, all these measures are missing at the moment.

International assistance

The interviewee C shares the opinion that especially the humanitarian agencies, such as the UNHCR, the World Food Programm etc., supported the government the most with regards to the provision of the humanitarian assistance to Syrian "refugees". The interviewee C acknowledges that the international organisations have played a key role with regards to the management of the refugee crisis since they have closely cooperated with the government. Meanwhile, they have raised a wide range of funds and they have shared their experience with the state officials. The interviewee C points out to the fact that the EU as well has provided a large sum of money to the Turkish State. 'Even though the EU has not been directly involved in the project, it has distributed funds through the UN Agencies'.²⁷³

²⁷¹Interviewee D, Istanbul, 11 January 2017.

²⁷²Interviewee C, Istanbul, 7 January 2017.

²⁷³Ibidem.

At the beginning of the refugee crisis, the INGOs were not allowed to operate in Turkey. Indeed, 'the INGOs have faced a lot obstacles when trying to set up their activities in Turkey'.²⁷⁴ Since 2015, the NGOs/INGOs have been allowed to get involved in the management of the refugee emergency situation. Nevertheless, according to the interviewee D, the problems related to the registration of the NGOs/INGOs in Turkey still persists. In fact, 'it might take up to two months until they can be registered'.²⁷⁵

Even though, a number of Syrian NGOs, INGOs and UN Agencies are operating in Turkey and try to strenghten Turkish capacity to cope with the emergency situation, 'there is a widespread perception among Turkish public that the international humanitarian assistance provided to Turkey has not been sufficient at all'²⁷⁶. As the Syrian Civil War appeared not to finish soon, Turkey as well as other countries hosting Syrian "refugees", such as Jordan, Lebanon etc., have asked the international community for more assistance and for more responsibility sharing. 'Those calls, however, were more or less ignored by the European states and other developed countries. Only when Syrians decided to illegally cross into Europe in large numbers, the European countries have suddenly started to be interested in the issue. Most of the European states have adopted a very defensive approach with the aim to keep Syrian "refugees" far from their borders. Only Germany adopted an "open-door" policy towards Syrians'.²⁷⁷

According to the EU-Turkey Statement, a financial assistance was to be provided to Turkey whereas it was supposed to improve the conditions of Syrian "refugees". The interviewee C, however, does not believe that the measures taken were sufficient. Instead, s/he puts forward that various types of burden sharing mechanism should be implemented.

In general, 'there have been only few legal/political obstacles hindering the provision of humanitarian assistance to Syrian "refugees" in Turkey'.²⁷⁸ As it was above mentioned, there was a general problem with registration of the NGOs/INGOs. In this sense, the interviewee A points out to the fact that the NGOs have been afraid to cooperate with municipality which is not AKP. Meanwhile, s/he adds that the officially registered NGOs are afraid to cooperate with any NGO that has such a lack.

In the own words of the interviewee A, there have been bureacratic or mental obstacles rather than legal ones related to the provision of the humanitarian assistance to Syrian "refugees". 'There has been a general disagreement how the assistance should be distributed. For instance,

²⁷⁴Interviewee D, Istanbul, 11 January 2017.

²⁷⁵Ibidem.

²⁷⁶Interviewee C, Istanbul, 7 January 2017.

²⁷⁷Ibidem.

²⁷⁸Interviewee A, Istanbul, 15 December 2017.

AFAD would like to accumulate the financial support in its hands and seeks to determine on its own on the financial means to be spent. On the other hand, the Western countries want to use their own international NGOs, the UN structures and to provide the assistance not to Turkish government but to Syrian "refugees" directly. The European states underline that the distribution of the assistance and services should be managed by the international organisations rather than Turkish institutions. Turkish government, however, does not accept this idea'.²⁷⁹

Syrian refugee crisis as a subject to discuss in the political arena

'The opposition parties have not developed any program which would effectively address the refugee issue. Indeed, they have even been very reluctant to talk about the Syrian refugee crisis. On the other hand, the government has showed willingness to target the refugee influx as much as Turkey has the capacity to cope with the situation'.²⁸⁰

According to the interviewee C, the government has been pretty receptive to the Syrian issue. Until recently, Turkish government pursued an "open-door" policy and sought to improve the living conditions of the refugees. On the other hand, the interviewee C points out to the fact that the main opposition party has always been sceptical of government's Syrian policy. 'CHP argues that the Syrian crisis has been a product of Erdogan's policy'.²⁸¹ Indeed, as Turkish soldiers are currently operating on the Syrian border, CHP promotes campaigns advocating that Syrian "refugees" should leave Turkey for their home country.

MHP partisans are ardent nationalists. 'Since the early beginning, they have not been very receptive to Syrians'.²⁸² HDP, a pro-Kurdish party, had originally adopted rhetorically a more friendly language towards Syrians. However, when the issue of opening of the Syrian refugee camps in the cities dominated by Kurds started to be discussed, HDP has strongly opposed the proposal. Indeed, 'HDP has showed its Kurdish nationalist attitude making clear that HDP partisans are not receptive to multi-culturalism and to the settlement of Syrians among Kurds'.²⁸³

At the initial stage of the refugee crisis, 'Turkish public was not so much interested in the issue of migration. With the prolonged nature of the Syrian refugee crisis, Turkish civil society started to be concerned with the refugee migration much more'.²⁸⁴ Most recently, according to the interviewee D, the refugee issue has been highly politicized. Indeed, 'a deep polarization among Turkish public with regards to Syrian "refugees" has emerged. Especially, the opposition political parties act as there is no refugee problem in Turkey. They have neither a comprehensive policy nor

²⁷⁹Interviewee B, Istanbul, 22 December 2016.

²⁸⁰Ibidem.

²⁸¹Interviewee C, Istanbul, 7 January 2017.

²⁸²Ibidem.

²⁸³Ibidem.

²⁸⁴Interviewee D, Istanbul, 11 January 2017.

a durable solution to the refugee issue. It might be even stated that the refugee issue has developed into populism. AKP, because it is a party in power, has still the most advanced program. On the other hand, CHP still thinks that Syrians will go back as the Syrian Civil War is over'.²⁸⁵ Meanwhile, the interviewee D points out to the unfortunate fact that the political parties do not discuss the issue enough among each other, thus, a satisfactory solution to the Syrian refugee issue is unlikely to be reached in a short run.

Coordination of the Syrian refugee crisis

At the beginning of the Syrian crisis, in 2011, Turkey declared an "open-door" policy and since then it has pursued a *non-refoulement* principle, i.e. not sending Syrians back to a war-torn Syria. Meanwhile, Turkey has provided Syrians with basic social services. Indeed, Turkey with its generous approach towards Syrians escaping the war in their country might be considered a unique example in international refugee regime.

It is important to mention, however, that 'Turkey has considered the Syrian refugee crisis only a temporary situation'.²⁸⁶ Therefore, Turkish government has provided Syrians solely with temporary protection, without having granted them the internationally recognised refugee status. Due to the assumptions that the refugee crisis has only a temporary character, 'no comprehensive integration programme has been developed so far'.²⁸⁷ Instead of encouraging Syrian parents to send their children to Turkish schools, the government has opened up, respectively has stimulated opening of the temporary education centres. As a result, many Syrian children as well as Syrian adults has not learned Turkish properly. Without being able to speak Turkish, however, they are not able to find a job in the Turkish labour market easily. In brief, 'Turkey has failed to integrate Syrian "refugees" into Turkish society'.²⁸⁸

According to the interviewee C, the Syrian refugee crisis in Turkey has not been coordinated as well as it should have been. S/he points out that the lack of coordination of the management of the Syrian refugee crisis has been a serious matter of concern. 'There has not been an overall coordination body'.²⁸⁹ AFAD has been in charge of the management of the refugee crisis since 2014. Nevertheless, 'AFAD is not a real organisation which could put forward any satisfactory integration programme'.²⁹⁰ Indeed, various ministries, such as the Ministry of Education, the Ministry of Labour or the Ministry of Family Affairs, have been trying to address different aspects of the crisis. The interviewee C, however, shares the opinion that in most cases, their efforts have been chiefly

²⁸⁵Interviewee D, Istanbul, 11 January 2017.

²⁸⁶Ibidem.

²⁸⁷Ibidem.

²⁸⁸Interviewee C, Istanbul, 7 January 2017.

²⁸⁹Ibidem.

²⁹⁰Interviewee C, Istanbul, 7 January 2017.

uncoordinated. The UN and its Agencies, such as the UNHCR and Unicef, has also engaged with the Syrian refugee crisis in Turkey. Nonetheless, their activities are basically independent from government's policies.

According to the interviewee A, the communication and cooperation among the actors who have followed only self-interests has been one of the major problems of the coordination of the refugee crisis. 'The selfishness of the actors involved in the management of the crisis has a very negative impact on the whole working process'.²⁹¹ Meanwhile, the interviewee A points out to the fact that the state does not know what the NGOs are doing. 'The state authorities are trying to follow the activities of the NGOs, however, without actually understanding it. On the other hand, Turkish NGOs face a severe documentation problem which prevents them to track their past activities'.²⁹²

Infiltration of danger posing persons into Turkey

It has been widely believed that at the beginning of the Syrian refugee crisis, Turkey has not been well-prepared for such a situation. Despite this fact, Turkish government did not wish the involvement of the UNHCR in the management of the refugee influx. Many Syrians who came to Turkey were not well-registered. 'When Syrians have started to come to Turkey in 2011, there was no comprehensive asylum legal framework in Turkey'.²⁹³ The *Law on Foreigners and International Protection* entered into force only in 2014. On the other hand, the TPR came into effect only in October 2014, i.e. after 3 years since Turkey had started to face the Syrian refugee crisis. The TPR was supposed to set up a legal framework which would regulate all relevant issues related to Syrian "refugees" presence in Turkey. At the time of the introduction of the TPR, however, many Syrians had already taken shelter in Turkey, thus, the effectiveness of the TPR was, in fact, limited to a certain extent.

'The registration of Syrian "refugees" was not very well organized at the initial stage of the refugee crisis. In fact, the establishment of a well-organized registration system should be the first measure the state should take with regards to its migration and asylum policy. Meanwhile, the armed elements should be separated from the rest of the civilian population and should be treated according to the international law. In practice, however, these measures have not been taken at all'.²⁹⁴

'It has been widely believed that at the onset of the Syrian war, many Syrian opposition fighters wounded in the clashes with the Syrian state army came to Turkey for a treatment. As soon

²⁹¹Interviewee A, Istanbul, 15 December 2016.

²⁹²Ibidem.

²⁹³Interviewee C, Istanbul, 7 January 2017.

²⁹⁴Ibidem.

as they were healed, they returned to Syria and kept on fighting again'.²⁹⁵ The interviewee C also refers to the allegations that the ISIS and al-Nusra members misused the refugee crisis and sought to infiltrate into Turkey as well. 'Turkey has a long borders whereas they were not well protected for a certain time in the initial stage of the refugee crisis. It is very difficult to verify whether the arrival of those danger posing persons was tolerated or not'.²⁹⁶

Indeed, the start of the Syrian refugee crisis was a very difficult situation and it definitely might have happened that some radicals misused the chaotic character of the Syrian influx and infiltrated into Turkey too. All in all, in the last few years, more controls have been introduced and security walls have been established alongside the Turkish-Syrian border.



²⁹⁵Interviewee C, Istanbul, 7 January 2017.

²⁹⁶Ibidem.

CONCLUSION

The Syrian Civil War started as a chain reaction of the Arab Spring which took place after the uprising in Tunisia on 18 December 2010, one day after the self-immolation of Mohamed Bouazizi who burned himself in protest to the corrupt policies of the Tunisian government.

The uprising in Syria began on 15 March 2011 in Damascus when Syrians went into streets to protest against President Assad's "authoritarian" regime. They called, among others, for "democratic" reforms which would address high unemployment, inflation and would ensure basic civil and political rights. Initially, in order to alleviate the wave of demonstrations, Syrian government promised to introduce political reforms which would include more press freedom, tax cuts, raise of salaries of public workers, promotion of employment, granting citizenship to some Syrian Kurds, and release of political prisoners.

The protesters also called for an immediate abolition of the state of emergency, which had been imposed when Hafez al-Assad came to power. In fact, the state of emergency had often been justified to protect a fragile political environment in Syria. Arbitrary arrests, and detentions have been used to suppress any kind of opposition. On 21 April, 2011, the state of emergency was lifted. Meanwhile, President Assad gave a green light to a number of additional reforms. However, the unrest of Syrian people had not stopped. The opposition was dissatisfied with the measures taken, calling them inefficient. In July 2011, with the aim to alleviate the unrests and to discuss political reforms, a two-day national dialogue took place. The opposition leaders, however, refused their participation. Instead, they kept on the anti-regime demonstrations.

At the end of April 2011, with having realized that the opposition forces adopted an ardent anti-regime stance without any sign of accepting President Assad's concessions, Syrian government launched military operations with the aim to suppress the revolt. Since then, the initially staged peaceful demonstrations had gradually turned into a brutal civil war which is still ongoing without any prospect of finishing in a short term. Hundred thousands Syrians have lost their lives in the fightings between the opposition forces and the government's army. To make the matters worse, terrorist organisations, such as al-Nusra and ISIS, became active on the Syrian territory, making the environment much more dangerous and unstable.

Under those conditions, millions of Syrians were forced to leave Syria, often without any proper documents and material means. In most cases, they left apart all their possession in order to escape the war and to save their lives. In general, Syrian people fled to the neighbouring countries, i.e. to Egypt, Jordan, Lebanon, Iraq and Turkey, whose governments welcomed Syrian people and allowed them to take refuge on their territories. Originally, it was expected that the Syrian Civil War would end soon and Syrians would return to their home country as soon as a stable environment

was recreated in Syria. These assumptions, however, proved to be astray. The Syrian Civil War is still ongoing whereas ordinary Syrians are forced to live under harsh conditions in the host countries which provide them with shelter.

Turkey is a country hosting the highest number of Syrians. Currently (as of March 2018), there have been 3,540,648²⁹⁷ registered Syrians in Turkey who are provided with shelter as well as basic social services, such as healthcare, education etc. In fact, when the Syrian Civil War broke out in 2011, Turkish government adopted an outright anti-Assad approach, welcoming Syrian people as "guests" and "brothers" escaping the "tyranny of Assad regime".

At the initial stage, not many Syrians took shelter in Turkey. As of January 2012, only 9,500²⁹⁸ Syrians were registered in Turkey. However, since 2013, as the civil war has aggravated further, the number of Syrians had sharply increased. In December 2013, there were already 562,658²⁹⁹ Syrians registered in Turkey. By then, Turkey had slowly realized that its capacity to host Syrians was stretched to limits. Originally, Turkish government refrained from any international assistance. However, with the steady increase in the number of arriving Syrians, Turkey submitted a request for financial/material support to the international community which would help Turkey to manage the refugee crisis. Indeed, with cca. 1.7 million³⁰⁰ registered Syrians (as of March 2015) on its territory, Turkey's concerns might be fully understandable.

In summer 2015, due to several factors, such as Syrians losing their hopes to have a stable life in Turkey, to be resettled to a safe environment etc., Syrians sought to illegally cross from the Turkish West coast, through Greece, into Europe. This development caused huge concerns among the EU member states who were caught absolutely unprepared to deal with such an emergency situation. In this context it is worth to mention that EU's migration and asylum policy is far from ideal. The migration and asylum legal framework is based on the so called Dublin system which, however, has proved to be highly ineffective and very costly.

In fact, the Syrian refugee crisis has been a huge challenge to the fragile cohesion of the EU member states. Indeed, the refugee issue has caused a deep political division in Europe. When simplifying the situation, one might state that two blocks have emerged. On the one hand, there was Germany with its "open-door" policy towards Syrian "refugees", trying to force the other member states to adopt the same approach. On the other, the opposition to Germany's unilateral policy has emerged. The opposition states have gathered in the so called Visegrad Group, i.e. Czech Republic, Slovakia, Poland and Hungary, which refused to accept the mandatory quota system put forward by Germany. The leaders of the above mentioned countries pointed out that the EU member

²⁹⁷<http://data.unhcr.org/syrianrefugees/country.php?id=224>, [6.3.2018].

²⁹⁸<https://data2.unhcr.org/en/documents/download/39309>, [6.3.2018].

²⁹⁹<https://data2.unhcr.org/en/documents/download/39309>, [6.3.2018].

³⁰⁰İçduygu, A. (2015). Syrian Refugees in Turkey (A Long Road Ahead). Migration Policy Institute, pp. 1.

states are sovereign states which are not obliged to follow any policy which would be in contradiction to their national interests. Meanwhile, the leaders of the Visegrad Group stressed the fact that Syrians have been raised in a completely different cultural environment, with Islam as their religion. Due to those reasons, the integration of Syrians in Europe would be very difficult, if not impossible, and would seriously disturb social cohesion of the European public. They put also forward that instead of taking hasty decision to admit Syrian "refugees", European countries should implement more restrictive asylum and migration policies.

Indeed, the refugee mass influx in summer 2015 caused huge concerns among the EU member states. As a result, they saw no other option but to enhance cooperation with Turkey. Since the beginning of the Syrian refugee influx to its territory, Turkey proved to cope with the crisis very well, in fact, it has overstretched its actual capacity. With this in mind, in October 2015, the EU member states took up enhanced negotiations with Turkey with the aim to alleviate the crisis and to maintain the uncontrolled influx of the refugees to the EU's territory.

As a result of long-lasting negotiations between the EU and Turkey, the EU-Turkey Statement was agreed in March 2016. According to the document, all new irregular migrants who arrive in Greek islands through Turkey since 20 March 2016 were to be returned to Turkey starting on 4 April 2016. On the other hand, in exchange for every Syrian who would be sent back, one registered Syrian in Turkey was to be resettled to the EU. In fact, the prime aim of the deal has been the deterrence of the unauthorised migrants from entering Europe through improper channels. In this context, Turkey agreed to take necessary steps to keep the passage into Europe under control. In exchange, the EU would support Turkey with 3 billion Euro. The amount was supposed to cover Turkey's expenditure on Syrian "refugees" taking shelter on its territory. Accordingly, the EU agreed to lift the visa requirements for Turkish citizens by the end of June 2016 'provided that Turkey fulfills all benchmarks required for such a lift'³⁰¹, including the precondition that Turkey's anti-terrorist laws were aligned with EU standards, which, however, when considering Turkey's post-coup environment, appears nearly impossible.

Despite the conclusion of the EU-Turkey Statement, a confrontation between the EU and Turkey persists in many points. On the one hand, Turkish government is prompting anti-EU sentiments while the EU member states are unwilling to make any concessions to Turkey. The tension between the EU and Turkey is pretty high which might have negative side effects on the cooperation of the two actors with regards to the Syrian refugee crisis.

Traditionally, Turkey had not drawn too much attention to its asylum and migration regime. Until the adoption of the *1994 Asylum Regulation*, the legal framework of Turkey's asylum and

³⁰¹<http://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/>, [10.3.2018].

migration policy was based on the *1934 Law on Settlement*, the *1951 UN Refugee Convention* and its *1967 Protocol*, with ardently preserving its geographical limitation. Since the establishment of the Republic of Turkey in 1923, the asylum regulations were very restrictive. Only people of "Turkish descent and culture" were allowed to apply for the asylum in Turkey. Besides, due to the geographical limitation, only refugees of European origin were allowed to be granted a refugee status in Turkey.

Until the 1980s, the immigration to Turkey was very limited, having caused no extra economic and social burden for Turkey. Unexpectedly, with the outbreak of the regional crises since the end of the 1970s, i.e. the Afghan War (1979), the Iranian Revolution (1979), and Iran-Iraq War (1980-1988), and the subsequent flow of the refugees to Turkey, the number of transit migrants in Turkey increased substantially. At the beginning of the 1990s, the core European countries started to be concerned over the rising transit migration which has occurred with the end of the Cold War. In order to address the uncontrolled migration flows, the leaders of the European Community underlined the need for a creation of a legal framework of the common European asylum and migration policy. As a result, the so called Dublin system was designed.

In fact, the European response to the uncontrolled migration movements was a prime stimulation for Turkey to reconsider its own asylum and migration policy. In addition, the sudden mass influx of Iraqi refugees fleeing the atrocities of the First Gulf War (1990-1991) proved the urgent need for a profound reformation of Turkey's asylum and migration system. As a result, the *1994 Asylum Regulation* was adopted. In this context, it is important to mention that at the beginning of the 1990s Turkish authorities were in a serious dispute with the UNHCR Turkey which was at that time in a full charge of determination of the refugee status for the asylum seekers in Turkey. With the adoption of the *1994 Asylum Regulation*, Turkish authorities were granted more privileges with regards to the determination of the refugee status. Indeed, the prior goal of the *1994 Asylum Regulation* was to strengthen state's control over the refugee policies on its territory.

In the framework of the EU accession process, a lot of reforms were introduced since the beginning of the 2000s. However, it has only been the Syrian refugee crisis which has stimulated Turkey to develop a coherent legal framework of its asylum and migration policy. In 2013, the *Law on Foreigners and International Protection (LFIP)* was adopted. Indeed, the LFIP might be considered a milestone in Turkey's asylum and migration regime.

In 2013, based on Art. 103 of the LFIP, the Directorate General of Migration Management (DGMM) was established. The DGMM is a unique institution under the Ministry of Interior set up with the aim to 'implement policies and strategies related to migration; ensure coordination between the related agencies and organisations in these matters; carry out the tasks and procedures related to

foreigners' entry into, stay in, exit and removal from Turkey, international protection, temporary protection and protection of victims of human trafficking.³⁰² It might be even stated that with the introduction of the LFIP, Turkey's asylum and migration system got an institutional base facilitating the intra-institutional cooperation with regards to the migration movements in Turkey.

AFAD has been created as an 'institution working to prevent disasters and minimize disaster-related damages, plan and coordinate post-disaster response, and promote cooperation among various government agencies.'³⁰³ With the establishment of AFAD, a completely new disaster management framework was developed. Under the so called Integrated Disaster Management System, AFAD has been cooperating with a wide range of governmental as well as non-governmental organisations in order to respond to the emergency situations effectively and in a short time.

With regards to the Syrian crisis, Turkey has taken a number of measures and implemented a wide range of regulations in order to facilitate the living conditions of Syrians taking shelter at its territory. Most importantly, in the border region, the refugee camps have been established. Syrians staying in the camps might enjoy a safe and stable environment while being provided with high standards of basic social services, such as healthcare, education etc. Registered Syrians living outside the camps are entitled to benefit from the basic social services too.

In comparison to encamped Syrians, however, urban Syrians live under harsh conditions. Even though in January 2016 a law allowing Syrians to apply for a work permit in Turkey was introduced, until today, only a small number of Syrians has obtained a work permission. As a result, the majority of urban Syrians taking refuge in Turkey work illegally, whereas they have often been exploited at the workplace. The employers make Syrians work overtimes and give Syrians considerably less wage in comparison to their Turkish counterparts. In fact, in most cases Syrians do not even earn the minimum wage officially set up by the Turkish labour law.

Turkish civil society is aware of the fact that the Syrian Civil War will not finish soon. In fact, Turkish people believed that the majority of Syrians taking refuge in Turkey will stay in the country even in case the war comes to the end. According to the vast majority of Turkish population, Turkey should take relevant long-term measures in order to be able to cope with the refugee crisis on its territory in a long run and to diminish the social, economic, and political burden the crisis has caused to Turkey.

First of all, the representatives of Turkish civil society point out that Turkish government should unconditionally clarify the obscure social status of Syrians. Indeed, Syrians taking refuge in Turkey have never been granted a refugee status. Instead, they are under the temporary protection

³⁰²Yabancılar ve Uluslararası Koruma Kanunu, art. 103.

³⁰³<https://www.afad.gov.tr/en/2572/About-Us>, [7.3.2018].

which, however, can be lifted by the government at any time. Based on the field works and needs assessments carried out by the civil society organisations, Syrians under the temporary protection have been suffering from a prolonged uncertainty over their future. Since Syrians are going to stay in Turkey for a long term, if not permanently, the representatives of the civil society highlight that progressive integration policies should be prioritized. In this context, Turkish government should refrain from its unilateral approach. Instead, it should take into consideration advices from legal experts, academics, NGOs, as well as international institutions and organizations. Meanwhile, the civil society organisations stress the fact that in if a national dialogue is introduced, the refugee crisis might be addressed more effectively. In this context, they point out to the fact that there is a deep political polarisation hindering any nation-wide dialogue on the Syrian refugee crisis nowadays. Therefore, according to them, Turkish government should make its refugee policies transparent to the public, thus, all speculations over the actual political goals of Turkish government would be satisfactorily clarified. Meanwhile, Turkish public shares the opinion that Turkey should take a lesson from the Syrian refugee crisis and get institutionally and legally prepared for any other potential refugee flows.

There is unanimous agreement among Turkish society that since the beginning of the Syrian refugee crisis, the international community has not appeared to be willing to provide Turkey with a sincere support. In fact, the approach of European countries might be described as 'open your Eastern borders, but always keep the Western ones closed so that they won't come'.³⁰⁴ As of December 31, 2017, the EU received 1,015,500³⁰⁵ Syrian asylum applications which is in a sharp contrast to 3,540,648³⁰⁶ registered Syrians under temporary protection in Turkey. Only 3,622 of the total amount of Syrians staying in Turkey were resettled to the EU.³⁰⁷

In terms of financial support, there has been a huge gap between the amount Turkey has received in the form of the international aid for Syrian refugees taking shelter on its territory and the actual amount Turkey had spent. Indeed, Turkish public shares the opinion that the cooperation between Turkey and the international community on the Syrian refugee issue should be enhanced whereas the international community should share the burden with Turkey and should provide the Turkish State with a financial assistance and professional legal expertise.

Nonetheless, the representatives of Turkish civil society also point out to the fact that there should be a willingness for cooperation from the side of Turkish government as well. They highlight the fact that Turkey should allow the international humanitarian NGOs (INGOs) to work

³⁰⁴Erdoğan, M.M. (2014). Syrians in Turkey: Social Acceptance and Integration.Hacettepe University Migration and Politics Research Centre, pp. 4.

³⁰⁵<http://data.unhcr.org/syrianrefugees/asylum.php>, [10.3.2018].

³⁰⁶<http://data.unhcr.org/syrianrefugees/country.php?id=224>, [10.3.2018].

³⁰⁷http://www.goc.gov.tr/icerik6/temporary-protection_915_1024_4748_icerik, [10.3.2018].

on its territory whereas Turkish authorities should make sure that their registration would be facilitated. Currently, there are several international NGOs but only few of them are allowed to operate in the border region.

Moreover, the representatives of Turkish civil society emphasize that Turkish government should acknowledge that the local as well as international NGOs are important actors helping Syrian "refugees" to integrate into Turkish society. They are convinced that the NGOs might play an important role as a mediator between the civil society and the official authorities. They point out to the fact that since the beginning of the crisis, particularly the local NGOs provided Syrians with material as well as non-material support. Despite this fact, they draw attention to the fact that until recently the NGOs were officially prohibited from entering the refugee camps. Indeed, even the academic research on the Syrian refugee crisis has been limited to a great extent.

The representatives of Turkish civil society strongly believe that without an open national dialogue, including all segments of society, it is utmost difficult, if not impossible, to address the Syrian refugee crisis in Turkey in an effective and sustainable way. According to them, Turkish civil society as well should be involved in the solution-finding process. Turkish civil society should be allowed to express its perceptions and concerns, and should be asked to put forward proposals how the Syrian issue in Turkey could be addressed in the best possible manner. Indeed, only with a full involvement of Turkish civil society in the solution-finding process and the introduction of an inclusive national dialogue, the Syrian refugee issue might be addressed in the way that neither social cohesion nor economic welfare of Turkish citizens is negatively affected.

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ANNEX 1: INTERVIEW QUESTIONS

INTRODUCTION

1. General information about the civil society organisation
2. As an organisation, what are your activities? What do you engage with? What are your core principles?
3. Do you engage with the Syrian refugee crisis in Turkey? How? What are your activities in this regard?

SYRIAN REFUGEE CRISIS

1. How has the Syrian refugee crisis affected Turkey?
2. How has the Syrian refugee crisis affected the region? What does it mean for Turkey? What consequences might the Syrian refugee crisis have for Turkey?

TURKEY AND THE SYRIAN REFUGEE CRISIS

1. How would you evaluate the current development of the Syrian refugee crisis in Turkey?
2. Is Turkey able to provide shelter to Syrian "refugees" who are currently taking shelter in the country?
3. According to you, what are the measures to be taken in order to stabilize the Syrian refugee crisis?
4. How has AFAD contributed to the stabilization of the Syrian refugee crisis in Turkey?
5. Is the international humanitarian assistance to the Syrian refugees in Turkey sufficient enough?
6. Are there any legal/political obstacles hindering the provision of humanitarian assistance to the Syrian refugees in Turkey?
7. Would you, please, evaluate the response to the refugee crisis in terms of coordination? Are there any problems or obstacles?
8. Would you, please, evaluate the measures taken by the Turkish government with regards to the Syrian refugee crisis?
9. Is there any positive impact of the existence of the Syrians staying in Turkey?

10. What are the negative sides of the influx of the Syrian refugees to Turkey?
11. Is there any way how to endorse an effective cooperation between Turkey and the EU on Syrian refugee crisis?

THE SITUATION OF SYRIAN "REFUGEES"

1. The Syrian refugees have not been granted a refugee status. How is it reflected in their daily life? What rights are Syrians given under the "temporary protection"?
2. What actors have helped the Syrians the most?
3. What kind of problems do the Syrian refugees face when taking shelter in the refugee camps?
4. What sort of work (profession) are Syrian "refugees" permitted to carry out?
5. How the humanitarian assistance to the Syrian refugees could be improved?

SYRIAN CHILDREN AND EDUCATION

1. In what language should the Syrian refugee children receive education?
2. Syrians have different culture from the Turkish population. How would receiving education in Turkey affect the Syrian children in terms of culture?
3. Should Syrian children be placed in classes with Turkish students or should they be educated separately?

COOPERATION BETWEEN TURKISH GOVERNMENT AND OTHER ACTORS

1. In order to stabilize the Syrian refugee crisis, does the Turkish government cooperate with non-state actors?
2. What actors in particular does the Turkish government cooperate with in the question of the Syrian refugee crisis?
3. Have the INGOs/Turkish NGOs been permitted to enter the refugee camps?
4. Was Turkey prepared (financially, politically, legally, socially) for the Syrian refugee influx?

TURKEY'S ASYLUM AND MIGRATION POLICY

1. Has the Syrian refugee crisis been a stimulation for a positive development of Turkey's asylum and migration policy?

THE UNHCR AND THE SYRIAN REFUGEE CRISIS IN TURKEY

1. What role does the UNHCR play within the Syrian refugee crisis in Turkey?
2. Does the UNHCR have a say in the determination of Turkey's policy towards the Syrian refugees?

TURKISH POPULATION AND ITS PERCEPTION TOWARDS SYRIAN "REFUGEES"

1. What does the Turkish public think about the Syrian presence in Turkey in general terms?
2. Do you expect the Syrian refugees will stay in Turkey?
3. According to you, do Syrians pose any danger to Turkish public?
4. Where do you think the Syrian refugees should be provided with shelter?
5. Should Syrians be held in the refugee camps or should they rather be assimilated in the local population?
6. It is widely believed that the Syrian refugees have "stolen" jobs carried out by the Turkish citizens – is this perception true?
7. Do you think that the Syrian refugees should be conferred Turkish citizenship?

ANNEX 2: LIST OF THE INTERVIEWEES

Interviewee A – a representative of the Citizens' Assembly Foundation, based in Istanbul. The interview conducted on 15 December 2016 in Istanbul.

Interviewee B – a representative of Open Civil Society Foundation, based in Istanbul. The interview conducted on 22 December 2016 in Istanbul.

Interviewee C – a representative of the Research Center on Asylum and Migration, based in Ankara. The interview conducted on 7 January 2017 per phone.

Interviewee D – based on the personal request, the information about the interviewee D cannot be shared. The interview conducted on 11 January 2017 per Skype.

Interviewee E – a representative of the Association for Solidarity with Asylum Seekers and Migrants, based in Istanbul and Ankara. The interview conducted on 4 April 2017.