

**ISTANBUL KULTUR UNIVERSITY
INSTITUTE OF SOCIAL SCIENCES**

**SYRIAN PEOPLE AND THEIR INTEGRATION WITHIN TURKEY IN
CONTEXT OF THE REFUGEE CRISIS AND EXTENDED VISIT**

Master of Arts Thesis by

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Programme: International Relations**

Supervisor: Assoc. Prof. Yunus EMRE

NOVEMBER 2016

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**T.C. İSTANBUL KÜLTÜR ÜNİVERSİTESİ
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**MÜLTECİ KRİZİ VE UZAYAN MİSAFİRLİK BAĞLAMINDA
TÜRKİYE'DEKİ SURİYELİLER VE ENTEGRASYONLARI**

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LIST OF ABBREVIATIONS

AFAD: Prime Ministry Disaster and Emergency Management Presidency (DEMP)

EADS: Electronic Assistance Distribution System

EDAM: Centre for Economics and Foreign Policy Studies

EU: European Union

FIPA: Foreigners and the International Protection Act

HRW: Human Rights Watching

IKBY: Iraqi Kurdish Regional Government

IKR: Iraqi Kurdish Region

IOM: International Organization for Migration

IŞİD: Islamic state of Iraq and Damascus

NGO: Non-Governmental Organization

SDE: Institute of Strategic Thinking

SMDK: National Coalition of the Syrian Opposition and Revolutionary Forces

UN: United Nations

UNGA: United Nations General Assembly

UNHCR: United Nations High Commissioner for Refugees

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ABSTRACT

SYRIAN PEOPLE AND THEIR INTEGRATION WITHIN TURKEY IN CONTEXT OF THE REFUGEE CRISIS AND EXTENDED VISIT

Aybike Açikel

The conflict in Syria between the Syrian regime and the opposition groups which has begun in 2011 turned into a civil war due to its suddenly increased intensity and size and its situation is not expected to reach a solution recently. The country was displaced by forcing half of the population to internal or external migration. Undoubtedly the struggle of Turkey which is hosting the most Syrian refugees without receiving foreign aid only on the basis of humanitarian aspect can be an example to the whole world including Europe. The citizens of Turkey are also admirable for their hospitality towards the war victims, but as the time goes by the solution of the problems which emerge with the expansion of the visit can be resolved only with persistent and long-term policy.

The main aim of this thesis is to investigate the level of understanding their permanence in Turkey and providing solutions for their integration by addressing the current situation of the Syrian refugees which has been affecting

deeply Turkey's domestic and foreign policy in recent years. For this purpose, despite the differences the Federal Republic of Germany which was accepted as an immigrant country and which accelerated integration recently was taken as the model of the study and the applicability of its integration policy was examined for Turkey.

It was aimed to present the National Integration Plan of the Federal Republic of Germany which is the most important argument dominating Germany's integration policy and which could be a model for policies to be created in the new era in Turkey during the integration process of the Syrians and to offer solutions based on this subject.

Key Words: Syria, Syrian refugees, Integration Process, Integration.

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KISA ÖZET

MÜLTECİ KRİZİ VE UZAYAN MİSAFİRLİK BAĞLAMINDA TÜRKİYE'DEKİ SURIYELİLER ve ENTEGRASYONLARI

Aybike Açikel

Suriye'de 2011 yılında başlayan, muhalif grup ile rejim arasında yaşanan çatışmalar kısa sürede artan şiddeti ve boyutu ile bir iç savaşa dönüşmüştür ve yakın zamanda da bu durumun çözüme kavuşması beklenmemektedir.. Ülke nüfusunun yarısı iç veya dış göçe zorlanarak yerinden edilmiştir. Hiç şüphesiz en çok Suriyeli sığınmacıya ev sahipliği yapan Türkiye'nin, dış yardımlar olmaksızın insani bakış açısı temelinde yürüttüğü mücadele Avrupa dahil tüm dünyaya örnek olmaktadır. Türkiye Cumhuriyeti vatandaşlarının da savaş mağduru bu insanları kabulü ve misafirperverliği takdire şayandır ancak zaman geçtikçe, misafirlik süresi uzadıkça ortaya çıkan sorunların çözümü, yalnızca kalıcı ve uzun soluklu politikalarla çözümlenebilecektir.

Bu tezin temel amacı, son yıllarda Türkiye'nin iç ve dış politikasını derinden etkileyen Suriyeli sığınmacıların güncel durumlarını ele alarak, Türkiye'de kalıcılıklarını anlama ve entegrasyonları için çözüm önerileri sunma düzeyinde inceleme yapmaktır. Bu amaçla, nitelik açısından farklara rağmen, göçmen ülkesi olduğunu kabul edip, entegrasyon çalışmalarına hız veren Federal

Almanya model olarak alınmış, entegrasyon politikalarının Türkiye için uygulanabilirliđi incelenmiştir.

Almanya'nın entegrasyon politikalarına yön veren en önemli argüman olan Federal Almanya Ulusal Entegrasyon Planı'nın, Türkiye'de yeni dönemde ortaya çıkan Suriyelilerin uyumu sürecinde, oluşturulması gereken politikalar için model olması ve buna istinaden konuya ilişkin çözüm önerileri sunmak amaçlanmıştır.

Anahtar Sözcükler: Suriye, Suriyeli sığınmacılar, Entegrasyon süreci, Entegrasyon.

CHAPTER 1: INTRODUCTION

Turkey is a bridge between the emigrant country and the immigrant-receiving country due to its geographical structure. But in recent years, especially with the start of the Syrian crisis, Turkey has become the destination of the immigrants beside of being a transit country.

The conflict in Syria between the Syrian regime and the opposition groups which has begun in March, 2011 and turned into a civil war has become an issue including all the neighbour countries and even reaching up to Europe due to its suddenly increased intensity and size. Undoubtedly Turkey is the country among the neighbour countries which could coordinate the refugee crisis the best.

From Syria a forced migration began to move towards Turkey and the other neighbouring countries; Lebanon, Jordan and Iraq. Due to the mutual visa removing agreement which was signed in 2009 between the two countries Turkey applied the “open door” policy and started to set up camps quickly in the province of Hatay and the never ending Syrian refugee crisis has emerged.

There is a long border region between Syria and Turkey. Millions of Syrians with or without passports spread to Turkey legally or illegally. First they continued their lives at their own expense then with the help of the Turkish government and non-governmental (NGOs) organizations. As it was noted by Antonio Guterres the United Nations High Commissioner for the Refugees the Syrian refugee crisis was the worst crisis witnessed by the world since the Rwandan refugee crisis in 1994.

According to the official figures, around three million Syrian refugees are living safely behind the borders of the Republic of Turkey. The still on-going Syrian war and the destroyed living areas suggest that the Syrians who took refuge in Turkey will not be able to return to their own country for a long time.

This process developing together with the Syrian refugees has been a turning point in terms of the Turkish immigrant policies. A number of legal regulations and changes have been done in order to determine the Syrians’ entry to Turkey, their official status and the services they can benefit from.

The Convention Relating to the Status of the Refugees (Geneva Convention – 1951) is first text determining the legal status of the Syrian refugees living in Turkey. Turkey has limited the Geneva Conventions with two drawbacks to protect itself. The first of them ensures that none of the refugees can be provided with more rights by any of the provision of the contract than the rights owned by a Turkish citizen. The other one is for the geographical constraints. Accordingly, instead of the general definition of the Geneva Convention Turkey only accepts only the asylum-seekers coming from the European countries in other words from the member states of the European Council as refugees while those coming from the outside of the European countries are accepted as asylum seekers. The regulations made between 1994 and 2006 attend to support this. The Foreigners and International Protection Act and the Temporary Protection Directive which was issued on 22 October 2014 were introduced after 2011 after the emergence of the Syrian asylum-seeker crisis. Instead of the concept of “asylum seeker” which was removed by the Temporary Protection Directive new statuses were developed. These new status were defined by the concepts of “conditional refugee”, “subsidiary protection”, “temporary protection”.

Some of the Syrians who took refuge in Turkey since 2011 are living in camps while a large part of them are living in the cities. Those who are living in camps are in relatively better conditions because the standard of the Turkish camps is very high. The accommodation centers include school, mosque, police and health center, press unit, playground for the children, television units, market, cutting-sewing courses, water storage, treatment center, transformers and generators. However, this study needs to focus on the majority group who prefer to live a life outside the camp. These people who constitute the main risk group play main role in any potential problems due to the fact that they are in direct interaction with the local people.

The main aim of this study was to investigate the current status of the Syrian refugees, to understand their permanence and to adopt the Federal National Integration Plan model which is the most important argument in the axis of Germany to our own situation and to suggest solutions for the creation of the integration policy in this regard.

For this purpose the conceptual and theoretical infrastructure was described in this regard in the second part of the thesis. It was intended to provide preliminary

information regarding the issues to be discussed in the following chapters such as the definitions of migration, immigration, asylum seeker, assimilation and integration. Turkey's situation before the Syrian refugee crises was discussed with the texts defining the surge of the refugees and asylum seekers towards Turkey and the legal status of these refugees and asylum seekers.

In the third section, the stages of becoming a crisis out of the refugee problem, investigations and information were presented about the current status of the Syrian guests. Although Turkey is the country which carries the biggest part of this refugee load, this load is shared also among the other neighbour countries. In this sense information was provided about the situation in Lebanon, Jordan and Iraq. In order to understand this situation better, the impact of the refugees living outside the camps who are the focus group of the study on Turkey's domestic and foreign policies was explained and the current status of the text determining their status were studied.

In the fourth chapter it was focused on the problems leading to this extended visit and on the solutions of these problems on the basis of the information discussed in the previous chapters. This chapter defends the thesis that an integration policy should be developed in order not to have conflict with the local population. In this regard Germany was taken as a model because Germany was considered as a country of immigrants and had successful integration policy. The Federal German National Integration Plan which filled important gaps in the issue of integration was studied and its applicability was investigated in terms of giving a direction to the cohesion policy which should be followed by Turkey.

In this research the observation and document analysis techniques were used to study the situation of the Syrians and to create the possible compliance processes and policies.

CHAPTER 2: Concepts, Definitions and Theoretical Infrastructure

2.1. The Concepts of Migration, Immigration Refugee and Asylum Seeker

This issue needs to be start by clarifying the concepts of migration and immigration. The concepts of migration and immigration emerged during the process of discovering the land and settling down since the first time of the history. Throughout the history people explores new cultures, places, regions through the migration and they still continue to explore.

Immigration is a concept emerging as a result of migration; therefore first the issue of migration should be clarified. The most general definition of migration says the followings;” It is a change in the geographic location made by the people to change their inhabited place for another place completely or temporarily in order to spend all or a part of their future lives there.¹ Another definition is the following; ; “a migrant is someone who moves from one place to another in order to live in another country for more than a year.”²The International Organisation of Migration estimates that 232 million people a year become international migrants and another 740 million move within their own countries.³

Regardless to the nature of the migration, whether it is short or long distance, permanent or has the intention to return, individual or collective the important things are the various social, economic, cultural and political results emerging before, during and after the migration issue.⁴

If we examine the types of the migration some of the people emigrated “compulsory” due to reasons like war, disaster and exile while the others chose migration “voluntarily” to have better life conditions. The migration occurring within the borders of the country is called “internal migration” while the migration which

¹ Taylan, Akkayan, *Göç ve Değişme*. (İstanbul: İ.Ü. Edebiyat Fakültesi Basımevi, 1979) 21.

² “Migrants, refugees and asylum seekers: what's the difference?”

<http://www.theguardian.com/world/2015/aug/28/migrants-refugees-and-asylum-seekers-whats-the-difference>. Access. 14 November 2015.

³ United Nations General Assembly, *International migration and development. Report of the Secretary-General*.

https://www.iom.int/sites/default/files/UN_Documents/69th_Session/N1448855.pdf.

Access.14.11.2015.

⁴ M. Fikret Gezgin, *İşgücü Göçü ve Avusturya'daki Türk Elçileri*. (İstanbul: İ.Ü. İktisat Fakültesi Yayınları, 1994) 16.

crosses the border is called “external migration”. Some of the people who are unable to find job or are not satisfied with their job for any reason (economic, social dissatisfaction, inequality) migrate to find new job opportunities. This migration is called labour migration. The labour migration can be also divided into two groups in terms of its nature; the first is the migration of the educated people the so-called “brain drain” while the second one is the migration of the uneducated and unskilled people in other words the unqualified labour migration (assessed according to the requirements of the country where they go).⁵

When looking at the cause of migration there are many reasons, but it is worth noting that the reasons which force the people to migrate are ethnic, religious and political. Ethnic reasons are the various conflicts between the different ethnic groups because of political reasons. This may also lead to migration. The most obvious example of this migration is Afghanistan. As a result of the internal problems experienced in Afghanistan in April 1978 the People’s Democratic Party of Afghanistan which was supported by the Soviets seized the power. Afghanistan which went under Soviet oppression was occupied by the Soviet troops on December 26, 1979. The war which continued for ten years ended when the Muslim guerrillas defeated the USSR and in 1988 they started the withdrawal from the Afghan land. After the withdrawal of the Soviet groups, conflicts were experienced among the many ethnic groups and as a result 6 million Afghans left the country and become refugees. ⁶

Religious reasons; there are a lot of examples in the history for minorities which were ostracized and evicted from their land because of having different religion. During the birth of Islam Prophet Muhammad and the believers migrated to Medina on July 15 622 due to the atrocities made by the Quraysh. ⁷

Political reasons; the migration made for political reasons does not express a certain time so they are permanent. The causes of migration for those who are in radical conflict with the political regimes can be revolutions or war. Iran can be showed as an example of the political reason. In 1979 the Islam Republic of Iran was established after the Shah left Iran and the political conflicts and wars led to an

⁵ Ibid 22.

⁶ Oral Sander, *Siyasi Tarih* .(Ankara: İmge Kitabevi Yayınları, 2002) 563-568.

⁷ Mustafa Tefik Odman, *Mülteci Hukuku*. (Ankara: AÜ. SBF. İnsan Hakları Merkezi Yayınları, 1995) 12-13.

economic instability. The migration from Iran was based on political reasons even if it might seem to emerge from economic problems. The migration from Iran is still continuing. The migratory people reported that they left their country because they were influenced by the Islamic fundamentalism. After clarifying the migration and its types and reasons, the immigration issue can be also described. “Immigrant is the person who acts for an appropriate period of time in order to settle down in another country”⁸, this definition of Faist is far too general. Like this the tourists, foreign workers, those who illegally enter a country and many other foreigners in some foreign practices are in this category.⁹ For a more subjective definition immigrant can be defined as a person who does not have fear of being persecuted for justified reasons but leaves the country for economic reason.¹⁰

The immigration which starts with migration continues in the destination country under the status of refugee. Asylum seeker; ‘An asylum seeker is an individual who is seeking international protection. In countries with individualised procedures, an asylum seeker is someone whose claim has not yet been finally decided on by the country in which he or she has submitted it.’¹¹

In the sources the concepts of asylum seeker and refugee are tried to be explained through comparison and similar definitions were given; “An asylum-seeker is someone who says he or she is a refugee, but whose claim has not yet been definitively evaluated.”¹² States are under international obligation to consider claims for asylum and not to return immediately asylum seekers to the countries they have fled from.” The refugee convention states that they must be given access to fair and efficient asylum procedures and measures to ensure they live in dignity and safety while their claims are processed.¹³

The benefit of the people from the status of asylum seeker leads to a sense of confusion in the international system. First of all if the person is recognised as

⁸ Thomas Faist, *Uluslararası Göç ve Ulusaşırı Toplumsal Alanlar*, trans. Azat Zana Gündoğan, (Istanbul: Can Nacar, Bağlam Yayınları, 2003) 42.

⁹ Bülent Çiçekli, *Yabancılar Hukuku*, (Ankara: Seçkin Yayınları, 2007) 203-204.

¹⁰ Işıl Özkan, *Göç, İltica ve Sığınma Hukuku*, (Seçkin Yayınları, Ankara: 2013) 126.

¹¹ United Nations High Commissioner for Refugees, “*Definition of Asylum-seeker*”, <http://www.unhcr.org/50a9f81ca.pdf>. Access. 15 Nov. 2015.

¹² United Nations High Commissioner for Refugees. *Asylum-seeker*, <http://www.unhcr.org/pages/49c3646c137.html>. Access. 17 November 2015.

¹³ Migrants, refugees and asylum seekers: what's the difference?. <http://www.theguardian.com/world/2015/aug/28/migrants-refugees-and-asylum-seekers-whats-the-difference>. Access. 19 November 2015.

refugee he benefits from the law concerning the refugees while he is accepted as a refugee he benefits from the immigration law. In addition as long as the people are automatically concerned as refugee in the neighbouring countries, while it is not really possible in a third country. For example the Liberians who were accepted as refugees in Guinea sought asylum in European countries but only very few of them were able to get the refugee status.¹⁴ Another situation is that each country can change the conditions of accepting the asylum seekers as a refugee.¹⁵ This situation is a major problem for those who are forced to leave their own countries but have uncertain conditions in the country where they seek for asylum. Asylum seeker is defined in the following way in the regulation about the rules and procedures applied by Turkey to the possible population movements and to the the individual foreigners who seek for asylum in Turkey or requesting residence in Turkey in order to seek for asylum for another state and the foreigners who cross the border of Turkey in order to be an asylum seeker; “ The foreigner who lives outside his own country because he has fear to be prosecuted due to his race, religion, nationality, political opinion or due to be a member of a particular social group or those who cannot benefit from the protection of his own country or has fear to benefit from it or those who do not have nationality and do not want to return to the country where they lived before. In this regulation the definition of refugee is the same with one difference; restriction is introduced by saying “due to the events occurring in Europe...”.¹⁶ As a result Turkey calls those who are not European but flee from persecution as asylum seekers and does not allow them to benefit fully from the rights of the refugees.

Undoubtedly the most important results of the globalization process is the increasing international migration and the increased numbers of refugees. At this point we can refer to the technological developments. People can leave their countries at the first opportunity due to the ability to gain information about immigrants and refugees, due

¹⁴ Migration Policy Institute, *West Africa's Refugee Crisis Spills Across Many Borders*. 1 August 2003, <http://www.migrationpolicy.org/article/west-africas-refugee-crisis-spills-across-many-borders>. Access. 17 November 2015.

¹⁵United Nations High Commissioner for Refugees, *the World's Refugees Status 1997-98 Humanity Problem*. (New York: Oxford University Press, 1997) 93.

¹⁶Regulation. *Türkiye'ye İltica Eden veya Başka Bir Ülkeye İltica Etmek Üzere Türkiye'den İkamet İzni Talep Eden Münferit Yabancılar ile Topluca Sığınma Amacıyla Sınırlarımıza Gelen Yabancılar ve Olabilecek Nüfus Hareketlerine Uygulanacak Usul ve Esaslar Hakkında Yönetmelik*. <https://mirekoc.ku.edu.tr/sites/mirekoc.ku.edu.tr/files/Regulation%20no%20946169%20Procedures%20and%20principles.pdf>. Access. 4 December 2015.

to the ease of establishing communication and the improvement of the public transportation networks. Globalization has accelerated the refugee problem but it was not the start of it. In almost every period of the history there were pressures ranging from community to community and the people were forced to migrate accordingly. The mass migrations caused by these people have become remarkable in size. As a result, states held discussions on this issue and signed agreements among themselves and tried to clarify the concept of refugee literally. Asylum was declared as a basis human right in 1948 by the Universal Declaration of Human Rights (UDHR). The right for asylum was defined in a positive sense with the following arrangement “Everyone are entitled to seek for asylum in another country when facing persecution” included in the 1st paragraph of the 14th Article of the Human Rights Universal Declaration. The representatives of 26 countries who gathered together in the town of Geneva, Switzerland signed the Convention Relating to the Status of the Refugees (1951 Geneva Convention) on 28 July, 1951. Thus, the definition of “refugee” was made with an exclusive contract related directly to the asylum law, in this sense the rights and obligations related to asylum were regulated in a detailed manner.¹⁷

In the 1951 Refugee Convention, refugee was defined as the person who lives outside his own country because he has fear to be prosecuted due to his race, religion, nationality, political opinion or due to be a member of a particular social group or someone who cannot benefit from the protection of his own country due to the mentioned fear or someone who does not want to return to the country where they lived before. On the other hand there are people who should be given this status but they are not despite of having all these circumstances. These persons were defined in the following way in the f paragraph of the 1st Article of the mentioned contract;

“1. Those who committed crimes against the peace or committed war crimes or those who committed crimes against the humanity as defined in the international documents.

2. those who committed non-political crimes outside the country where they applied for refugee status,

¹⁷ İbrahim Kaya, Esra Yılmaz Eren. *Türkiye’deki Suriyelilerin Hukuki Durumu Arada Kalanların Hakları ve Yükümlülükleri*. (Ankara: SETA Report, 2015) 13.

3. those who acted contrary to the purposes and principles of the United Nations.”¹⁸

Because the 1951 Convention was appropriate to the regulations for the population movement emerged during and after the 2nd World War in Europe in terms of time and conditions, it includes two restrictions in terms of geographical location and history. The expression of “ Events occurring before January 1, 1951 in Europe”¹⁹ which is included within the introduction part of the Convention made the implementation of the contract more difficult in terms of time, it was the evident that the expansion of this scope was obligatory when considering the fact that the population movement continued to increase. Many of the refugees could not be covered by the contract due to these limitations, and this issue set up important problems. These problems brought the demand to benefit from the protection afforded to the refugees. In this sense, the United Nations General Assembly in 1967 in New York accepted the Protocol relating to the status of the Refugees in addition to the 1951 Convention. According to the 1st and 2nd Article of the 1967 Protocol or the so called New York Protocol which entered into force on 4 October 1967, the expressions of “ as a result of the events occurring before 1 January 1951” and “as a result of the concerned events” were removed and the phrase “ every person” was included. The convention’s restriction related to time was removed. However the geographical limitations are still applied by some countries including Turkey.²⁰

The European Council signed the European Conventions for the Protection of Human Rights and Fundamental Freedoms (ECHR) in 1950 by considering the works of the United Nations in the field of human rights. The Convention intended to protect many of the human rights including the right to life primarily on the basis of the rights issued in the Universal Declaration of the Human Rights. The most important issue which separated ECHR from the other conventions is the enforcement mechanism which was formed in case of the violation of the Convention’s provisions.²¹

¹⁸ Regulation. *Text of the 1951 Convention Relating to the Status of Refugees*. <http://www.unhcr.org/3b66c2aa10>. Access. 21 December 2015.

¹⁹ Ibid 3.

²⁰ Kaya, op. cit., 13.

²¹ Ibid 15.

ECHR does not include any articles directly concerning the refugees, however the “Torture ban” provision which is arranged in the following form “ Nobody will be exposed to torture, degrading treatment or punishment”²² prevents the repatriation of the refugees. The 3rd Article of ECHR and the non-refoulement principle of the 1951 Geneva Convention prevent the asylum seekers and refugees from being sent to places where their lives and body integrities would be in danger. ²³

The international law and the states generally accept the definition of refugee which was used in the 1952 Geneva Convention. Today in many countries the refugee status determination procedure is carried out by the Unite Nations high Commissioner for Refugees (UNHCR), while in other nations determines it by themselves by using the criteria determined by the 1951 Convention. Both the 1951 Convention and the 1967 Protocol recommend cooperation between the parties and the UNHCR in all fields of this issue. Recently, within the scope of the international law the countries choose to take specific measure in line with their internal policies and practices instead of making uniform refugee categorization according to the obligations.

2.2. Integration and its definitions

The word integration has Latin origin and it means the harmony between the parts of the whole. ²⁴

In the immigrants glossary which was prepared by the International Organization for Migration (IOM) the concept of integration is expressed as a process while the immigrants are accepted as a part of the community both as individual and also as a group. The requirements for accepting the immigrants vary from country to country. Integration is not the responsibility of just one group. It can be said that both the

²² Regulation. *European Convention on Human Rights*. Convention for the Protection of Human Rights and Fundamental Freedoms, Article 3.

http://www.echr.coe.int/Documents/Convention_ENG.pdf. Access. 25 December 2015.

²³Kaya, op. cit., 15.

²⁴Türk Dil Kurumu, *Entegrasyon Tanımı*.

http://www.tdk.gov.tr/index.php?option=com_gts&arama=gts&guid=TDK.GTS.56f709718bb3a3.86130262. Access. 27 February 2016.

migrants themselves, as well as the hosting state, institutions and societies are responsible together for the integration.²⁵

The sociologist Friedrich Heckmann describes the integration in the following way; generally integration expresses how a new social group will be included into the socio-economic, legal and cultural relations of the available group.²⁶

Hartmut Esser said that regardless to which bond the parts are bonded as a systematic whole if the parts catch each other, then the integration in other words harmony is understood. The parts should be the essential elements of the whole. As the result of the connection between the parts the system decomposes from the specific environments and could be defined as a system. In addition, two different compliance sizes can be encountered in social life. First one is the system integration while the second is the social integration. System integration means the integration of the society as a whole while the social system deals with the actors (or the group of them) who enter the system. Even if a society may be more integrated to the political order due to the market situation and development it can be said that the people individually are likely to integrate more or less. In other words system cohesion is possible without the social cohesion.²⁷

According to the German sociologists compliance has four main dimensions.

2.2.1. Structural Integration

In a resident society which contains compliance basically, it is determined to gain the status to belong to the level of basic traditions. Economy and labour market, education and qualification system, housing and political communities are considered among these basic elements. Integration mentions the right of the immigrants to enter the location of the traditions belonging to the established communities. Integration means that the immigrants are able to have the right to enter the economy, education, work, social life, health and political fields which are

²⁵ IOM, *Göç Terimleri Sözlüğü*.

http://www.goc.gov.tr/files/files/goc_terimleri_sozlugu.pdf. Access. 27 February 2016.

²⁶ Friedrich Heckmann, *Bedingungen erfolgreicher Integration*. (Germany: Bamberg University Press, 2005) 2.

²⁷ Ali, Haksever. *Federal Almanya'da Göç ve Entegrasyon Politikaları*. (Ankara: ÇSGB Dış İlişkiler ve Yurtdışı İşçi Hizmetleri Genel Müdürlüğü, 2014) 22.
<http://www.cs.gb.gov.tr/media/1770/alihaksever.pdf>.

considered as the building blocks of the system. Thus, the structural integration in other words the compliance is explained.²⁸

2.2.2. Cultural Integration

The immigrants need to overcome an educational and social process in order to live together in harmony in the society and to realize the association and membership fully. Cultural integration or acculturation means some behavioural changes for the immigrants. Cultural integration targets the community of the immigrants but also includes the requirements towards the receiving community to change and ensure the necessary cultural compliance.²⁹

2.2.3. Social Integration

Gaining the sense of belonging together with social collectivity including the selection of friends and partners shows itself in group and membership associations. Social cohesion was expressed with the socialization obtained as a result of ensuring participation in this way. Establishing social relationships, social connections in working life, the neighbourhood relations built within the living space and the social bonds developed during the leisure activities are generally described as social cohesion.³⁰

2.2.4. Integration of Identification

Belongingness is to be ready to be identified with the society and to show the feelings in the religious, national, ethnic and local structure. Feeling ready to be identified with the living space is possible by developing acceptance, belongingness or adaptation.³¹

2.3. The Concept and Types of Assimilation

Assimilation means to make something similar by changing something and to make something similar to something else by changing it. It is the result of dissolving and melting the culture heritage and identities of the minorities or ethnic groups coming

²⁸ Op. Cit. Heckmann, 2.

²⁹ Haksever, op. cit. 23.

³⁰ Heckmann, op. cit., 2.

³¹ Haksever, op. cit. 24.

from different backgrounds in a dominate structure.³² Minority groups can be assimilated within the groups representing the plurality. Assimilation may be forced or voluntary.

The concept of assimilation has the meaning of “getting into”, “adapting” biologically. The concept used in biology was used in psychology then later in the field of sociology, physiology, botany, geology, psychology and philosophy in order to express the situation of assimilation.³³

Each community tries to solve all the problems in accordance with their culture. If their own culture is not enough to solve the problems they prefer to reconsider their culture with the help of a well-raised, well educated person or to take the elements of another culture which can satisfy their needs by making it appropriate to their own culture. If it is not possible, the society which struggles with the increasing problems understands that its own culture does not work anymore and believes in the need to adopt a culture prevailing in that period in order to solve these social events or tries to adopt that culture through the force of the dominant external forces regardless of whether it is compatible with its own culture or not.³⁴

Castles described the integration policies as the slower and more polite form of assimilation.³⁵ Although it is difficult to draw a clear line between the two concepts, assimilation’s difference from integration is that it means melting within the dominant culture. Assimilation is a creation of a new whole which carries the meaning of demolishing while integration creates integration by removing the boundaries of the different value.

The most assimilation policies are seen in France however the USA undertook the role of the most advanced practitioner. The USA which can be shown as an example in terms of these policies demonstrated changes in the mainstream over time and the types of assimilations emerged.

³² “Asimilasyon Tanımı.” <http://ne-demek.net/anlam%C4%B1/asimilasyon-ne-demek.html>. Access. 25. February 2016.

³³ Gordon, Marshall, *Dictionary of Sociology*, taken from 1999 Abdurrahman Karataş, Assimilat on and Integration specific to the Turk Immigrant in Turkey, (Ankara: Hacettepe Sosyal Bilimler E. YLT, 2006) 64.

³⁴ Encyclopedia of Social Sciences, “Assimilation” (Istanbul: Risale Yayınları, 1991)

³⁵ Stephen Castles, M. J. Miller. *Göçler Çağı: International Migration Movements in the World*, trans. Bülent Bal, Umut Akbulut. (Istanbul: Istanbul Bilgi Üniversitesi Yayınları, 2008) 69.

1. Anglo-Conformity Model

The immigrant societies such as Canada, Australia and the United States practice the Anglo-Conformity Model until the 1960's. Starting from the United States, according to Huntington the assimilations of the foreigners in other words the different communities into the USA were carried out in different ways and from the beginning consistent and stable policies were applied to these communities. Huntington states saying that "Generally the historical assimilation especially the cultural assimilation is the great even the greatest American success story. Millions of people who expanded the population of the USA, invaded a continent and supported America to become a major power in global affairs by bonding America to the Anglo-Protestant culture and to the values of the American faith provided opportunity for development together with energetic, talented and ambitious people."³⁶ the Anglo-Conformity model can be explained as accepting the existing cultural norms to the immigrant communities.

Destroying the national identity under the name social unity can be considered as national security protection strategy for the country.³⁷

The Assimilation Process Theory which was developed by Milton M. Gordon is one of the important approaches which can be evaluated within the scope of the Anglo-Conformity model. The assimilation process is the following according to Gordon:

³⁶ Samuel Huntington, *Who We Are? The Challenges to American's National Identity*. (New York: Free Press, 2004) 330.

³⁷ Celalettin, Vatandaş. *Multiculturalism*. (İstanbul: Değişim yayınları, 2002) 25.

Table 1. Gordon’s Assimilation Process Theory³⁸

Process of condition	Type or stage of assimilation	Special Concept
Conversion towards the cultural items of the local community	Cultural or behavioural assimilation	Acculturation
On the basis of the first group accessing the clubs and organizations of the large-scale local community	Structural Assimilation	-----
Widespread mixed marriages	Assimilation through marriage	Amalgamation
Developing the sense of togetherness based on local communities	Assimilation based on Identification	-----
Extinction of Prejudice	Assimilation of the accepted state	-----
Extinction of discrimination	Assimilation of the accepted state	-----
Extinction of power and value conflicts	Citizenship assimilation	-----

The process of Gordon’s study was discussed in a line accepting monotony and uniformity.³⁹ As it can be seen from the table, assimilation can be carried out in several stated but voluntary is essential. The main idea of this model is to adapt to community, adopt its values, set up marital bond with the people of that community,

³⁸ Milton M. Gordon, *Assimilation in American Life: The Role Of Race, Religion And National Origins*. (New York: Oxford University Press, 1965) 309.

³⁹Mustafa Kemal Şan, İrfan Haşlak. *Between Assimilation And Multiculturalism Rethinking The American Mainstream*. Journal of Academic Inquiries, Volume:7, Number:1, (2012). Access. 17 March 2016.

provide social adaption, clear the sense of marginalization and identify unity with new value judgement.

2.3.2. Melting Pot Theory

The United States applied the Anglo-Conformity model to the foreigners since its foundation up to the 20th century. With the Melting Pot game which was developed by Israel Zankwill in 1908 a new process has begun in the assimilation policies. Addressed to the European immigrants who have seen America for the first time, they have been invited to the huge melting pot of God. ⁴⁰

According to some social science researchers Melting Pot is the name of the American assimilation. However, when it is examined theoretically, the situation does not seem to be so. According to the Melting pot all the cultures create a new common culture by getting through an evolution while in assimilation the traditions of the immigrant group are shaped according to the traditions of the dominant group and are abandoned over time. ⁴¹

2.4. The Invasion of Refugees and Asylum- seekers to Turkey

According to Weiner the reasons leading to the invasion of refugees are examined in six categories including; interstate wars, ethnic conflicts, civil conflicts, repressive, authoritarian and revolutionary regimes, natural disasters, environmental problems and asylum to the Neighbouring states.⁴² It is difficult to classify the reasons of the asylum towards Turkey in this way.

The refugee problem in Turkey has a history dating back to the Ottoman Empire. If we want to study smaller time slice, the Republic of Turkey open its doors to the people coming from Albania and to the Tatar from the 1920' until 1990's. and accepted more than 1.5million Muslim refugees. ⁴³

The first refugee movement has been realized with the population exchange between Greece and Turkey. According to the Lausanne Treaty signed in 1923 with the

⁴⁰ Şan, op. cit., 41.

⁴¹ Vatandaş, op. cit., 25.

⁴² Myron Weiner, "Bad Neighbors Bad Neighborhoods: An Inquiry into the Causes of Refugee Flows" *International Security*, 21 (1996): 5-42.

⁴³ Kemal Kirişçi, "*Coerced Immigrants: Refugees of Turkish Origins since 1945*", *International Migration*, Vol.34, Number.3, (1996) 16.

exchange of the Muslim Greeks and Orthodox Greeks, 1 million 200 thousand Orthodox Christians moved to Greece and at least 400 thousand of Greek Muslims arrived to Turkey.⁴⁴

Since the foundation of the Republic of Turkey up to the end of the 2nd World War the Turkish government has implemented policies to encourage the Turks living in Bulgaria to turn back to the country in order to increase the reduced population. At the end of the 2nd World War more than 300 thousand Bulgarian citizens Turkish and Pomak took refuge in Turkey by escaping from the persecution and oppression of the communist regime. The government accepted these people as the members of the Turkish race and culture by referring to the 1934 law and allowed them to acquire Turkish citizenship.⁴⁵ At the beginning of the 1950's the Bulgarian Government allowed about 155 thousand Turks the opportunity to be adopted by the Turkish Government within 3 month. ⁴⁶A mutual cooperation was carried out.

After the Iranian Islamic Revolution in 1979 the opposition groups sought for refuge in Turkey. During this period about 1 million asylum seekers, most of them had Azeri and Kurdish origin, immigrated to Turkey.⁴⁷ The groups which had problem with the newly established regime considered Turkey as a getaway location.

In 1988 with the end of the Iran-Iraq war, the Iraqi Government targeted the the minorities and Kurds in Northern-Iraq by citing that the Kurd in Halabja provided help for Iran. The city of Halabja was attacked with chemical weapons from the air. As a result of this event which is known as Halabja massacre more than 5 thousand people lost their lives. The traces of this event were still going on when the Iraqi forces attacked the Kurds in Northern Iraq. Turkey hosted about half million people who fled from the violence of Saddam Hussein.⁴⁸

⁴⁴ Cansın İlgen, "History writing in Turkey and Greco-Turkish Population Exchange", Jean Monnet Chair Student Workshop I, Istanbul: 2013.

⁴⁵ Kemal Kirişçi, "Zorunlu Göç Ve Türkiye, Sığınma, Mülteci ve Göç Konularına İlişkin Türkiye'deki Yargı Kararları", (Ankara: BMMYK ve Boğaziçi Vakfı, 2000) 43.

⁴⁶ Birgül Demirtaş Coşkun, "Turkish-Bulgarian relations in the post-c old war era: the exemplary relationship in the Balkans", The Turkish Yearbook, Ankara: 2001.

<http://dergiler.ankara.edu.tr/dergiler/44/672/8556.pdf>. access. 08.12.2015. Access. 19 January 2016.

⁴⁷ Sema Buz, "The Social Size of the Turkish Asylum System" TBB Dergisi, 76 (2008): 120-130.

⁴⁸ Suna Gülfer İhlamur-Öner, "Turkey's Refugee Regime Stretched to the Limit? The Case of Iraqi and Syrian Refugee Flows". (Ankara: Perceptions, 2013) 219.

The refugee movement in 1991 to Turkey which included mostly Kurdish people was not the first refugee movement in Turkey. With the end of the Iran-Iraq war, about 100 thousand Kurdish people entered Turkey at the southeast border and took refuge because of having fear from a massacre similar to Halabja in March 1988. When in April 1999 half a million Iraqis started to flee to the Turkish border, there were still 30 thousand refugees from those who came in 1988.⁴⁹ The numbers of the asylum seeker has continued after these mentioned events.

These events coincided with a period when Turkey continued to reject the Kurdish identity. At the beginning the Turkish government understood this event as a national security risk and tried to prevent the entry of the refugees. However the reactions coming from the country and from the international environment forced Turkey to enter a diplomatic effort by mobilizing the UN Security Council in order to create a safe zone in Northern Iraq which guarantees that the refugees' return to the own country in the future.⁵⁰

With the No. 688 UNSC decision suggesting the establishment of a "safe area" on the north of the 36th parallel a direct link was established between the massive refugee crisis and the international security. This link made it possible to make military intervention in case of refugee influx. Some researchers defend that this emphasis made on the international security by the UN decision legitimized the military interventions of the great powers.⁵¹ Adam Roberts considered that this type of military invention makes allows the countries not only to protect the sovereignty of the state but also to give the opportunity to expand it due to the refugee crisis.⁵²

The forced mass migration in 1991 had deep and long-lasting impact on the Turkish asylum policy. Turkey adopted its first national asylum legislation in November 1994 within the scope of a regulation emphasizing the human rights and national

<http://sam.gov.tr/wp-content/uploads/2014/02/Suna-G%C3%BClfer-Ihlamur-%C3%96ner.pdf>.

Access. 16 February 2016.

⁴⁹ Didem, Daniş, *Away from Iraq: The Post 1991 Out-migration Flows*, Ortadoğu Analiz, July. 2009: 17.

⁵⁰ Kemal, Kirişçi, "Provide Comfort and Turkey: Decision Making for Refugee Assistance", *Low Intensity Conflict & Law Enforcement*. June, 1993.

⁵¹ Daniş, op. cit., 21.

⁵² Adam, Roberts, "More Refugees, Less Asylum: A regime in transformation" *Journal of Refugee Studies*, 11. 1998: 375-395.

security.⁵³ The 1994 Regulation said that as long as the government does not make a contrary decision the reaction to a mass refugee influx should be given before the refugees cross the border of Turkey.⁵⁴

The regulation says to the authorities that in case the mass refugee influx had already entered to Turkey the refugees should be kept in camps established as close to the border as possible. At the same time the refugee acceptance process and the individual asylum application process were also defined.

In parallel with the acceptance of the 1951 Geneva Convention on the Refugee Status together with the “geographical limitation”, the 94 Regulation limited the right to refugee status only to the people escaping due to the events occurring in Europe. Those who seek for asylum in Turkey and coming from outside Europe can only get temporary residence permit in Turkey until the completion of their resettlement process to a third country.⁵⁵

In the middle of the 1990’s around 50 thousand Albanians and Bosnian refugees came to Turkey. Unofficial protection was ensured for some of the refugees having the passport of the former Yugoslavia while the rest were placed in refugee camps established on the border between Turkey and Bulgaria. Most of these refugees went back to their countries after the stability was ensured in their country of origin, however some of them got involved into the Turkish society by getting married, participating in the labour market or obtaining citizenship.⁵⁶

Although Turkey is a country which is accustomed with refugees and asylum seekers, the influx of the Syrian refugees created unexpected situation for three reasons. First of all the, the number of the refugees which rapidly exceeded 1 million people was not similar to any of the other mass refugee influx experienced by Turkey

⁵³ Kemal, Kirişçi. *Syrian Refugees and Turkey's Challenges: Going beyond Hospitality*. Washington: Brookings, 2014.

<https://www.brookings.edu/wp-content/uploads/2016/06/Syrian-Refugees-and-Turkeys-Challenges-May-14-2014.pdf>. Access. 26 January 2016.

⁵⁴ Regulation. Regulation 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. Article 8.

<http://www.refworld.org/docid/49746cc62.html>.

⁵⁵ Kirişçi, op. cit., 14.

⁵⁶ Ibid 16.

ever. Secondly, the “open door policy “applied to so many non-European refugees brought a significant difference compared to the previous practices to the forefront. This prototype feature brought along a concern for the local population also. Thirdly, the influx of the Syrian refugees coincided with the establishment of the General Directorate of Asylum and Immigration which was responsible to respond to both to the individual and also to the mass asylum requests. Since the day of the arrival of the Syrian refugees Turkey followed a systematic policy in this issue.

Mass influx is defined as the border entrance made by a large number of refugees as a result of collective human rights abuses and widespread violence; the individual asylum means that the persons who were exposed to persecution leave their country of origin and seek for asylum in another country.⁵⁷ The rights and responsibilities of the individual asylum seekers are regulated by the 1951 Geneva Convention; while the mass influx situations are defined by the decisions of the UNHCR’s Executive Committee and the general international law.⁵⁸

After the Regulation of 1994 Turkey has started to record the details of asylum. Since 1995 individual asylum applicants has arrived from many countries including Afghanistan and Zimbabwe but the majority was originated from Iraq and Iran. The more than 200 thousand asylum seekers including those from the mentioned countries are located in Turkey since October, 2015.⁵⁹ Within the refugee influx which occurred during June 2015 more than 24 thousand people arrived to Turkey from the area of Tel Abyad and from the parts of Northern Syria. Turkey which is hosting the most refugees in the world, hosts almost 45% of all the Syrian Refugees who are in the region.⁶⁰

⁵⁷ “*Mülteci El Kitabı*”, <http://www.hyd.org.tr/multecielkitabı/kitap5.asp?idm=mands>. Access. 12. December 2015.

⁵⁸ Association for the Solidarity with the Syrians, The Acceptation Terms of the Refugees in Turkey , The Access to the Rights and Services, İzmir: Uydu Kentler İzleme ve Raporlama Projesi Raporu, 2015.

⁵⁹ United Nations High Commissioner for Refugees, “UNHCR Turkey's Monthly Statistics as of January 2015”, [http://www.unhcr.org/turkey/uploads/root/eng\(40\).pdf](http://www.unhcr.org/turkey/uploads/root/eng(40).pdf). Access. 12 December 2015.

⁶⁰ United Nations High Commissioner for Refugees, “UNHCR: Suriyeli mültecilerin toplam sayısı ilk kez 4 milyonu geçti” 9 July 2015. <http://www.unhcr.org.tr/?content=648>. Access. 12 March 2015.

2.5. Texts determining the legal status of the Refugees and Asylum Seekers in Turkey

Since 1951 efforts has been made in Turkey on this issue, but this issue has started to gain importance only when masses of refugees started to immigrate to Turkey as a result of the events in Syria.

2.5.1. Contract regarding the legal status of the refugees (Geneva Convention)

In terms of the international law the legal status of the refugees has started with the Geneva Convention relating to the Status of Refugees of 1951 and with the complementary Protocol of 1967.

The Geneva Convention relating to the status of the refugees was accepted at the UNSC on 14 December 1950, was signed on 28 July 1951 and it entered into force on 22 April 1954.⁶¹ Since 2014 144 states have signed the contract of 1951 and 145 of the stated signed the protocol of 1967. According to this agreement the definition of refugee was made in the following way: The person who lives outside his own country because he has fear to be prosecuted due to his race, religion, nationality, political opinion or due to be a member of a particular social group or those who cannot benefit from the protection of his own country or has fear to benefit from it or those who do not have nationality and do not want to return to the country where they lived before as a result of events happened before January 1 , 1951.⁶² As it can be seen from the definition in the first form of the contract there was a time limitation saying “the events occurred before January 1, 1951” in the definition of refugee. This limitation was later removed by the Additional Protocol dated in 1967.⁶³

After the acceptance of the Convention new refugees emerged and because they were not able to benefit from the convention the 1967 Protocol Relating to the Status of

⁶¹ Amnesty International, “*Türkiye, 1951 Cenevre Sözleşmesi'ni sınırlama olmadan uygulamalı*” 28 May 2011.

<https://www.amnesty.org.tr/icerik/37/1122/turkiye-1951-cenevre-sozlesmesi>. Access. 4 May 2016.

⁶² Helsinki Yurttaşlar Deneği, “*Kitlesel Sığınma*”

<http://www.hyd.org.tr/?pid=294>. Access. 31 December 2015.

⁶³ Ersan Barkın, “1951 Tarihli Mülteciliğin Önlenmesi Sözleşmesi”, Ankara Barosu Dergisi, 1. 2014: 341.

<http://www.ankarabarusu.org.tr/siteler/ankarabarusu/tekmakale/2014-1/12.pdf>. Access. 6 January 2016.

Refugees were adopted in order to give the opportunity to everyone to benefit without the historical and geographical limitation.⁶⁴

Similar to all national and international legislations, also the refugee law is based on the Universal Declaration of Human Rights (UDHR) signed on December 10, 1948. The 14th Article of the Declaration is binding with the provision saying “ Everyone has the right to request to be accepted as refugee in other countries from persecution and to be treated as a refugee by other countries.”⁶⁵ However in recent years the mentioned article of the declaration is being violated by the European countries who are also parties of the contract. The European countries who do not want to deal with the Syrian refugees completely closed their borders and wanted to transfer the responsibility to the neighbouring countries especially to Turkey.

Turkey has limited the Geneva Convention with two reservations in order to protect itself. The first is the following; “None of the provision of this agreement should be construed as the refugees are allowed to have more rights than a Turkish citizen has”. The second one is about the geographical limitation. Accordingly, instead of the general definition of the Geneva Convention, Turkey accepted only the asylum seekers coming from the European countries (in other words from the countries which are the members of the European Council) as refugees while the other people coming from outside of the European countries were defined as asylum seekers. Within the framework of the Foreigners and International Protection Aid dated in 2013 the concept of asylum seekers was removed by the Temporary Protection Directive issued on 22 October 2014, and new status were introduced including “conditional refugee”, “subsidiary protection” and “temporary protection”. Turkey participated in the 1967 Protocol with the decision taken by the Council of Ministers (CoM) on 1 July 1968, however it maintained the geographical limitation which was accepted in the 1951 Convention. Therefore, it is not possible to give refugee status to the people coming from countries outside European continent as long as this

⁶⁴Regulation. Mültecilerin Hukuk Statüsüne İlişkin 1967 Protokolü.

[http://www.goc.gov.tr/files/files/M%C3%9CLTEC%C4%B0LER%C4%B0N%20HUKUK%20STAT%C3%9CS%C3%9CNE%20%C4%B0L%C4%B0C5%9EK%C4%B0N%201967%20PROTOKOL%C3%9C\(1\).pdf](http://www.goc.gov.tr/files/files/M%C3%9CLTEC%C4%B0LER%C4%B0N%20HUKUK%20STAT%C3%9CS%C3%9CNE%20%C4%B0L%C4%B0C5%9EK%C4%B0N%201967%20PROTOKOL%C3%9C(1).pdf). Access. 2 January 2016

⁶⁵United Nations International Children's Emergency Fund , “Universal Declaration of Human Rights”, 16 October 2016. <http://www.unicef.org/turkey/udhr/gi17.html#art14>. Access. 17 October 2016.

geographical limitation is not removed. ⁶⁶In the last 60 years Turkey accepted 27 Greek, 6 Bulgarian, 6 Serbian, 3 Azerbaijan and 1 Albanian citizens as refugee. Due to the fact that Turkey applies the agreement together with the geographical limitation it tries to place the people coming outside the European countries to the United States, Canada or Australia by providing them temporary residence permit. ⁶⁷

The geographical limitation which should be removed lost its validity in terms of validity. The Universal Declaration of the Human rights obligates its parties including also Turkey to accept the refugees, so it is contradictory with the geographical limitation. In addition, the “2005 Turkey’s National Action Plan Regarding the Adoption of the European Community Acquirement in the Asylum and Migration” made a prediction for the removal of the geographical limitation as soon as the expected responsibilities of the EU member countries will be listed as essential. The following statement was given “ A proposal about the removal of the geographical limitations is expected to be referred to the Turkish Parliament in 2012 after the completion of the projects and conditions determined in the requested manner in line with the completion of Turkey’s negotiations for the accession to the European Union”. For the removal of the mentioned limitations Turkey was urged in 2009 by Thomas Hammerberg the Human Rights Commissioner of the European Council in 2010 by the Human Rights Investigation Commission of the Turkish Parliament and in 2011 by the Amnesty International. ⁶⁸

The temporary protection applied in case of mass influx has won legal basis for the first time by the 1951 Geneva Convention. At the same time with this agreement UNCHR was given the duty to control whether the governments comply or not with the contract and to be the pioneer and coordinator of the international activities made in relations with the asylum seekers and refugees. ⁶⁹

⁶⁶ Ebru, Basa. “Göç Yolları” 7 December 2015.

<http://www.hekimpostasi.org.tr/2015/12/07/goc-yollari/>. Access. 7 January 2016.

⁶⁷ Amnesty International, “*Türkiye, 1951 Cenevre Sözleşmesi’ni sınırlama olmadan uygulamalı*”, 28 May 2011.

<https://www.amnesty.org.tr/icerik/37/1122/turkiye-1951-cenevre-sozlesmesi>. Access. 3 October 2015.

⁶⁸ Mehmet Atakan Foça, “*Türkiye Coğrafi Çekinceyi Bu Yıl Kaldırmalı*” 20 June 2015.

<http://bianet.org/bianet/goc/139188-turkiye-cografici-cekinceyi-bu-yil-kaldirmali>. Access. 6 November 2015.

⁶⁹ Göç İdaresi Genel Müdürlüğü, “*Yabancılar ve Uluslararası Koruma Kanununda Geçici Koruma*”, 2 February 2015.

2.5.2. Refugees within the Turkish legal and administrative arrangements (1994-2006)

The 16th Article of the 1982 Constitution provides the basis of the regulations concerning foreigners in Turkey. The concerned article used the following phrase; “The fundamental rights and freedoms for the foreigners can be restricted by the law in accordance with the international law”. On the ground of the Consultative Assembly relating to the substance “This article can change and limit the rights and freedoms of the foreigners differently from the citizens. For example, the foreigners’ freedom to enter the country, to travel or settle down will be different from the freedom of the citizens. This difference shows itself especially in political rights. This distinction observed between the foreigner and citizen must be in accordance with the international law. If an international element is involved in the relationship between the state and the people it should be known that in these cases the international law must be taken into account.”⁷⁰

The arrangement of the domestic law related to the refugees and asylum seekers was made in 1994 after the problems which were experienced at our borders. The Principles and Procedures applied to the Possible Population movement laid down the definitions for the individual foreigners who seek for asylum in Turkey or request residence permit to seek for asylum in another country and for those who seek for asylum collectively. In this sense refugee is defined in the Turkish law as someone coming from Europe while the asylum seeker is someone coming from outside Europe. The difference between the concepts was identified in a subtle manner. According to this;

Refugee is the foreigner coming from Europe who lives outside his own country because he has fear to be prosecuted due to his race, religion, nationality, political opinion or due to be a member of a particular social group or those who cannot benefit from the protection of his own country or has fear to benefit from it or those

http://www.goc.gov.tr/icerik3/yabancilar-ve-uluslararasi-koruma-kanununda-gecici-koruma_409_558_1098. Access. 3 October 2015.

⁷⁰ Regulation, “*Türkiye Cumhuriyeti Anayasası*”, Ankara: 2011.

https://yenianayasa.tbmm.gov.tr/docs/gerekceli_1982_anayasasi.pdf. Access. 7 January 2016.

who do not have nationality and do not want to return to the country where they lived before.

Asylum seeker is the foreigner who lives outside his own country because he has fear to be prosecuted due to his race, religion, nationality, political opinion or due to be a member of a particular social group or those who cannot benefit from the protection of his own country or has fear to benefit from it or those who do not have nationality and do not want to return to the country where they lived before.⁷¹



⁷¹*Türkiye'ye İltica Eden veya Başka Bir Ülkeye İltica Etmek Üzere Türkiye'den İkamet İzni Talep Eden Münferit Yabancılar ile Topluca Sığınma Amacıyla Sınırlarımıza Gelen Yabancılara ve Olabilecek Nüfus Hareketlerine Uygulanacak Usul ve Esaslar Hakkında Yönetmelik, op. cit., 21 July 2015.*

CHAPTER 3: A Concrete Example of How the Refugee Problem turns into Crisis: Syrian Guests

3.1. A common problem shared with Turkey's neighbours: Syrian Guest

In the past very few Syrians took refuge in Turkey. According to the official statistics; between 1995 and 2013 48 thousand Iranian, 24 thousand Iraqi and about 29 thousand Afghans applied for asylum in Turkey while the number of asylum seekers coming from Syria was only 635.⁷²

The events that started in Tunisia in 2010 began to mobilize people who wanted freedom and democracy in Syria similar to the other Arabic countries. During this process the Syrian people went onto the streets. When the demonstrations spread all over Syria the Syrian leader Assad tried to stop the conflict by giving promises for the reforms but he was unable to stop the conflicts. In March 2011, the Syrian security forces killed 25 demonstrators in the city of Deraa.⁷³ These events started a process which put Syria into the middle of a bloody civil war. Along with this a forced migration movement has started towards Turkey and to other neighbour countries. The refugee influx coming from Syria to Turkey has begun with 252 person who applied for asylum after escaping from a conflict on 29 April 2011.⁷⁴ Turkey implemented the "open door policy" because of signing a mutual agreement with Syria in 2009 about removing the visa mutually. Then rapidly camps were established in the province of Hatay and the Syrian refugee crisis begun this way.

As the most natural result of the civil war, the number of the Syrian asylum seeker exceeded 4 million in July 2015 according to the data of UNHCR. The number of the Syrian refugees in the neighbouring countries including Turkey reached 4 million 13

⁷²Kemal Kirişçi, "Misafirliğin Ötesine Geçerken: "Türkiye'nin Suriyeli Mülteciler Sınava", (Washington: Brooking Enstitüsü, 2014) 17.

<http://www.brookings.edu/~media/research/files/reports/2014/05/12%20turkey%20syrian%20refugee%20kirisci/syrian%20refugees%20and%20turkeys%20challenges%20kirisci%20turkish.pdf>. Access. 7 January 2016.

⁷³"2 yıllık iç savaşın kronolojisi" Milliyet Haber, 7 January 2013.

<http://www.milliyet.com.tr/2-yillik-ic-savas-in-kronolojisi/dunya/dunyadetay/07.01.2013/1652039/default.htm>. Access. 02 November 2015.

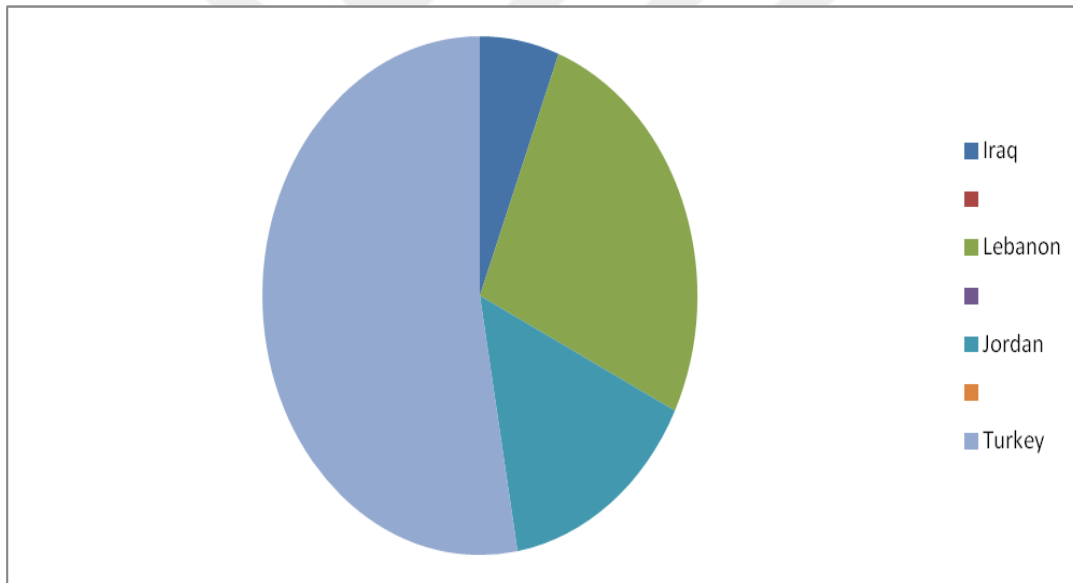
⁷⁴ Mehmet Çetingüleç, "Mülteciler "siyasi güç" haline geliyor", 29 February 2016.

<http://www.al-monitor.com/pulse/tr/originals/2016/02/turkey-syria-refugees-becoming-political-force.html>. Access. 5 December 2015.

thousand. The number of those who have been displaced within the country is determined to be at least 7.6 million.⁷⁵

Since the beginning the biggest load of the Syrian tragedy was undertaken by the neighbouring countries. Except the 132,375 Syrians who took refuge in Egypt more than 90 percent of the Syrian refugees fled to the neighbouring countries. Nevertheless, the Syrians taking refuge in Lebanon, Jordan, Iraq and Turkey do not have the same conditions. Each country followed a different policy and this situation led to the fact that conditions provided by the countries were inevitable different.⁷⁶

Figure 1. Syrians seeking asylum in the neighbouring countries⁷⁷ (13 September 2015)



⁷⁵ “Kaç milyon Suriyeli mülteci var?” <http://www.timeturk.com/kac-milyon-suriyeli-multeci-var/haber-26438>. Access. 5 December 2015.

⁷⁶ Ferhat, Pirinççi. “Avrupa ’nın Suriyelilerle İmtihanı”, Orsam Bölgesel Gelişmeler Değerlendirmesi, Ankara: 2015. 5.

⁷⁷ Kadir, Karakuş. “Türkiye’de kayıtlı 2 milyon 225 bin 147 Suriyeli var”, Ankara.: 18 September 2015. <http://www.aa.com.tr/tr/turkiye/turkiyede-kayitli-2-milyon-225-bin-147-suriyeli-var/143923>. Access. 15 December 2015.

As it is shown by the figure 53 % of the Syrians who were forced to migrate and seek asylum in other countries namely 2,225,147 people came to Turkey. After Turkey the most asylum seekers 1.11 million are in Lebanon. Jordan hosts 629 thousand Syrians while about 248 thousand people sought asylum in Iraq.

The policy applied by Lebanon to the Syrians was harder compared to the other countries. It has two main reasons: first the past experiences about the refugees (the most obvious effect showed by the Palestinian refugees) while the second reason is the fragile political structure of the country.

Almost all of the 1.1 million Syrians who were added to the country's 4.5 million inhabitants have been forced to continue their lives on their own. They were forced to stay in homes rent by more than one family and to shelter under adverse and difficult conditions.⁷⁸ This country does not apply a consistent refugee or immigrant accepting policy.

In Lebanon which has a fragile political structure, a president could not be elected since May 2014, minor conflicts were experienced on the Syrian border and more importantly Hezbollah which is an important armed political power of the country has become a party on the side of the Damascus regime.⁷⁹ This situation combined with the other troubles has also affected the policy applied by Lebanon towards the Syrian refugees.⁸⁰ According to the International Labour Organization the estimated load of the refugees crises was 7.5 million \$ in Lebanon. The refugees in the country experience great difficulties in the issues of accessing the public services, work, health and education.⁸¹

⁷⁸“Suriyeli sığınmacıların karla mücadelesi”, 12 December 2013.

<http://www.aljazeera.com.tr/haber/suriyeli-siginmacilarin-karla-mucadelesi>. Access. 16 December 2015.

⁷⁹ “Lübnan'da Cumhurbaşkanlığı Krizi”, 16 December 2015.

<http://www.haberler.com/lubnan-da-cumhurbaskanligi-krizi-7973997-haberi/>. Access. 16.12.2015.

⁸⁰ Piriñçi, op. cit., 6.

⁸¹ International Labour Organization, “Assesment of the Impact of Syrian Refugees in Lebanon and Their Employment Profile”, 2013.

http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_240134.pdf. Access. 18 December 2016.

Lebanon has not ratified the 1951 Convention relating to the Status of Refugees and the related 1967 Protocol. Therefore it has the right not to give refugee status or residency permit to the foreigners coming to the country. Lebanon does not recognize the Syrians officially as refugee or asylum seeker. All of the Syrians did not enter Lebanon legally.

Jordan follows a more systematic policy due to the fact that it has been hosting refugees for many years. Jordan is a safe haven for those fleeing from the war in the Middle East. As a result of the situations such as the Arab –Israeli conflicts and the Iraqi invasion there are already too many refugees within the population. With the Syrian civil war the Syrians have been included to the Palestinian and Iraqi refugees. One of the biggest problems of the country is that the number of refugees is bigger than the number of the Jordanians living in the country.⁸² Jordan has not ratified the 1951 Geneva Convention relating to the Status of the Refugees.

The Jordanian authorities were in cooperation with UNHCR due to the increased migration and tried to place the Syrian refugees primarily into camps. The Syrian refugees constitute 21 percent of the country's population.⁸³ The sheer number of refugees in the country leads to comments like “ Jordan is turning into a refugee camp”.⁸⁴

Due to the increased importance given to the he refugee problem, this issue has led to concern recently also in the European countries also. II. Abdullah the King of Jordan said the followings on this issue; “Europeans had just met these challenges, and only with a part of it. But we are inside this issue for years.”⁸⁵

Iraq is the least favoured country by the Syrian immigrants. The war victim refugees turn to areas where they feel safe. In terms of the ethnic and sectarian side of the Syrian war the refuges preferred to stay in a place which is in line with their

⁸² Kerem, Çongar. “ÜRDÜN'DEKİ SURİYELİ MÜLTECİLER NASIL YAŞIYOR?” Euronews Haber, 11 November 2015. <http://tr.euronews.com/2015/11/11/urdun-deki-suriyeli-multeciler-nasil-yasiyor/>. Access. 02 December 2015.

⁸³ Mazen, Homoud. “In Jordan, we understand a refugee crisis” 16 September 2015. <http://www.telegraph.co.uk/news/worldnews/middleeast/jordan/11869777/In-Jordan-we-understand-a-refugee-crisis.html>. Access. 17 December 2015.

⁸⁴ “Ürdün, baştanbaşa mülteci kampına dönüşüyor”, Sputnik News, 5 June 2015. <http://tr.sputniknews.com/analiz/20150605/1015849022.html>. Access. 17 December 2015.

⁸⁵ “Ürdün'de bulunan Suriyeli mülteciler”. https://infogr.am/urdundeki_suriyeli_multeciler. Access. 1 December 2015.

ethnicities and sects. In this sense, the vast majority of those who migrate to Iraq are Kurdish origin and are settled down in the Iraqi Kurdish Region (IKR). The government of Baghdad followed the open –door policy only for one month towards the refugees coming from Syria, then it closed the doors for the Syrians by giving up this policy and only opened it for emergencies. However, the Iraqi Kurdish Regional Government accepted the Syrians to come to the area which they own.⁸⁶ Among the neighbouring countries undoubtedly Turkey has coordinated the refugee crisis in the best way. Turkey host the world’s largest refugee population including the registered Syrian refugees who are close to 2.3 million⁸⁷ and about 230 thousand⁸⁸ asylum seekers coming from the other countries. ⁸⁹

The works related to the problems and needs of the Syrians are carried out by the Turkish Prime Ministry Disaster and Emergency Management Presidency (AFAD). At the same time AFAD carries out these activities in accordance with the Ministry of Foreign Affairs and local civil authorities. Therefore the official data about the number of the Syrians in Turkey is published by the DEMP.

A part of the Syrian refugees are living in sheltering centers, while the remaining part is dispersed in the border provinces and metropolitan cities. Turkey approached professionally towards the Syrian influx. One concrete example for it was the 130 thousand asylum seekers who enter Turkey only in four days as a result of the attack carried out by the Islamic State of Iraq and Damascus (ISID) in September 2014 against Kobani. This case was survived without experiencing any huge problems.⁹⁰ Then in February 2016 the Population Movement Management System of DEMP was ready to accept the Syrians who were escaping from the air attack carried out

⁸⁶Oytun, Orhan. “Irak ve Suriye’de iç savaşın kazananı Kürtler”, Al Jazeera, 23 July 2015. Access. 25 May 2016.

<http://www.aljazeera.com.tr/gorus/irak-ve-suriyede-ic-savas-in-kazanani-kurtler>.

⁸⁷ United Nations High Commissioner for Refugees. UNHCR, Syria Refugee Regional Response: Turkey.

<http://data.unhcr.org/syrianrefugees/country.php?id=224>. Access. 19 December 2015.

⁸⁸European Commission, European Commission, Turkey: 2015 Report. November 2015: 71.

http://ec.europa.eu/enlargement/pdf/key_documents/2015/20151110_report_turkey.pdf.

⁸⁹ IOM. Mediterranean Update. Migration Flows Europe: Arrivals and Fatalities. 4 DECEMBER 2015.

http://missingmigrants.iom.int/sites/default/files/Mediterranean_Update_2_December.pdf. Access. 15 December 2015.

⁹⁰ “İŞİD’den kaçıp Türkiye’ye sığınanların sayısı 130 bini aştı”, Hürriyet Haber. 22 September 2014.

<http://www.hurriyet.com.tr/isiddenden-kaçip-turkiyeye-siginanlarin-sayisi-130-bini-asti-27250799>.

Access. 19 December 2015.

above Aleppo. Unlike the other countries, Turkey used its own resources to meet almost all the basic needs of the Syrians; the international assistance was very little.⁹¹

According to the official data within 2016 Turkey's total humanitarian assistance given to the Syrians reached 12 billion US \$ while the aid collected from the international community was a total of 215 million US \$.⁹² The approximately 37 billion US \$ assistance made by Turkey represents the greatest support has ever been done for the Syrian crisis.⁹³

3.2. Numeric Data Related to the Syrian Refugees in Turkey

Since April 2011 until today about 3 million Syrians have fled to Turkey. It was not possible to get healthy official figures on this issue. The most important reason for this is the extraordinary process and the rapidly changing data. As it is known, the massive migration from Syria to Turkey and the exceptional crisis beyond are quite difficult to manage. This visit starting with the perception of a human tragedy has changed with the advancement of the process and the political and security dimensions of the crisis have also emerged. The illusion that the Syrian issue was temporary has dominated for a long time and it affected the failure to obtain accurate information. Another reason is the mess of the interlocutor institutions. Within this process the Ministry of Interior, DEMP, Governorates, District Governorates, Municipalities and the Red Crescent Society and the institutions responsible for the security conducted various studies about the number and registrations of the Syrians. Some studies were carried out in order to fix the confusions, some explanations came from the authorities and as a result it was possible to get some information. Reliable data about the Syrians living within the sheltering centers (camps) was given in

⁹¹ United Nations Development Programme. *UNDP Administrator visits Syrian Refugees in Turkey*. 22 April 2015.

<http://www.undp.org/content/undp/en/home/presscenter/pressreleases/2015/04/22/undp-administrator-visits-syrian-refugees-in-turkey.html>. Access. 19 December 2015.

⁹² AFAD. *Giriş*.

<https://www.afad.gov.tr/tr/2373/Giris>. Access. 19 December 2015.

⁹³ Maysa Jalbout. *Partnering for a Better Future: Ensuring Educational Opportunity for All Syrian Refugee Children and Youth in Turkey*. 10 September 2015.

Theirworld ve a world at school. <http://www.aworldatschool.org/page/-/uploads/Reports/Theirworld%20>

[Educational%20Opportunity%20for%20Syrian%20Children%20and%20Youth%20in%20Turkey%202015_09_10%20Release.pdf?nocdn=1](http://www.aworldatschool.org/page/-/uploads/Reports/Theirworld%20Educational%20Opportunity%20for%20Syrian%20Children%20and%20Youth%20in%20Turkey%202015_09_10%20Release.pdf?nocdn=1). Access. 12 April 2016.

DEMP's webpage (Table1). The General Directorate of the Immigration Administration which was established by the law issued on 11 April 2013 is the main interlocutor of this issue but the misfortune that the establishment of the organization was carried out in parallel with the Syrian crisis made it difficult in terms of the data. It is a heavy responsibility to inform accurately a society which hosts 3 million Syrians in 4.5 year.⁹⁴

The number of the Syrians was given as 2 million 291 thousand 900⁹⁵ until 10 December 2015, and from this 264 thousand 231 Syrians were in sheltering centers.⁹⁶ The remaining more than 2 million people are living outside the camps in the other provinces in Turkey.

3.2.1. Syrians living in Sheltering Centers in Turkey

Since April 2011 there are 27 sheltering centers in Turkey within 10 provinces especially in the border areas. Since these camps are called sheltering centers the Syrians are hosted as they were under temporary protection.⁹⁷

The first groups coming from Syria in 2011 were placed in five small camps in Hatay. Since these camps were filled quickly, container towns were built first in Kilis then in Gaziantep. These three provinces were followed by camps made in Şanlıurfa, Osmaniye, Malatya, Adıyaman, Kahramanmaraş, Mardin and Adana. By the time of December 16, 2015 five camps are founded in Hatay, Gaziantep and Şanlıurfa, 3 in Mardin, 2 in Kilis and each of the other provinces has one camp. Six of the camps are extremely high standard so called container town with a capacity between 3592 and 12389 (Kilis-Elbeyli) persons. For the more than 130 thousand refugees coming from Kobani in September 2014 two tent cities (7000 tents) were built in the town of Suruç, Şanlıurfa.⁹⁸

⁹⁴ Ibid 33.

⁹⁵Unher Data of Turkey, op. cit. Access. 19 December 2015.

⁹⁶ AFAD. *How many Syrians lives in Turkey*.

<https://www.afad.gov.tr/tr/IcerikDetay1.aspx?IcerikID=848&ID=16>. Access.19 December 2015.

⁹⁷Erdoğan, op. cit., 33.

⁹⁸“10 İLDE KURULAN 25 ÇADIR VE KONTEYNER KENTTE 269 BİN SURİYELİ BARINIYOR” Milliyet Haber, 25 January 2016.

<http://www.milliyet.com.tr/10-ilde-kurulan-25-cadir-ve-konteyner-kilis-yerelhaber-1181479/>. Access. 26. January 2016.

The standards of the Turkish camps are quite high. The sheltering centers include school, mosque, trade, police and health centers, press unit, playground for children, TV watching units, market, cutting-sewing courses, water storage, treatment centers, transformers and generators.⁹⁹ With the help of the “Food Cards” given within the shelters the Syrians can meet their food needs by shopping with these cards in the market.¹⁰⁰ In addition, all the given aids and operations are processed on the AFAD card which is owned by each family staying within the sheltering centers. Thus the help given to the asylum seekers are controlled and the continuity is ensured.¹⁰¹

Tablo 2 . Syrians Education

(29 December 2015)¹⁰²

Clasroom	Number of Student					Course of Adult			
						Continuing		Completed	
	Pre-school	Primary School	Secondary School	High School	Total	Cou rse	Trainee	Course	Trainee
1.211	6.857	42.491	20.051	9.308	78.707	298	13.936	2.036	61.749

The children under 18 who are living within the camps are benefitting from the educational services, but the same services are not provided for those living outside the camps. According to the data of AFAD, until December 7, 2015, 78 thousand 707 students (preschool, elementary, middle, high school) are attending school, 61 thousand 749 adult person completed different courses and 13 thousand 936 person continue to receive training at adult courses.¹⁰³

⁹⁹ Erdoğan, op. cit., 34.

¹⁰⁰ Mac McClellandFeb.”How to Build a Perfect Refugee Camp”, New York Times. 13 February 2014. http://www.nytimes.com/2014/02/16/magazine/how-to-build-a-perfect-refugee-camp.html?_r=0. Access. 21 December 2015.

¹⁰¹ AFAD. Information about Syrians. 12 December 2015.

<https://www.afad.gov.tr/TR/HaberDetay.aspx?IcerikID=4802&ID=5>. Access. 22 December 2015.

¹⁰² Ibid..

¹⁰³ “Dünya İnsani Zirvesi Erdoğan liderliğinde İstanbul'da başladı”, 23 May 2016.

<https://www.afad.gov.tr/tr/IcerikDetay1.aspx?IcerikID=747&ID=16>. Access. 12 June 2016.

A field research made by DEMP in 2013 showed that the access of the Syrians living within the camps to medicines and health services was much better compared to those living outside these camps. Among the Syrian asylum seekers who are living outside these camps only very less people can use the health services which is related to the fact that they need to be recorded in order to use the Turkish hospitals. Despite everything it cannot be said that the Syrians living within the camps do not have any problems. Refugees are dissatisfied by doing every day the same things within a certain area. Beside the boredom, the limited entry and exit opportunities make them feel that their freedom is restricted. Therefore, it is more difficult to cope with the emotional problem and psychological needs of the refugee than to offer them the different services. Although many social activities are performed to respond these needs, but the refugees are still seem to be suffering from the boredom of the camp life. Therefore, it is more preferred to live outside the camps despite the risks it has. It is very important for the humanity that the standard level of these camps are very high almost unique but it was determined by the researches that there was not a direct relationship between the standard of the camps and the satisfaction of the refugees.¹⁰⁴

The need for the feeling of unity brought by the ethnicity is much needed than the requirement of the comfortable living. It is known that the Kurds are much happier in Iraq despite the high quality and high living standards provided by the camps. Like the Turkmens who feel uncomfortable along with the Arabian majority in the camps prefer to live a miserable life in Istanbul by living in a tent. The Syrians, who stated that ethnicity was unimportant before the civil war, are extremely uncomfortable due to the current situation.¹⁰⁵

If there is open capacity in the camps, those who are begging on the streets or who are involved in crimes are also sent there to fill the open capacity. It is not known whether the Syrians who left the camps and returned to their country returned to Turkey or not. But it is known that those who left the camps tried to live outside the

¹⁰⁴ ORSAM, "The Situation of Syrian Refugees in the Neighbouring Countries: Findings, Conclusions and Recommendations" Ankara: 2014.

http://www.orsam.org.tr/en/enUploads/Article/Files/201452_189ing.pdf. Access. 21 December 2015.

¹⁰⁵ Oğuz, Yeter. "Biz zaten kamptan kaçtık", 3 august 2014.

<http://www.gazetevatan.com/-biz-zaten-kamptan-kactik--664458-gundem/>. Access. 21 December 2015.

camps and tried to go to the European countries.¹⁰⁶ Carol Bachalor the Turkey Representative of the UNHCR stated in her research made on the Syrians that those who left were not sent by the Turkish authorities they left the camps with their own will and this was very important in terms of the non-refoulement principle.¹⁰⁷

In the report which was prepared by experts of the Amnesty International on December 16, 2015 it was stated that the refugees who were caught in the western border by the Turkish authority were sent back to the camps established in the southern and eastern provinces, the mentioned camps were known as detention centers. It was alleged that the asylum seekers who were settled in the camps were told whether they stay in the camps or they will be sent back to their country.¹⁰⁸ However, the approximately 29 thousand people who were hosted by the Suleyman Shah sheltering center in the district of Akçakale, Şanlıurfa said that the report of the Amnesty International did not reflect the realities; on the contrary they felt themselves in greater freedom than they felt in their own country.¹⁰⁹

¹⁰⁶ Selin Girit. 'Syrians in Turkey: 'We just want a normal life'. 9 October 2015.

<http://www.bbc.com/news/world-europe-34472884>. Access. 21 December 2015.

¹⁰⁷ Brookings Institue, "Syrian Displacement: Views from the Region" 16 September 2015.

<http://www.brookings.edu/events/2014/09/16-syrian-displacement>. Access. 22 December 2015.

¹⁰⁸ Amnsty International's Rerport, "Europe's Gatekeeper Unlawful Detention and Deportation of Refugees from Turkey" 16 December 2015.

<https://www.amnesty.org/en/documents/eur44/3022/2015/en/>. Access. 22.12.2015.

¹⁰⁹"Uluslararası Af Örgütü'ne Türkiye'deki Suriyeli sığınmacılardan tepki" Sabah Haber, 17 December 2015.

<http://www.sabah.com.tr/dunya/2015/12/17/uluslararasi-af-orgutune-turkiyedeki-suriyeli-siginmacilardan-tepki>. Access. 20 December 2015.

**Table 3. The Number of Syrians In AFAD Temporary Protection Centres
(10 October 2016)¹¹⁰**

PROVINCE	TEMPORARY PROTECTION CENTER	SHELTERING TYPE		TPC POPULATION		TOTAL POPULATION
HATAY	Altınözü 1	263	Units	1.331	Syrian	15.19
	Altınözü 2	622	Tents	2.935	Syrian	
	Yayladağı 1	236	Tents	2.716	Syrian	
		310	Units			
	Yayladağı 2	510	Tents	3.078	Syrian	
	Apaydın	1.181	Containers	5.159	Syrian	
GAZIANTEP	İslahiye 1	1.898	Tents	8.525	Syrian	51.340
	İslahiye 2	2.364	Units	10.555	Syrian	
				9.573	Iraqi	
	Karkamış	1.686	Tents	7.265	Syrian	
	Nizip 1	1.858	Tents	10.521	Syrian	
	Nizip 2	938	Containers	4.901	Syrian	
ŞANLIURFA	Ceylanpınar	4.771	Tents	20.773	Syrian	106.348
	Akçakale	5.000	Tents	28.970	Syrian	
	Harran	2.000	Containers	13.286	Syrian	
	Viranşehir	4.100	Tents	18.032	Syrian	
	Suruç	7.000	Tents	25.287	Syrian	
KİLİS	Öncüpınar	2.063	Containers	10.385	Syrian	33.774
	Elbeyli Beşiriye	3.592	Containers	23.389	Syrian	
MARDİN	Midyat	1.300	Tents	3.096	Syrian	14.548
				1.179	Iraqi	
	Nusaybin	3.270	Units	1.712	Iraqi	
	Derik	2.100	Units	8.561	Syrian	
KAHRAMANMARAŞ	Merkez	3.684	Tents	17.878	Syrian	17.878
OSMANIYE	Cevdetiye	2.012	Tents	9.240	Syrian	9.240
ADYAMAN	Merkez	2.260	Tents	9.759	Syrian	9.759
ADANA	Sarıçam	2.162	Tents	10.756	Syrian	10.756
MALATYA	Beydağı	2.083	Containers	7.833	Syrian	7.833

3.2.2. Syrians living outside the Sheltering Centers in Turkey

A large proportion of the Syrians in Turkey is living outside the camps. Especially after 2014, the number of the Syrians living in camps remained below 20 percent. This situation is not expected to change in a short time. The most important point to

¹¹⁰AFAD, The Number of Syrians In AFAD Temporary Protection Centres. 10 October 2016. <https://www.afad.gov.tr/tr/IcerikDetay1.aspx?IcerikID=848&ID=16>. Access. 11 October 2016.

be aware is the fact that the people are in direct contact with the refugees. This interaction brings along some social problems too.

There is a long border region between Turkey and Syria. Millions of Syrians with or without passports have entered Turkey by crossing the border in an uncontrollable way and have spread throughout Turkey and some of them continue their lives by their own while the others with the help of the Turkish Government or non-governmental organizations (NGOs).

Those who want to help to the people in need are collected in the same pool by the Electronic Assistance Distribution System developed by AFAD. Accordingly, the distribution of the aids is carried out in the most appropriate way by establishing a relationship between the demand and supply. With the help of this system it is intended to prevent the granting of the aid to the same people, to ensure that the distribution of the assistance will start from the poorest refugee. Thanks to this system which provides opportunity for recording the aid in a systematic way it is possible to calculate easily the amount of the help granted to the refugees.¹¹¹

It is known that the Syrians living in the cities are working illegally for meagre wages. Usually when they came to Turkey for the first time they stayed together with their near families, acquaintances, friend or relatives but after they find working opportunity they search for a place to live. The refugees who do not have any relatives or acquaintances take refuge in places like bus terminal, mosque, park or they try to live in rented rooms with many other people together under difficult conditions. Those who had good financial conditions in Syria and brought their money and valuables along with them have become poorer and poorer due to the limited working and living conditions. Those who have consumed all the money they brought, who are working far below the market conditions have difficulties in providing the necessary living conditions. There are also Syrians with good financial conditions. There are kindergartens and elementary schools opened by the Syrians in Turkey. The limit of these schools is filled by the same group.

¹¹¹ Republic of Turkey Prime Ministry Directorate of Disaster and Emergency Management. “ Our guest in the brother land ” (Ankara: 2014) 116-117.

The biggest source of irritability about the refugees living outside the sheltering centers is undoubtedly the Syrian beggars. Contrary to the perception that the Syrian beggar are trying to create, they started to begging not due to the living conditions they have in Turkey but because they have been already begging in their own country. Some of the Turkish citizens also take the opportunity to pretend to be a beggar just like the Syrians.¹¹² According to the Turkish Penalty Code (TPC) begging does not constitute a crime, however especially in the cities it has become a state associated with crime and an understanding pointing to social problems. Therefore the beggars were followed by many organizations including police, governors, municipalities and social services.¹¹³ Even tragicomic events have happened during these follow-ups. Due to an operation which was carried out in December 2015 by the Antalya Metropolitan Municipality it was revealed that two of the beggars were car owners at the same time.¹¹⁴ Due to the increasing complaints, the Ministry of Interior has decided to remove the begging Syrians from 25 different cities and place them into 22 different camps. In this context, the begging Syrians were collected especially from the following cities; Istanbul, Izmir, Ankara, Bursa, Adana, Mersin, Konya, Antalya and Kayseri.¹¹⁵ Atilla Toros who is the General Director of Immigration Administration Office stated that the Syrians spread to every Turkish city.¹¹⁶

¹¹²“Suriyeli olmayıp da kendini Suriyeli gösteren çok” 15 August 2015.

<http://www.on5yirmi5.com/roportaj/guncel/dis-politika/163801/suriyeli-olmayip-da-kendini-suriyeli-gosteren-cok.html>. Access. 13 February 2016.

¹¹³ Zeynep Yaman, “Istanbul beggars’ ploy exploits Syrian drama” Daily Sabah, 11 March 2015. <http://www.dailysabah.com/nation/2015/03/11/istanbul-beggars-ploy-exploits-syrian-drama>. Access. 28 December 2015.

¹¹⁴ “Suriyeli dilenciler otomobil sahibi çıktı”, Yeni Akit, 9 Aralık 2015. <http://www.yeniakit.com.tr/haber/suriyeli-dilenciler-otomobil-sahibi-cikti-112262.html>. Access. 1 January 2016.

¹¹⁵ “Suriyeli dilencileri kamplara toplayın”, Vatan Gazetesi, 2 Ağustos 2014. <http://www.gazetevatan.com/-suriyeli-dilencileri-kamplara-toplayin--664147-gundem/>. Access. 28 December 2015.

¹¹⁶ Aydın Hasan, “Türkiye’de Suriyelilerin olmadığı bir il kalmadı” 3 September 2015. <http://www.milliyet.com.tr/turkiye-de-suriyelilerin-olmadigi-gundem-2111885/>. Access. 28 December 2015.

Table 4. The age groups of the Syrians living in Turkey¹¹⁷

(17 October 2016)¹¹⁸

Age	Male %	Female%	Total
	50.8	49.2	100
0-4	10.5	9.5	18
5-11	10.3	9.9	20.2
12-17	7.2	6.8	14
18-59	21.1	21.2	42.3
60+	1.8	1.8	3.6

An important point regarding the Syrian refugees in Turkey is that more than half of them (52,2%) are under the age of 18. The total proportion of women and children is more than 75% (77.2%). Another important problem which was experienced in Turkey was the recording. The problem about the registration is still unsolved due to the fact that the crisis have grown extraordinary rapid, more than 100 thousand asylum seekers entered the border daily, the enter through the 911 km long border was not controlled, as well as the continues exits and entries, as a result of the camps' inadequacy many of the refugees took shelter at their relatives and many of the people have continued their lives outside the camps. But the most important reason why the registration was not taken seriously was the inability to predict that the crisis would continue so far. It was thought that the Syrians crisis would be solved quickly and the refugees would return to their own country.

Since December 20, 2015 1 million 450 thousand Syrians could be registered in Turkey with the help of the trucks which were arranged by UNHCR for the registration processes including the so called biometric registration system, photographing and fingerprinting. The free health care was a precaution taken for those who avoid being registered. Free health care service was ensured throughout Turkey for those who were registered in this system. However those who do not have

¹¹⁷ UNHCR, "The age groups of the Syrians living in Turkey" 10 October 2016. <http://data.unhcr.org/syrianrefugees/country.php?id=224#>. Access. 28 December 2015.

¹¹⁸ "Syria Regional Refugee Response, Turkey" 17 October 2016. <http://data.unhcr.org/syrianrefugees/country.php?id=224#>. Access. 18 October 2016.

passports or entered the country illegally are unable to benefit from the AFAD services due to the fact that they do not have an identity card.¹¹⁹ In this case, on 22 October 2014 obligations were attached to the Temporary Protection Directives and the services were limited by different conditions.

The Immigration Administration Expert Bayram Yalın made the following statement on this issue: “ With the Temporary Protection Directive which entered into force on 22 October 2014 the Syrians living in Turkey were included within the scope of temporary protection and they were ensured to access the basic rights and services including the right to education. Temporary protection document is given to the registered persons. With the identity given to them they will have the right to benefit from the basic rights and services as long as they stay within the borders of Turkey.”¹²⁰

The most recent statement on this issue was made by the Deputy Prime Minister Yalcın Akdoğan on 17 December 2015. According to him “Within today the number of the immigrants who were registered by the immigration authorities reached 2 million 295 thousand 117. 2 million 407 thousand of them were Syrians. In addition to the biometric registration process the work to give better quality and more safety identity cards to these people will be completed within a few months.”¹²¹

In line with the AFAD card used by the refugees living within the camps, a “Biometric Identification System” was developed by the General Directorate of Security with the coordination of AFAD. This system will be integrated within the AFAD card and all the help made by international organizations like UN and by the non-governmental organization will be accessible for those who do not live within the camps.¹²²

¹¹⁹ Kirişçi, op. cit., 25.

¹²⁰ “Suriyeliler Biometrik Kayıt Sistemi ile Kayıt Altına Alınıyor”, Milliyet Haber, 18 June 2015. <http://www.milliyet.com.tr/suriyeliler-biometrik-kayit-sistemiyle-sanliurfa-yerelhaber-845535/>. Access. 29 December 2015.

¹²¹ “Suriyelilere yeni kimlik hazırlanıyor”, 17 Aralık 2015, Yeni Şafak, <http://www.yenisafak.com/gundem/suriyelilere-yeni-kimlik-hazirlaniyor-2362263>. Access. 29 December 2015.

¹²² “Afadkart”, Hürriyet Haber, 1 Ekim 2013. <http://www.hurriyet.com.tr/afadkart-24900964>. Access. 1 November 2016.

The number of asylum seekers coming from Syria is increasing with each passing day. Due to the increasingly continuing crises and the different aspects it is difficult to believe in a near peace and this shows that the Syrians influx has not ended yet. In addition to the migrating population, the Syrian babies who were born in Turkey also increase this population. Until October 23, 2015 the number of the babies born as refugees was 65 thousand only in Turkey while the total number is more than 150 thousand.¹²³ Consequently, the Prime Minister, Ahmed Davutoğlu stated in his speech he made at the General Assembly of the United Nation in October 2015 that 66 thousand Syrian babies were born in Turkey and 540 thousand Syrian children were at school age and within this year 400 thousand child would reach the school age therefore it was intended to double the number of the Syrian children who were attending school.¹²⁴

The Deputy Undersecretary of the Ministry of Education Yusuf Büyük stated that 300 thousand Syrians were receiving education with Turkey's 81 provinces. They continued their educations at the temporary learning centers opened within the camps, city centers or within the regular schools.¹²⁵

The most disadvantageous group in terms of education is undoubtedly the school-aged children living outside the camps who are unable to find educational opportunities. Unlike those living within the camps, the integration and adaptation processes of the children living outside the camps has not yet come to a remarkable level. The children of those who can speak Turkish but do not have residence permit can benefit from the education as “guests” without being officially registered. The children of the Turkish speaking Syrian families can be enrolled if they have a certain place of residence. In 2012 Ömer Dinçer who was the Minister of Education in that period stated that it was not intended to teach Turkish to the Syrian children because they were expected to turn back to their home country after the war was

¹²³ Alia, Dharssi. “From the 150,000 babies born to the strong education: Eight things you don’t know about Syrian refugees”, 23 October 2015. National Post.

<http://news.nationalpost.com/news/from-the-150000-babies-born-to-the-strong-education-eight-things-you-dont-know-about-syrian-refugees>. Access. 29 December 2015.

¹²⁴“Davutoglu: 66 thousand Syrian babies were born in Turkey”, News Az, 1 October 2015. <http://news.az/articles/region/101555>. Access. 29 December 2015.

¹²⁵“Turkey provides education for 300,000 Syrian refugees”, Anadolu Ajansi, 23 December 2012. <http://aa.com.tr/en/education/turkey-provides-education-for-300-000-syrian-refugees/495453>. Access. 31 December 2015.

over.¹²⁶ But with time it was better understood that this process would continue and that there would be a need for new measured and studies on this issue.

3.3. Status of the Syrians in Turkey and the Texts Determining this Status

The “guest” status of the asylum seekers who entered Turkey with the Civil War in Syria began to remain insufficient to explain the situation with the progress in this process therefore discussions have started on this status issue. In this sense, the refugee concept was tried to be used for the Syrians in the legal regulations.¹²⁷ With the regulation made on 22 October 2014 the Syrian immigrants could benefit from the temporary protection therefore they became people with temporary protected status.¹²⁸ The fact that this status is not used in the international field leads to concept confusion.

Some circles requested Turkey to remove the geographical reservations. The geographical reservation which lost its applicability in practice failed to prevent the entry to Turkey and the differences within the status emerged. However, there are sections which believe that the geographical reservation is necessary. Accordingly if this reservation is removed all the asylum seekers who come to Turkey will be free to stay permanently and Turkey will face the danger to become “target” country instead of being “transit” country.

The conceptual complexity is caused by the newly emergence of the “temporarily protected” status. The sense given by the “guest” status creates also problem for the asylum seekers due to the sentimental choice of the Turkish people. The perception which was created within the society has a direct interest with the expression used in the public. The President of AFAD Fuat Oktay made the following explanation on this issue; “We did not use the word refuge to describe the hospitality of the Turkish nation. We consider them as guests. We opened our hearts and arms as a nation.”¹²⁹

¹²⁶ Abdullah Ayan, “ Save the refugee children, gain a generation...”, Radikal News, 3 January 2016. <http://blog.radikal.com.tr/yasam/multeci-cocuklarini-kurtarmak-bir-nesli-kazanmak-117256>. 04.02.2016.

¹²⁷ Kılıç Buğra Kanat, Kadir Üstün. “*Turkey’s Syrian Refugees: Towards Integration.*” SETA, 2015, Washington: 21.

¹²⁸ “Suriyelilerin Kosullari Duzelecek mi”, 7 April 2015. http://www.zaman.com.tr/yorum_suriyelilerin-kosullari-duzelecek-mi_2256012.html. Access. 23 January 2016.

¹²⁹ “Türkiye’nin Mülteci Kampı BM’ye Örnek Oldu.” 12 December 2015.

The most important cause underlying the discussions about status is undoubtedly the belief about the permanence of the visit. The reduced hope about the return and the outweigh of this visit create a problem both for the Turkish people and also for the asylum seekers. The guest visit creates the perception of the inability to claim, being the initiative of the local people and the need to settle. The idea “They came as a guest but they should know their visit was expressed clearly by the local people and created frustration. In this case it is clear that the concept of guest visit is not sufficient to express the next process.

3.3.1. Foreigners, International Protection Act (2013) and the General Directorate of Migration Administration

The legal deficiencies in Turkey began to stand out especially while facing the increased immigration invasion continued after 2011. On 11 April 2013 the Foreigners and International Protection Law No. 6458 was published in the No. 28615 Official Gazette and it entered into force as the result of the violating decisions taken frequently by the European Court of Human Rights (ECHR) against Turkey and the requests coming from the international organizations including the EU on this issue.¹³⁰ Thanks to this, the Republic of Turkey had a law on asylum for the first time. The regulation consists of five parts and the fifth and last part consists of provision determining the establishment, duties, authority and organizations of the General Directorate of Immigration Administration. The General Directorate of Security which carried out the operations related to the foreigners until now started to transfer the responsibilities related to migration and asylum in a systematic way after the establishment of this institution. This means that from the narrow and safety-oriented mechanism of the current system it was transferred to a system that suits to the standards of a constitutional state and human rights. These progresses were

<http://www.haber8.com/siyaset/turkiye-nin-multeci-kampi-bm-ye-ornek-oldu/haber-251519>. Access. 20 January 2016.

¹³⁰ GİGM, “6458 Sayılı Yabancılar ve Uluslararası Koruma Kanunu Yürürlüğe Girdi”, 16 March 2015.

<http://www.goc.gov.tr/icerik6/6458-sayili-yabancilar-ve-uluslararasi-koruma-kanunu-yururluge-girdi-350-361-607-icerik>. Access. 10 January 2016.

reflected in Turkey's Progress Report made by the EU Commission in 2013 as "significant progresses". In the report the following expression was used; "A remarkable progress was achieved with the adoption of the Foreigners and International Protection Law in April 2013 by following the consultation process on the issue of immigration. The new law brought comprehensive legal and institutional framework in relation with the legal status of the migrants in order to ensure Turkey's compliance to the EU standards and to the international standards, the methods and guarantees to be followed within the scope of the supervision of the irregular migrant and the protection of the vulnerable groups such as the migrant children were arranged. The establishment of the General Directorate of Immigration Administration which is a civil organization dealing with the foreigners points out that the security-oriented approach which was followed so far in this area was changed. Currently the adoption of the legislation regarding the implementation which allows all the provisions of this law to be enacted in the most effective way is a priority."¹³¹

The Foreigner and International Protection Act (FIPA) were prepared in accordance to the international regulation due to the inadequacy of the existing legislation in Turkey. This act revealed new concepts such as conditional refugees, subsidiary protection and temporary protection beside the concept of refugee.

If it is necessary to refer to the description of the concepts in the law;

Refugee is the name given to a third country national who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, political opinion or membership of a particular social group, is outside the country of nationality and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of that country, or a stateless person, who, being outside of the country of former habitual residence for the same reasons as mentioned above, is unable or, owing to such fear, unwilling to return to it.¹³²The beginning of the sentence shows

¹³¹Avrupa Toplulukları Komisyonu, "2009 Yılı Türkiye İlerleme Raporu", 14 October 2014, Ankara: 65.

http://www.ab.gov.tr/files/AB_Iliskileri/AdaylikSureci/IlerlemeRaporlari/2013_ilerleme_raporu_tr.pdf. Access. 12 April 2016.

¹³²Regulation. *Yabancılar ve Uluslararası Koruma Kanunu*. 11 April 2013. c.61 <http://www.mevzuat.gov.tr/MevzuatMetin/1.5.6458.pdf>. Access. 1 April 2016.

the continuation of the geographical reservation just as it was in the 1951 Geneva Convention.

The concept of “asylum seeker” which was expressed in the previous regulations was abandoned and the concept of “conditional refugee” was introduced instead.¹³³ Conceptual refugee; is the status given after the status determination procedures to the stateless person who lives outside his own country due to the events occurred in Europe because he has fear to be prosecuted due to his race, religion, nationality, political opinion or due to be a member of a particular social group or the person who cannot benefit from the protection of his own country or has fear to benefit from it or the person who does not have nationality and does not want to return to the country where they lived. The conditional refugees are permitted to stay in Turkey until they are transferred to a third country.¹³⁴

Person eligible for subsidiary protection’ means a third country national or a stateless person who does not qualify as a refugee but in respect of whom substantial grounds have been shown for believing that the person concerned, if returned to his or her country of origin, or in the case of a stateless person, to his or her country of former habitual residence, would face a real risk of suffering serious harm.

- a) penalty or execution; or
- b) torture or inhuman or degrading treatment or punishment of an applicant in the country of origin; or
- c) Serious and individual threat to a civilian's life or person by reason of indiscriminate violence in situations of international or internal armed conflict.¹³⁵

Temporary protection is the status which was created by considering the cases of mass migration. The temporary protection arrangements were made according to the law;

“1. Temporary protection shall be granted to foreigners who were forced to leave their countries and are unable to return to the countries they left and arrived at or crossed our borders in masses to seek urgent and temporary protection.

¹³³ Erdoğan, op. cit., 51.

¹³⁴ Yabancılar ve Uluslararası Koruma Kanunu, op. cit., 62.

¹³⁵ Ibid 63.

2. These people's acceptance to Turkey, their stay in Turkey, their rights and obligations, the processes to be made when leaving Turkey, the precautions taken against the mass movement, the cooperation and coordination between the national and international organizations and institutions and the duties and authorities of the organizations and institutions taking duties in the center and in the provinces are arranged by the regulations issued by the Council of Ministers. ¹³⁶

The strongest criticism on the law is undoubtedly the continuity of the geographical reservation. This reservation creates the perception of a Turkey which does not exactly open its doors to the asylum seekers coming from outside Europe and does not really want them. This law states the rights and services given to the asylum seekers from the data they apply for asylum in Turkey until the acceptance of a third country. The rights of the refugees become a case decided by the state. It may also carry the risk of violating the human rights.

3.3.2. Temporary Protection Directive¹³⁷

The content of the concept of temporary protection which was defined by the article 91 of the Foreigners and International Protection of 2013 was stated to be arranged by the regulation issued by the Council of Ministers. Consequently the Temporary Protection Directive entered into force on 22 October 2014 by being published in the Official Gazette. The regulation about the singular foreigners who apply for residence permit in Turkey to seek for asylum in Turkey or in another state along with the foreigners who entered collectively the borders of Turkey in order to seek for asylum and about the principles and procedures to be applied to the possible population movements was removed when this regulation entered into force. The preparation of the Regulation was carried out in cooperation with international organizations such as UNHCR.

The Temporary Protection which was defined by Foreigners and International Protection Law is based on legal basis. The regulation includes definitions similar to the Foreigners and International Protection Law. According to this Temporary Protection was explained as "The protection provided to the foreigners, who were

¹³⁶ Ibid 91.

¹³⁷ Regulation. *Geçici Koruma Yönetmeliği*. 13 October 2014. <http://www.resmigazete.gov.tr/eskiler/2014/10/20141022-15-1.pdf>. Access. 15 January 2016.

forced to leave their countries and are unable to return to the countries they left and arrived at or crossed our borders in masses to seek urgent and temporary protection and whose international protection request cannot be taken under individual assessment.”¹³⁸

Additionally, with the Directive adopted on 30 Mart 2012 about the Acceptance and Accommodations of the Citizens of the Syrian Arab Republic and of the Stateless Persons residing in the Syrian Arab Republic who came to Turkey to seek for asylum collectively the issue of temporary protection achieved clarity.¹³⁹

The actual regulation on the issue of temporary protection was made by the Article 91 Foreigners and International Protection Law, and the meaning was determined by the Temporary Protection Directive.

The “non-refoulement” prohibition within the Regulation was revealed with cleared lines in a way to provide added value to the refugees. Accordingly, no one within the scope of this Regulation shall 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.¹⁴⁰

One of the striking elements within the regulation is the determination of the temporary protection. All the authorities about the persons who will be covered under the temporary protection, the effective date of temporary protection and its duration if considered necessary, conditions for extending and ending of temporary protection, whether or not the temporary protection will be implemented country-wide or in a specific region belong to the Board of Ministers. Clear information about the duration was not given.¹⁴¹ Authorities regarding decisions on limitation or suspension belong to the Board of Ministers.¹⁴² At the same time the method of the temporary protection the principles and procedures of its implementations shall be

¹³⁸ Ibid c.3, paragraph f.

¹³⁹ İbrahim, Efe. *Türk Basınında Suriyeliler*. (Seta Analiz Ankara: 2015) 15. http://file.setav.org/Files/Pdf/20151225180911_turk-basininda-suriyeli-siginmacilar-pdf.pdf. Access. 16 April 2016.

¹⁴⁰ Geçici Koruma Yönetmeliği, op. cit., c. 6.

¹⁴¹ Ibid c. 10.

¹⁴² Ibid c. 15.

determined by the Immigration Policy and shall be applied by the relevant institutions and organizations.

Temporary protection identification is given to the asylum seekers who completed the registration process by the governors. This identification does not provide the right of passage to the Turkish citizenship, it is different from the residency documents arranged by the No 6458 law. Therefore this arrangement has a prototype feature. Foreign identification number and the right to conduct legal and social affairs has been granted to those who were given the temporary protection identity document within the scope of the Population Services Act issued on 25/04/2006.¹⁴³ The foreigners are obligated to register in the address registration system. They have the right to access the basic services and to benefit from the social services in the provinces where they live.

The provision of services like health services, access to the labour market, social assistance and interpretation for the foreigners who are within the scope of this regulation is regulated in details. In the arrangement and in all proceeding regarding children the benefit of the children will be the priority. To those with special needs all kind of help and support such as health service, psycho-social support, rehabilitation shall be provided as a priority for free.¹⁴⁴ The necessary measures will be taken for those who are foreseen to become victim of trafficking.

Those with temporary protection ID are able to apply for working permission to the Ministry of Labour and Social Security in order to work in sectors, businesses and geographic areas determined by the Council of Ministers.¹⁴⁵ Foreigners under this Regulation may conclude subscription agreements for other services including electronic communication services by virtue of their temporary protection identification document.¹⁴⁶

Due to the geographical reservation although the immigrant coming to Turkey cannot be called refugee with this regulation all the asylum seekers coming from outside Europe are accepted as “conditional refugees”. The criticism directed to the

¹⁴³ Ibid c. 22.

¹⁴⁴ Ibid c. 48.

¹⁴⁵ Ibid c. 29.

¹⁴⁶ Ibid c. 26.

regulation can be explained as mentioning the provided services rather than the given rights, the undetermined period of the temporary protection, the excess authorities given to the public institutions especially to the governors, limitation of the refugees' right for individual application, the "conditional refugee status" which will be given to the asylum seekers coming to Turkey does not have equivalent status in the other countries.¹⁴⁷

The Temporary Protection Directive is applied to all incoming foreign mass influx. There is not an exception that this directive can be only applied to the Syrians. It has emerged in the middle of the period of the Syrian refugees in order to fulfil the legal gaps and confusions.

3.4. Features of the Internal and Foreign Political situation related to the Syrian Crisis

The three most important problems which determined the relation between Turkey and Syria was the problem of Hatay carrying a historical depth, the water problem emerged during the last twenty years of the 20th century and the security problems which were caused by the PKK. The Turkish- Syrian relations which were considered with hostility and safety concerns resulted in entering a rapid rapprochement process in 2000 after the death of Hafez al-Assad.¹⁴⁸ The relationship between Turkey and Syria was quickly revitalized, deepened and become more versatile with the removal of the visa application between the two countries in September 2009.¹⁴⁹

The model neighbourly and cooperative relations which was established at the meetings of the common council of the ministers between 2007 and 2011 between the two countries by the Prime Minister Recep Tayyip Erdoğan and the Syrian President Bashar al-Assad has left its place to mutual blaming and political conflicts after the beginning of the Syrian Civil war in 2011.

¹⁴⁷ Erdoğan, op. cit., 57.

¹⁴⁸ Yasin Atlıoğlu, "Türkiye-Suriye İlişkilerinde Yeni Bir Dönem", Tasam, 25 December 2004. <http://tasam.org/tr-TR/Icerik/135/turkiye-suriye-iliskilerinde-yeni-bir-donem>. Access. 02 January 2016.

¹⁴⁹ Yasin Atlıoğlu, "Türkiye Suriye İlişkilerinin SWOT Analizi", Tasam, 25 January 2015. <http://tasam.org/tr-TR/Icerik/1184/turkiye-suriye-iliskilerinin-swot-analizi>. Access. 26 January 2016.

During the period when the crisis was started, the following messages were often repeated by the Turkish Prime Minister and the Minister of Foreign Affairs and were sent to the Syrian government especially to Bashar al-Assad; “It is not possible to continue the current political system, they need to resign and enter an election.” Assad did not obey these messages and tried to push the events. As a result of these, the relation between the two leaders progressed quickly to tension and hate speech.¹⁵⁰

A meeting was held on 24 February 2012 in Tunis in order to prevent the crisis in Syria and to raise the awareness toward the international efforts made on this issue. The second conference of “Friends of the Syrian People”¹⁵¹ was held on April 1, 2012 in Istanbul. The Group of Friends consisted of 83 countries and international organizations including the United Nations, Arab League, European Union, Organization of Islamic Cooperation, Organization of Gulf Cooperation and the representatives of the African Union.¹⁵² These meetings were held later in France, Morocco, Italy, Jordan and Qatar, the core group with 11 members which was established within this group (USA, France, England, Italy, Germany , Saudi Arabia, United Arab Emirates, Qatar, Jordan, Egypt and Turkey) spent great efforts to find solution.¹⁵³ The Group of Friends emphasized that the future of Syria should be determined by the Syrian people and that they would stay next to the people of Syria until the settlement of the rightful and legitimate demands. In this context the Group of Friends stated that they are strongly committed with the Syrian sovereignty, independence, political unity and territorial integrity.¹⁵⁴

As at the 1st Geneva meeting on June 30, 2012, results could not be obtained at the 2nd Geneva meeting which was held on January 22, 2014 and which was aimed to be an important turning point in addition to the efforts made in order to end the Syrian

¹⁵⁰“Davutoğlu: "Büyük bir kriz kapımızda"”, Hurriyet Haber, 28 December 2015.

<http://www.hurriyet.com.tr/davutoglu-buyuk-bir-kriz-kapimizda-26699832>. Access. 2 January 2016.

¹⁵¹“Group of Friends of the Syrian People: 1st Conference”, 1 May 2012.

<http://carnegieendowment.org/syriaincrisis/?fa=48418>. Access. 02 January 2016.

¹⁵² “Syria - Conference in Riyadh”

<http://www.diplomatie.gouv.fr/en/country-files/syria/events/article/syria-conference-in-riyadh-12-9-11-15>. Access. 2 December 2016.

¹⁵³“Syria – Ministerial meeting of the eleven countries making up the Friends of Syria “Core Group””

<http://www.diplomatie.gouv.fr/en/country-files/syria/events/article/syria-ministerial-meeting-of-the>. Access. 02 January 2016.

¹⁵⁴ Türkiye Cumhuriyeti Dışişleri Bakanlığı, “Suriye Halkının Dostları Grubu İkinci Konferansı Başkanlık Sonuçları, 1 Nisan 2012, İstanbul”, http://www.mfa.gov.tr/chairman_s-conclusions-second-conference-of---the-group-of-friends-of-the-syrian-people-istanbul_-1-april-2012.tr.mfa. Access. 02 January 2016.

Crisis. The representatives of the UN, EU, Arab League and the Organization of Islamic cooperation attended the 2nd Geneva meeting besides the representatives of 39 countries. The conference aimed to find a political solution to stop the violence which took the life of hundreds of thousands of people, to increase the humanitarian aid, and to establish a transitional government in Syria.¹⁵⁵ Result was not achieved because the approaches of the parties were completely opposite during the negotiations.¹⁵⁶ For the same purpose, it was decided to hold a 3rd conference on January 25, 2016 because the first two conferences did not end in result. For the first time the Kurds has been also invited to the meeting where the mediation role was undertaken by De Misture who was the UN's Special Envoy for Syria. The parties did not conclude again and the meeting was postponed to February 25, 2016.¹⁵⁷ However, results could not be obtained again. Also significant improvement was not experienced in this regard. On February 27, 2016 a cease- fire agreement was signed in Syria under the leadership of the United States and Russia.¹⁵⁸ The sustainability of the cease-fire could be predicted when John Kerry the US Secretary of State explained the agreement by using the concept of "violence stop" instead of ceasefire.¹⁵⁹

The crisis in Syria has become more complicated with every single day and two blocks have emerged in front of the public including the Friends of the Syrian People and Friends of the Syrian Regime.

There are a number of confusions, incapability and instability within the group of the Friends of Syrian people. It is not determined clearly what and how to do. The USA which is the most important member of this group did not help furthermore it also prevented the attainment of the aids under the pretext that these may end in the hands

¹⁵⁵ "10 soruda Cenevre II Konferansı", Hurriyet Haber, 23 January 2015.

<http://www.hurriyet.com.tr/10-soruda-cenevre-ii-konferansi-25629289>. Access. 2 January 2016.

¹⁵⁶Tayyar, Arı. "Ortaduğu'daki Değişimde Türkiye'nin de Etkisi var", Orsam, Ankara: 14 March 2014. http://www.orsam.org.tr/tr/trUploads/Yazilar/Dosyalar/2014319_14tayyarari.pdf. Access. 02 January 2016.

¹⁵⁷ İbrahim Varlı, "Bir, iki, üç yetmez daha fazla Cenevre!" 15 September 2015.

<http://www.birgun.net/haber-detay/bir-iki-uc-yetmez-daha-fazla-cenevre-101789.html>. Access. 14 January 2016.

¹⁵⁸"Syria conflict: US-Russia brokered truce to start at weekend", BBC News, 22 February 2016. <http://www.bbc.com/news/world-middle-east-35634695>. Access. 27 February 2016.

¹⁵⁹"Suriye'de ateşkes...", 12 February 2016, Miliyet Haber.

<http://www.milliyet.com.tr/suriye-de-ateskes-anlasmasi/dunya/detay/2193192/default.htm>. Access. 12 February 2016.

of the dissidents. This case made the USA not the part of the solution but the part of the problem in Syria. ¹⁶⁰Similar challenges were not observed in terms of the Friends of Assad's regime. Russia, Iran, the Hezbollah from Lebanon and in some extent China gives full support to the regime. ¹⁶¹

The result of this fragmented situation can be analysed as the deepening of the Turkey-Syrian relations, as a civil war approaching its fifth year, hundreds of thousand people who lost their lives and as the birth of the uncontrolled organizations like ISID. These developments and Turkey's Syria policy have taken place on the agenda in the domestic politics. This situation also affects the perception about the asylum-seekers in Turkey. ¹⁶²

The most important turning point in Turkey's Syria policy occurred in 2011. On 9 August 2011 the former Foreign Minister Ahmed Davutoğlu visited Bashar al-Assad but any result was not achieved from this visit. ¹⁶³ During the conversation which lasted for 6 hours, the Syrian army begun an operation in a town near to the Turkish border. Thus it was understood that Assad could not be convinced and the Turkish – Syrian relations could not be continued and this model become neighbourly hostility. ¹⁶⁴

As in the examples of the Arab Spring, there was a perception that Assad's regime would be very short regardless the path he followed. On 24 August 2012 Ahmed Davutoğlu defended that the painful situation in Syria would not last for very long, "We come today by trying all the alternatives in Syria, but I do not think that this painful situation will last for long. These process needs to be expressed by month or weeks instead of years." ¹⁶⁵ Before on 31 May 2012 he said the followings " The will

¹⁶⁰ Ufuk, Ulutaş. "Suriye halkının dađınık dostları", Akşam Haber, 9 Haziran 2014. <http://www.aksam.com.tr/yazarlar/suriye-halkinin-daginik-dostlari/haber-314455>. Access. 2 January 2016.

¹⁶¹ Cengiz, Çandar. "Suriye rejimi düşerse Irak parçalanırsa...", Radikal News, 29 February 2012. <http://www.radikal.com.tr/yazarlar/cengiz-candar/suriye-rejimi-duserse-irak-parcalanirsa-1080240/>. Access. 2 January 2016.

¹⁶² Erdoğan, op. cit., 65.

¹⁶³ "Syria unrest: Turkey presses Assad to end crackdown", 9 August 2011, BBC News. <http://www.bbc.com/news/world-middle-east-14454175>. Access. 2 January 2016.

¹⁶⁴ "Şam'da kritik görüşme", 9 August 2011, Milliyet Haber. <http://www.milliyet.com.tr/sam-da-kritik-gorusme/siyaset/siyasetdetay/09.08.2011/1424501/default.htm>. Access. 2 January 2016.

¹⁶⁵ "Davutoğlu Esad'a ömür biçti", NTV, 9 August 2012. http://www.ntv.com.tr/turkiye/davutoglu-esada-omur-bicti,Nsez_e7zmEO7uz5O9Pv6hw. Access. 2 January 2016.

of the Syrian people will be revealed and it will result in the removal of the government. Or they will go through the struggle of the Syrian people...”¹⁶⁶ At this point the bonds between Bashar Assad and Recep Tayyip Erdoğan who were known to be good friends, was lost completely. On 7 June 2012 Recep Tayyip Erdoğan said the followings; “Assad showed it one more time that he should be removed”¹⁶⁷, on 15 July 2012; “We run out words for Syria. These cowardly massacres, these genocide attempts, these atrocities towards the humanity are nothing else that the noise of the footsteps belonging to the escaping regime... Today Turkey is not deaf or dumb to turn its back on its neighbours or to turn its back on the suffering of their brothers...”.¹⁶⁸ Turkey’s strategy and attitude towards the Syrian refugees were based on these predictions. As a result of maintaining the rule of Assad’s regime the incidents were increasing violently, and it caused the rapid continuity of the asylum seekers’ influx to Turkey. Contrary to the West’s silence as a result of the support given by Russia and China especially in the Security Council of the United Nations and the support of Iran in accordance with the national interest Assad became stronger. ¹⁶⁹

Last year Assad blamed Turkey for the death of the thousands of people. In an interview he gave in May 2013 he claimed that the “Western powers are preparing a war against Syria, the opposition called as “international terrorists” is armed and financed by countries such as Turkey, Qatar and Saudi Arabia”. ¹⁷⁰

On November 12, 2013 the Provisional Government of Syria gathered in Istanbul and it was the evidence that the relation between Turkey and Syria was irreversible

¹⁶⁶“Esad'a karşı her yolu denemeliyiz”, Cumhuriyet News, 31 May 2012.

http://www.cumhuriyet.com.tr/haber/diger/346672/Esad_a_karsi_her_yolu_denemeliyiz_.html. Access. 3 January 2016.

¹⁶⁷ “Erdoğan: Esad gidici olduğunu gösterdi”, NTV, 7 June 2012.

<http://www.ntv.com.tr/turkiye/erdogan-esad-gidici-oldugunu-gosterdi,Pq7LuWN58EKChS0pDjKAGQ>. Access. 3 January 2016.

¹⁶⁸ Hasan, Ay. “Eli kanlı Esad er geç gidecek” 7 June 2012.

<http://www.sabah.com.tr/gundem/2012/07/15/katliamlar-eli-kanli-rejimin-gidisinin-ayak-sesleridir>. Access. 7 January 2016.

¹⁶⁹ <http://edition.cnn.com/2013/08/29/world/meast/syria-iran-china-russia-supporters/>. 3 January 2016.

¹⁷⁰Holly, Yan. “Syria allies: Why Russia, Iran and China are standing by the regime”, CCN Turk, 30 August 2013.

<http://www.milliyet.com.tr/esad-o-iddiayi-yalanladi-/dunya/detay/1710850/default.htm>. Access. 22 October 2015.

broken.¹⁷¹ After the 10th General Meeting of the Syrian Opposition and Revolutionary National Forces Coalition (SORNFC) the members of the provisional government were selected under the presidency of Ahmed Salih Tuma.¹⁷² The provisional Government has worked for a while in Istanbul, and then it continues its operation in Gaziantep. The aim of the establishment of SORNFC was to provide local services in the North Syria in the region which was ruled by the opposition. SORNFC was recognized almost by 100 countries including Turkey as the legitimate representative of Syria.¹⁷³

Turkey has fallen into duality and disagreement in its own internal policy on the issue of Syria. The opposition parties blamed Erdoğan for the things what happened, it was said that all these was the result of the wrong policies and Erdoğan was accused of interfering with the internal affairs of Syria, while the government accused the opposition of being pro-Assad.

The accusation and criticism did not remain within the internal politics, Erdoğan's policies were criticised by the international public. David Gardner argued in his essay titled as "Ankara is fighting against the Kurds but hesitates when it comes to ISIS" that Turkey was an unstable ally.¹⁷⁴

One of the breaking point of the political divide on the Syrian issue was undoubtedly the two bomb attacks which were carried out in the district of Reyhanlı, Hatay on May 11, 2013. 53 people were killed and 155 people were injured in this attack.¹⁷⁵ These attacks were perceived as the security vulnerabilities caused by the Syrian immigrants and the perception that each of the Syrians is terrorist candidate spread rapidly.

¹⁷¹"İstanbul'da geçici Suriye hükümeti kuruldu", T24 News, 17 March 2013. <http://t24.com.tr/haber/istanbulda-gecici-suriye-hukumeti-kuruldu,225966>. Access. 14 December 2015.

¹⁷²"Suriye geçici hükümetinin üyeleri seçildi", AA, 12 November 2013. <http://aa.com.tr/tr/dunya/suriye-gecici-hukümetinin-uyeleri-secildi/204991>. Access. 21 December 2015.

¹⁷³"Gaziantep'e saldırı olabilir", Sözcü News, 3 Aralık 2014. <http://www.sozcu.com.tr/2014/gundem/gaziantepe-saldiri-olabilir-666962/>. Access. 25 January 2015.

¹⁷⁴"AB yetkilisi: Suriye anlaşmasını Türkiye engelledi" BBC News, 2 December 2015. http://www.bbc.com/turkce/haberler/2015/12/151202_ft_gardner_turkiye. Access. 2 January 2016.

¹⁷⁵"Reyhanlı saldırısı için vahim iddialar", Cumhuriyet News, 11 May 2015. http://www.cumhuriyet.com.tr/haber/turkiye/274009/Reyhanli_saldirisi_icin_vahim_iddialar.html. Access. 4 January 2016.

Erdoğan's words on the subject lead to discussion about the sectarian segregation "Dear brothers and sisters the incident in Reyhanlı was not an ordinary event. If we pay attention, 53 Sunni citizens were martyred unfortunately in Reyhanlı." ¹⁷⁶

In Turkey there is a parallel connection between the political view and the attitude shown towards the Syrian issue. The survey research entitled as "The Perspective of the Turkish public on the Syrian Refugees" conducted by the Center for Economy and Foreign Policy Studies (EDAM) in 2014, and the Political Situation Research made by the Institute of Strategic Thinking (SDE) in October 2012 seemed to confirm this idea.

In the research of EDAM the following suggestion "It acceptance of the Syrian asylum seekers should be ended and also the return of the refugees living in Turkey should be ensured back to their own country" was supported by 17.7% of the AKP supporters, 45.8% of the CHP supporters, 47.8% of the MHP supporters and 29.6 % of the HDP supporters, while the other suggestion "The extra asylum seekers should be accepted regardless of the number of refugees living already in Turkey" was supported by 20.1 % of the AKP supporters, 1% of the CHP supporters, 4 % of the MHP supporters and 19% of the HDP supporters. ¹⁷⁷

In the Political Situation Research which was conducted by SDE to the following question "How do you evaluate Turkey's attitude on the on-going violence in Syria?" 42.8 % of the AKP supporters give the respond "right", while the same respond was given by the 22.3% of the CHP supporters, by 28 % of the MHP supporters. The suggestion "I think there was an intervention to Syria's internal affair" was found to be right by 18.6% of the AKP supporters, by 49.3% of the CHP supporters and by 38.9% of the MHP supporters. ¹⁷⁸

¹⁷⁶ "Başbakan Erdoğan'ın 14 Haziran tarihli Genişletilmiş İl Başkanları Toplantısı konuşmasının tam metni", AKP, 14 June 2015.

<https://www.akparti.org.tr/site/haberler/basbakan-erdoganin-14-haziran-tarihli-genisletilmis-il-baskanlari-toplantisi/45971>. Access. 10 December 2015.

¹⁷⁷ EDAM, "Türk Toplumunun Suriyeli Sığınmacılara Yönelik Bakış Açısı" January 2014. <http://www.edam.org.tr/tr/File?id=1152>. Access. 14 March 2016.

¹⁷⁸SDE, "Türkiye Siyasi Durum Araştırması", Ankara, October 2012: 47. http://www.sde.org.tr/userfiles/file/T%C3%9CRK%C4%B0YE%20S%C4%B0YAS%C4%B0%20DURUM%20ARA%C5%9ETIRMASI_Ekim_2012_Rapor_SDE.pdf. Access. 6 January 2016.

CHAPTER 4: An Overview against the Integration of the Syrians in Turkey: The Applicability of the German Integration Policy

Nation-state is a model which was tried to be created by the states since the dawn of history, therefore various policies have been applied to the cultural minorities in each community. Some of the minorities were physically destroyed by genocides or mass deportations in order to create homogenous structure. Some of the minorities were assimilated by being forced to adopt the language, religion and customs of the community they lived in. In some other cases, the minorities were shown foreign proceedings and were deprived of the political rights by being subjected to physical isolation and economic discrimination.¹⁷⁹

Even the countries which are considered classic immigrant countries and whose population structures mainly composed of immigrants such as the United States, Canada, Australia and New Zealand applied anti-immigrant restrictions, policies and had social tensions, xenophobia and political conflicts in the aftermath of the Cold War.¹⁸⁰

New immigrant countries have emerged as a result of the end of the Cold War and the increasing globalization. Earlier these countries accepted immigrants from other countries and were called transit countries. Italy, Spain, Greece and Turkey are considered as transit countries.¹⁸¹

After the 2nd World War, in the 1950's and 1960's the European countries including Germany opened their doors for labour immigration voluntarily in order to meet the intensive need in labour resulting from the rapid economic development in the countries and organized their legislations accordingly.

The 1973 oil crisis and the economic recession induced by the oil crisis can be considered as the turning point for the European immigration policies. Along with the increasing unemployment caused by the recession the countries which could not employ their own citizens decided to stop the recruitment of the new immigrants.

¹⁷⁹ Will, Kymlicka. *Multicultural Citizenship*, trans: Abdullah Yılmaz. (Istanbul: Ayrıntı Yayınları, 1988) 27.

¹⁸⁰ Wayne, Cornelius, Takeyuki, Tsuda, Philip, Martin, James Hollifield. *Controlling Immigration: The Limits of Government Intervention*. (Stanford: Stanford university, 2000) 103.

¹⁸¹ Başak, Kale. "Uluslararası İlişkilere Giriş", *Nüfus Hareketleri ve Göç*. Ed. Şaban Kardaş, Ali Balcı. Ankara: October 2014)599.

However it was not easy even it was impossible to stop this migration. The propulsive elements of the sending countries are as much important as the charm of the European countries. With the end of the Cold War the Eastern European countries has sent intense migration to the Western countries. Likewise the victims of war in other parts of the world have their countries and sought for refuge in Europe and applied for refugee status.¹⁸²

The integration can be provided in two ways in countries where the immigrant population is high. The first one is the assimilation methods used in the United States, in this method the immigrants abandon their own religion, culture and customs and accepts the culture and language of the new country. The other one is the multicultural method which can be seen in Canada where the immigrants can continue to carry out its own culture without being assimilated. There is not a consensus on which of these two methods of integration is more effective.

America adopted the policy which wants the migrants to leave the past and fully adopt the existing cultural norms. Even the followings were wrote in a letter by the Secretary of State John Quincy Adams in 1818; “If the immigrants who come to the United States of America cannot be adopted to the character, moral, political and physical values of this country the Atlantic ocean is open every time for them to their father countries and live in their local cultures”, he referred that if the new immigrants who come to America want to be happy in this land they should be clever and they should find an order according to this land.¹⁸³

Canada since its foundation adopted the partnership approach not the concept of differing and separation. The two different nations that make Canada to be the best example of this model are French and English and they are constituent elements for the other nations living within the country. Canada which reached unity with the view of one state and two nations is recognised as one of the states which solves this problem politically the best despite the various conflict and discussions experienced on this issue.

¹⁸² Mark, Mitchell, David Russell. *Immigration, Citizenship and Social Exclusion in the New Europe*. Ed. Rob Sykes, Peter Alcock. Developments in European Social Policy Convergence and Diversity . (Bristol: The Policy Press, 1998) 76.

¹⁸³ Lawrence, Levin. *American Opening of the American Mind- Canons, Culture, and History*. (Boston: Beacon Press, 1998) 109.

The biggest problem of today's societies is the problem of " Living together on the ground of peace and unit despite all the differences".¹⁸⁴ Today when we look at the global perspective with a few exceptions the fact that almost all the states are heterogeneous culturally, ethnically, religiously and secretariially shows the size of this problem.

Germany is one of Europe's leading immigration countries on the issue of immigration and identity politics. The minority policy is also important for Turkish diaspora because it affects both the domestic and foreign policies due to the majority of the Turkish population. The temporary assumed workers hiring showed in the progressed time that the situation was not actually like that. When it was understood that temporality would be permanence the German government addressed the issue in details, the policies based on instability and discrimination caused social stratification.

The German Interior Minister Otto Schily used the following expression in an interview given to a newspaper on June 27, 2002 ; " I do not want a bilingual Germany", " the best integration is assimilation".¹⁸⁵ The following words belong to Angela Merkel; "Integration means to be included into a country's lifestyle. Those who are carrying German citizenship are the citizens of this country without exception. Their loyalty is owned by the German state."¹⁸⁶ As it can be understood from the words of the leader, the basis of the German integration policy is the assimilation.

In Germany which does not accept itself as a country of immigration, the Turks which constitute the largest immigrant group despite all the qualitative differences of the policies applied for the social integration since the process started with the immigration of the Turkish workers. Despite all the differences it is very important to Turkey to host the 3 million Syrians by creating a new and realistic model on the

¹⁸⁴ Mehmet, Karaca. *On Differentiation, Integration and Living Together*. Dicle Üniversitesi Ziya Gökalp Eğitim Fakültesi Dergisi, 2012, 18 2012: 226-238.

http://www.zgefdergi.com/Makaleler/613962496_18_14_ID_232.pdf. Access. 05 February 2016.

¹⁸⁵ Otto Schily, "Ich finde nichts Anstößiges daran, Menschen zurückzuführen" *Sueddeutsche Zeitung, Germany* 17 March 2010. <http://www.sueddeutsche.de/politik/sz-interview-mit-otto-schily-ich-finde-nichts-anstoessiges-daran-1.305629>. Access. 16 February 2016.

¹⁸⁶ Sadi Somuncu, "Sevimsiz kavramlarımızdan, "ASİMİLASYON"" *Yeniçağ*, 20 December 2011. <http://www.yenicaggazetesi.com.tr/sevimsiz-kavramlarimizdan-asimilasyon-20960yy.htm>. Access. 7 April 2016.

similarities. During the period experienced as a result of the events occurring in Turkey the belief that the short term solutions should be replaced with long-term solutions was strengthened along with the increased belief about the permanence of the Syrian refugees.

4.1. General Features of the Foreigners' Law in Germany

The Federal Republic of Germany is a federal system formed by the combination of sixteen states. In this system the federal state comprised of member states. The sharing of authorities and duties between the federal government and the member states is regulated by the Federal Constitution.¹⁸⁷ The member states can release laws unless the Federal Constitution says it otherwise.¹⁸⁸ For example citizenship is an issue which is under the jurisdiction of the Federal Government.¹⁸⁹ In this way, many issues are regulated by the federal government.

The German constitution allows the right given to the German citizens generally also to the foreigners. The right to disclose the thoughts verbally and in writing, the supremacy of marriage and establishing family, the right for property are also valid for the foreigners. Foreigners have also right for the safety of life, personal freedom, belief, conscience and religion. The equality in front of the law is also applied for the foreigners. Some of the rights are limited for the foreigners while some of them are banned. These rights can be defined as the right for residence permit, election and being elected and the right to be engaged in political activities. These last issues are determined by the German Foreigners' Law and draw the line between the foreigners and the German citizens significantly.¹⁹⁰

The 1965 Foreigners Act regulates the status of the foreigners in Germany. In this law the fact of uniform foreigner is maintained. At the same time foreigners are allowed to live in Germany according to the law until they do not harm the interest of

¹⁸⁷Regulation. Federal Almanya Cumhuriyeti Anayasası. Page: 236. M. 70. Number 1. <http://www.adalet.gov.tr/duyurular/2011/eylul/anayasalar/ulkeana/pdf/08-ALMANYA%202009-276.pdf>. Access. 14 May 2016.

¹⁸⁸Ibid c. 71.

¹⁸⁹Ibid c. 73, Number 2.

¹⁹⁰ Zeynel, Korkmaz. "Almanya'da Entegrasyon ve Asimilasyon Tartışmaları" Die Gaste, Germany: May 2008. <http://www.diegaste.de/pdf/diegaste-sayi1.pdf>. Access. 25 March 2016.

Germany. However the presence of the foreigner significantly hurts Germany's interest that person shall be removed from Germany. ¹⁹¹

Although there are comprehensive provisions regarding the foreigner's law in the bilateral agreement signed between Germany and Turkey they do not lead to fundamental changes. The 1962 Intermediation Arrangement makes a special arrangement about the process before the worker entering Germany. The 1927 Residence Treaty does not concern the Turkish workers directly. ¹⁹²

4.1.1. The Immigration and Integration Policies of the Federal Republic of Germany

In the 1950's the Federal Republic of Germany provided labour power from outside the country and terminated the agreements signed with the countries which were not included within the European Economic Community in order to compensate the increased labour migration. The removed agreements encouraged the return for the population being already in the country and implemented a return motivation policy. Especially when considering the terms and conditions of this period it is known that they insisted on the stay of the Turks even forced them to stay. When the labour migration continued in a balanced and regular manner, a new unplanned migration type emerged. This was the family migration. When the hiring of the workers was stopped the merger family and spouses emerged in the form of migration. When the migration of the children and spouses was reduced to a certain extent, the fluctuations in the demographic structure continued due to the increased number of the asylum seekers coming to Germany. ¹⁹³

Since Germany does not consider itself country of immigrants the foreigners' law was adopted as the Foreigners Police Law until the 1970's and restrictive measures were taken against the foreigners who were considered temporary. The working period was three years and at the end of three years these workers were expected to turn back to their own countries by their own wishes and desires. The uncontrolled population growth has opportunities besides the risks. The fact that the newly arrived

¹⁹¹ Tuğrul, Ansay. Alman Yabancılar Kanunu ve Türk İşçiler. Ankara Üniversitesi Dergisi: 224. <http://dergiler.ankara.edu.tr/dergiler/38/312/2989.pdf>. Access. 26 April 2016.

¹⁹² Ibid 226.

¹⁹³ Abdurrahman Karataş, Almanya'daki Türkiyeli Göçmenlerin Özelinde Asimilasyon ve Entegrasyon, Hacettepe Ü. Sosyal B.E. Antropoloji AD YL Tezi, 2006: 100.

workers accepted the most severe and hard works caused the settlement of the German citizens to a higher labour level. When the gap within the labour force was closed the working hours of the German citizens was reduced.¹⁹⁴

In 1973 the suspension of the recruitment Germany which did not considered itself as a country of immigrants ensured the return of 11 million immigrants out of the nearly 14 million to the country of origin by encouraging them.¹⁹⁵

The transition phase to a more intrusive immigrant policy was observed due to the increased number of the immigrants and the problems increased at a visible level along with the emergence of the biggest immigration strike which included also the Turkish workers.¹⁹⁶ As a result of these events the German government started to consider the labour force of the foregoing immigrants as a social problem and suspended the acceptance of the foreign immigration in the mentioned year due to the energy crises experienced all over the world.¹⁹⁷

Following the experienced developments the foreign migration began not to be recognized only as the issue of the labour market and was accepted that the issue needed to be controlled by the state before the growth of the problem. The social problems of the foreign immigration started to be discussed in the public and accordingly the issue of integration and adaption gained importance. In 1979 an official was assigned for the first time to be responsible for the foreigners. Today this can be explained by the title of state ministry responsible for the integration.¹⁹⁸ The integration studies constituting the essence of the studies in this period showed that the foreigners were integrated temporarily into the hosting society.¹⁹⁹

¹⁹⁴Karl, Heinz, Meier, Braun, *Zuwanderung, Ausländerpolitik in Deutschland, Der Bürger im Staat*, Landeszentrale für politische Bildung Baden-Württemberg Stuttgart, Heft4/2006, 204.

¹⁹⁵ Ibid 205.

¹⁹⁶ Bülent, Çiçekli. *The Legal Position of Turkish Immigrants in the European Union: A Comparison of the Legal Reception and Status of Turkish Immigrants in Germany, the Netherlands and the UK*. (Ankara: Karmap, 1998): 106.

¹⁹⁷ Ibid 104-106.

¹⁹⁸ Heinz op. cit., 205..

¹⁹⁹ Helga, Leitner “*Regulating Migrant’s Lives: the Dialect of Migrant Labour and the Contradictions of Regulatory and Integration Policies in the Federal Republic of Germany*”. University of California, Los Angles, 1987: 75.

After the 1980's Germany's immigration policy has taken a more stringent structure.²⁰⁰The increase in the unemployment rate, the increase in the asylum applications and the problems in the cities were considered as the cause of the refugee flows by some politicians and the public and they led to the creation of this solid structure.²⁰¹The most important immigration policy of this period was the program of encouraging the return which especially targeted the Turkish immigrants.²⁰²

On 16 November 2016 a commission was established to deal with the works conducted on the foreigners. This commission adopted the "Draft Law on Encouraging the return of the Foreigners periodically" by the prepared proposal.²⁰³According to this law the Turkish, Moroccan, Yugoslav, Spanish, Portuguese and Tunisian citizens who agreed to return back to the home country between 31 October 1983 and 30 June 1984 will be given 10 thousand 500 German Marks in order to be encouraged.²⁰⁴For the families who intended to return 1500 German Marks per child and the refund of the pension cuts was also contemplated.²⁰⁵ As a result, the unskilled, unhealthy people or those who had health problems benefitted from the return law.²⁰⁶ This attack of the state can be read as the avoidance of the cost such as the pension payments of those who stayed and appease of the local population in the environment where xenophobia was increased. During this period 221 thousand Turkish migrant workers returned back to Turkey thanks to the encouragement act.²⁰⁷

Of course the government took risk by encouraging this policy even it was damaged by those risks. The Heidelberg manifesto which was prepared by scientists on 17 June 1981 in Heidelberg was claimed with fuelling xenophobia. The ideas about the foreigners who were mixed among the German people in order to destroy the social order really fuelled the fire. As a result the rhetoric saying "foreigners out" increased gradually. In the state of Baden-Württemberg where these practices were

²⁰⁰ Çiçekli op. cit. 110-111.

²⁰¹ Faruk, Şen. *Problems and Integration Constraints of Turkish Migrants in the Federal Republic of Germany, World Employment Program Working Paper*, Geneva, ILO, 1989: 10.

²⁰² Ibid 1.

²⁰³ Ibid 206.

²⁰⁴ Öztürk, op. cit., 76.

²⁰⁵ "Rückkehrhilfegesetz (RückHG)", 28 November 1983.

http://www.gesetze-im-internet.de/r_ckhg/BJNR113770983.html. Access. 12 April 2016.

²⁰⁶ Unat, op. cit. 74.

²⁰⁷ Şen, op. cit., 1.

experienced more severe, the local people made pressure on the companies to fire the foreign workers.²⁰⁸

The integration policies continued until the 1990's through the restrictive measures. However in the 1990's the German government demonstrated an attitude that ensured more secure legal status for the existing immigrants but closed the doors in front of the immigrant workers who wanted to come to the country.²⁰⁹ The 1990 German Foreigners' Act can be presented as the evidence of this view. The law intended to help their transition to German citizenship in return for some conditions. The law which recognize the right of a child having German father and foreign mother added responsibility to the German government by continuing the "blood bond" principle.²¹⁰

According to the Act's Article 85 of the Section 7 the persons whose age was between 16 and 23²¹¹ and had been living for 8 years²¹² in Germany had the right to be German citizens. At the same time, the candidates had to be able to speak German and had to be devoted sincerely to the Federal State of Germany in order to have the right to be German citizens. Except these the persons must not have been prosecuted for any crime.²¹³ This law which has political rights for the foreigners was satisfactory for the foreigners. In terms of the Turkish people, the uneasiness of the foreigners who did not want to lose their Turkish rights was resolved by Turkey by securing the rights of the immigrant, so the transitions to the German citizenship increased rapidly.²¹⁴ In the Section 87 of the Act the dual citizenship was possible and this had positive impact on the developments of the foreigners. Along with this law the Germans' belief about the permanence of the migrant workers was broken and after they accepted the permanence of the migrants in Germany they also accepted the logic to manage the process for the future in the best way.

²⁰⁸Heinz, op. cit., 206.

²⁰⁹ Çiçekli op. cit., 113.

²¹⁰ Ibid 76.

²¹¹ German Law Archive. Aliens, Act. Chapter VII, Section 85/2-3.

<http://www.iuscomp.org/gla/statutes/AusIG.htm#85>. Access. 21 April 2016.

²¹² Ibid Section 85/1.

²¹³ Ibid Section 86.

²¹⁴ TİSK, "Avrupa'da Türk Kadını" Ankara: TİSK Yayınları, 11 Nisan 2011.

<http://www.tisk.org.tr/yayinlar>. Access. 16 May 2016.

Since 1 January 2000 the act on encouraging the return accepted the principle of the acquisition of citizenship by birth after abandoning the principle of “blood bond” with the new Civil Code Law.²¹⁵ One of the most important features of this period was the increased xenophobia against the Turks.

Along with the Immigration Act which came into force in 2005²¹⁶, new applications were introduced for the foreigners on the issues of working, residency, security and integration. Integration was more emphasized within the new Immigration Act. The 3rd Section of the Act devoted to integration was explained in details. For the first time the arrangements on residence permits and working permits were combined in a single law.²¹⁷ In the same way the immigration law was the indicator that Germany took the role to encourage the foreigners to be integrated into the German society.

The presence of compliance studies under the name of Islamic values was not a surprise due to the fact that most of the Turks who constituted the vast majority of the immigrants in Germany were Muslims and were bonded to these values. The German Islam Conference (GIC) were gathered on 27 September 2006 in order to create a better integration process in terms of religion and social policies by establishing communications among the Federal Government, the Municipalities and the representatives of the Muslim religion, to ensure the social cohesion, to draw attention to the order and to address the integration of the foreign Muslims living in the country. GIC is not the representative of the Muslim community in sense of the religion. The GIC gathers at two levels. The general assembly gathers together once a year, evaluates the suggestions and recommendations coming from the study groups, and gives ideas on different issues. The three study groups which are below the General Assembly gather together in every two month and also organize seminars. The study groups which are joined by more than hundred experts are separated from each other by the issues.

²¹⁵ German Law Archive, op. cit., 3.

²¹⁶ Yeni Kamet Hukuku Göç Yasası ile ilgili Sorular ve Cevapları.
<http://www.hukuk24.de/vatandaslik/ikamet-hukuku.pdf>. Access. 12 March 2016.

²¹⁷ “Almanya’da, yeni Göçmen Yasası yürürlüğe girdi” İGMG News, 2007.
<http://www.igmg.org/tr/haberler/yazi/2009/10/15/almanya-da-yeni-goecmen-yasasi-yueruerluege-girdi.html>. Access. 17 April 2016.

The first study group addresses the challenges of integrating the Muslims into the society and defines its difficulties. The second study group look for the way to put the Islamic religion classes into practice based on the religious affairs in the German Constitution. It gives opinion about controversial events such as mosque construction and management and funeral processes. The third study group which is a bridge between the economy and media emphasizes the impacts of media for a healthy and peaceful coexistence and explains how important it is for the media sides to understand each other.

The seminars conducted on security and Islam are based on the cooperation between the security authorities and the Muslims are foreseen to make plans for the common feature.²¹⁸

The issues which are considered important by the GIC are the followings; establishment of the institutionalized cooperation between the state and the Muslims, the fair life between the genders as a common value, extremism, radicalization and the prevention of social polarization.²¹⁹

The Islam Conferences was held in 2006 and later varied according to the subject and focus and discussed the integration policies according to the conditions of the period. Especially in the GIC held in 2014 a transition was observed from the security problems to the social assistance in terms of the focus of the issues.²²⁰

The Government which was established as a result of the federal election held on 2013 appointed Aydan Özoğuz coming from a foreign worker family as a federal minister in charge of the refugees, asylum seekers and integration.²²¹ The political participation is also an important part of integration.

²¹⁸ Federal Almanya İçişleri Bakanlığı, "Alman İslam Konferansı : Çalışma Gruplarında ve Konuşma Grubunda Varılan Ara Sonuçları" Berlin: 13 March 2008.
<http://docplayer.biz.tr/392639-Alman-islam-konferansi-dik-calisma-gruplarinda-ve-konusma-grubunda-varilan-ara-sonuclar.html>. Access. 29 April 2016.

²¹⁹ Ibid 89.

²²⁰ Engin Karahan, "A new approach in the German Islamşc Conference" Perspektif Haber, May 2014.
<http://www.perspektif.eu/alman-islam-konferansinda-yeni-bir-yaklasim/>. Access:30 April 2016.

²²¹"Aydan Özoğuz uyum bakanı oldu" Sabah News, 15 December 2013.
<http://www.sabah.de/aydan-ozoguz-uyum-bakani-oldu>. Access. 14 March 2016.

After 2005 Germany's foreign policy can be considered as managing an integration based adaptation process. The opinions expressing that the foreigners are also the part of the society are emphasized. When mentioning the integration of the foreigners first the Turk Muslims come to the mind. In recent years due to the events in Syria Germany opens its doors more often to the refugees compared to the other European countries as well as it hosts refugees from Syria. The population of the Muslim asylum seekers is increased thanks to the 1.1 million refugees coming from countries such as Syria, Iraq and Afghanistan since 2015²²². Therefore the adaptation process is managed by targeting the Muslims. In accordance with the Readmission Agreement signed by Turkey and the European Union, the Syrians who enter the Greek Islands illegally will be returned to Turkey but in exchange the same number of Syrians who have legal asylum status will be sent to the European Union. Germany will accept one fifth of the total refugee number sent by Turkey and in 2016 15 thousand Syrians are expected to be sent from Turkey.²²³

In 2016 discussions were made on the Islamic law in Germany. The words of the General Secretary of the Christian Social Union Andreas Schreuer caused a great reaction; "The political Islam which prevent the people living in Germany from the integration should be discussed in a more powerful and critical manner." It was emphasized that the Mosque and Islamic kindergartens should not be financed by countries such as Turkey or Saudi Arabia and all the imams working in Germany need to be educated in Germany.²²⁴

According to the anti-Islamic views wide spreading increasingly within the German society the religious discrimination during the harmonization process is the main risk factors of Muslims' integration. The Islamic hatred is spreading day by day and although the aim is the integration the distance between the two sides becomes bigger with each day. According to the data of the Federal Statistics Office the in

²²² "Almanya'da Mülteci Sayısı 1 Milyonu Geçti", Voice of America, 6 January 2016. <http://www.amerikaninsesi.com/content/almanya-da-multeci-sayisi-1-milyonu-gecti/3133830.html>. Access. 26 March 2016.

²²³ "Türkiye'den gönderilen Suriyeli mülteciler Almanya'da", Hurriyet Haber, 4 April 2016. <http://www.hurriyet.com.tr/turkiyeden-gonderilen-suriyeli-multeciler-almanya-da-40080784>. Access. 21 March 2016.

²²⁴ "Almanya'da İslam yasası tartışması", 13 April 2014. <http://www.dw.com/tr/almanya-da-islam-yasasi-tartisma/C4%B1-tart%C4%B1%C5%9Fmas%C4%B1/a-19184943>. Access. 14 May 2016.

2015 five times more attack was carried out against the refugee shelters than in the previous years. The Islam phobia which was the dominant issue at the GIC in 2013 constitutes the biggest risk for Germany's integration process. As a precaution the Federal Government plans to open a separate sub-heading under the name of Islam phobia within the politically motivated hatred crimes. The regulation is expected to enter into force in January 2017.²²⁵

In multicultural and multi-ethnic countries like Germany it is a complex and versatile process to ensure the cultural and social unity and the integration. The harmony and cooperation between the organizations is not enough. In a multicultural environment the integration can be only ensured by benefiting equally from all kinds of opportunities by sustaining a life without conflict in harmony.²²⁶

4.1.2. The National Integration Plan of the Federal Republic of Germany

Germany's National Integration Plan which was published in July 2007 is seem to be necessary for Germany in order to maintain the survival of the social cohesion.

The plan which starts with the foreword of Chancellor Angela Merkel consists of sections prepared meticulously on behalf of the foreigner's integration into the German society. It is a model which examines the subject areas one by one and gives recommendations in order to understand the applicability.

The expressions of Angela Merkel on the followings are noteworthy; "Integration with a change in the demographic structure gains more importance and it is one of the key tasks of our time. Therefore this issue has become one of the most important point of the Federal Government's work. With the National Integration Plan in cooperation with all levels of the government it is aimed to improve the integration within our country step by step by entering dialogue with individuals and institutions making voluntary activities."²²⁷ Germany's effort to develop an integration policy

²²⁵ "Almanya'da mülteci yurtlarına saldırılar beş katına çıktı", 2015.

<http://www.dw.com/tr/islam-d%C3%BC%C5%9Fmanl%C4%B1%C4%9F%C4%B1-kategorisi-geliyor/a-19226815>. Access. 16 May 2016.

²²⁶ Gülay, Toksöz. International Labour Force. (istanbul: istanbul Bilgi Üniversitesi Yayınları. 2006) 36.

²²⁷ Regulation. *Federal Almanya Ulusal Entegrasyon Planı Yeni Yollar – Yeni Fırsatlar*. Page 7. <http://www.bundesregierung.de/Content/DE/Archiv16/Artikel/2008/02/Anlagen/2008-02-07-nationaler-integrationsplan-langfassung-tuerkisch.pdf?blob=publicationFile>. Access. 7 May 2016.

can be seen as an effort to take the delayed measure and to accept the foreigners which is a difficult task for Germany which has never accepted itself as a country of the immigrants and which considered the foreigners always as a surplus. It will be a wise idea to accept the migration which was ignored for 55 years as a social event.

4.1.2.1. The Features of a Successful Integration

The National Integration Plan of the Federal republic of Germany listed the features of the successful integration within a plan. The principles which allow the test of the plan's success are result-oriented in terms of the applicability and the compliance of the obtained results. Accordingly the success of the integration policy was explained with the following principles:

“The successful integration policy means dialogue and close cooperation.” While preparing the integration plan the decision were taken after talking with both the immigrant men and women.

“A successful integration policy brings successful potential and uses them.” The immigrant men and women should be provided appropriate environment and opportunities in order to demonstrate their competences.

“The successful integration policy is aware of the fact that the immigrant women play an important role.” Accordingly, due to their role both inside the family and also in the social life undoubtedly women determine the social and political activities and the integration of the next generation. Therefore it is a necessity to improve the potential of the women and girls.²²⁸

“A successful integration policy is based on an active social participation.” According to this principle, integration is not a process which can be continued by only fulfilling the duties of the state. It also requires the participation of the whole society on the basis of the civil society organizations.²²⁹

“The successful integration policy gains strength from the responsibility of all concerned and from the voluntary participation.” The meaning of this principle is

²²⁸ Ibid13.

²²⁹ Ibid 14.

that the National Integration Plan should be continuous, consistent and effective with the participation of all the actors described within the previous principle.²³⁰

“The successful integration policy is a cross task which should be addressed at all levels.” Within the framework of this policy, responsibilities are given to the Federal Government, to the states and to the local government. For the integration of the different bodies of each institution common projects should be created and these projects should be encouraged as well.²³¹

“A successful integration policy is based on clear evidence.” Therefore empirical data should be collected for the research, statistics and for the successful integration.²³²

“The successful integration policy should be measured with clear indicators.” Studies should be conducted for the improvement of the basic indicators and these should be reported regularly.²³³

“The successful integration policy improves on a basis whose financing is solid.” For this purpose, each year 750 million Euro will be transferred from the federal resources to the projects which promote the integration.²³⁴

4.1.2.2. The Subject Areas of the National Integration Plan

The important topics of the plan which consists of ten different subject areas are the followings; education, apprenticeship education, putting the compliance criteria at an early age, health, employment, housing, labour market, adaption to the society, language and integration courses.

The 1st Subject Field, the first step of the integration process is the improvement of the integration courses. The courses which are established to promote the integration ensure the basic education for the foreigners living within the borders of the Federal Republic of Germany. The aim of these courses is to help in coping with the daily

²³⁰Ibid 14.

²³¹Ibid 14.

²³² Ibid 15.

²³³ Ibid 15.

²³⁴Ibid 15.

life by getting acquainted with the German living conditions without depending on a third person. These courses which also encourage the learning of the German language cover 600 hours of language courses and 300 hours of orientation courses.²³⁵ The courses have single type training regulations without differentiating the educational levels and the training teachers.

The 2nd subject is to encourage the learning of the German language. It is intended to teach the German language through the parents to the children from the kindergarten. The purpose of these aims is to improve the adaptation and education requirement of the migrant children and to ensure the learning of the German language as soon as possible by supporting and encouraging this process from the beginning as much as possible. Through the encouragement it will be easier to learn the language of the new country for the children who do not have the opportunity to learn the German language at home.²³⁶

The 3rd Subject Area is the activity entitled as “ Guaranteeing a good education and vocational training and to raise the chance in the labour market”. The Federal Government started the encouragement of the education primarily with the language education. Then measures have been taken for the course integrations and measures like promoting the schools offering full-day incentive program have been taken. Budget was granted to the states to establish full-time schools with the framework of the investment program called as “Future Education and Care”. Contribution was made to the education by establishing day care centers for the children under the age of three.

After the traditional education, tools and equipment should be provided for the vocational education and the children should be directed towards the vocational education according to their skills and competences. The child care homes should be developed as special education places and the integration should be intensified without neglecting the pedagogical, social and special needs in terms of providing systematic integration at an early age. The schools should be improved and it is necessary to oppose actively against victimization and social distinction. Similarly it is very important to encourage the young people’s potential, to increase the families’

²³⁵ Ibid 37.

²³⁶ Ibid 48.

participation and to strengthen the self-responsibility. The immigrant children should be ensured with high learning motivation and the institutional encourage of the children should be ensured permanently. In the integration of the school-aged children the cooperation of the parent is vital. Self-responsibility should be provided by using the family's impact on the children effectively and effect should be ensured against their withdrawal.²³⁷

The 4th Subject is covered by activates entitled as “Improving the Living Conditions of Women and Girls, Providing Equality”. Integration, participation and quality was discussed through the law under the title of personal protection against the violence in the environment, information and consulting and forced marriage. Forced marriage and domestic violence are among the problems faced more frequently by the migrant women. The young girls and women who are at the initial level of the integration process are affected by this. When the wish to continue the customs and traditions of the motherland and the non-acceptance of the norms and social values of the new country is combined with the pressure applied by the parents the slowdown of the integration becomes inevitable. Regarding this, the forced marriage is considered as crime in Germany within the context of legal integration and prison can be sentenced from six months up to five years.²³⁸

5th Subject area is the activity entitled as “Supporting the integration at the right place”. This issue includes the problem caused by the fact that the local people and the migrants are living together in some locations. The migrant population is not evenly distributed in the states, cities and neighbourhood of Germany.²³⁹ There are towns and villages in the rural areas where the rates of immigrants are very high. In places where the number of foreigners is high, their relations with the local community is very important for the success of the integration. One of the most natural consequences of a good integration work is to develop a culture of living together. For this purpose it is requested to start from the smallest groups and to create a harmony mesh, in general the integration should the adopted as a problem area of the municipalities. The plan under this heading loads responsibilities to the

²³⁷ Ibid 64.

²³⁸ “Alman Basını "Zorla Evlendirme"Yi Tartışıyor”, 28 October 2010. <http://www.haberler.com/alman-basini-zorla-evlendirme-yi-tartisiyor-2342765-haberi/>. Access. 16 May 2016.

²³⁹ Federal Almanya Ulusal Entegrasyon Planı, op. cit., 103.

states and municipalities and is based on the principle of “integration for everyone with everyone”. All the projects, participations and incentives should be on a ground based on gender equality. The decisions should be long-term and valid; the temporary and unstable policies should be avoided.²⁴⁰ The sanctioning power which supervises the success and compliance of the mention policies were given to the Free Welfare Care Federal Working Union.

6th Subject includes the activities entitled as “Culture and Integration”. On 23 April 2006 the culture and integration group was founded in order to carry out the works on this issue, after 5 sessions the consultancy was closed on 14 March 2007. The main aim was to provide cross-cultural interaction and to try to spread the together living on a cultural ground. The integration aimed to host the diversity of the culture together.

7th Subject area includes the activities entitled as “Integration via sport- using the potential, Expansion of the Supply and enlargement of the network”. The German Federation of Olympic Sports is the largest organized community with its nearly 30 million members and near 90 thousand associations. The Federal government agreed with its program called “Integration through Sport” since 1989 that the best platform to bring the people with different origin together is the sport.

8th Subject includes the activities entitled as “Media- Benefit from Diversity”. Here the mass media tools like newspaper, radio, magazine etc are meant as media. Media has an important function in the integration process. For example the programs, news and other shared elements which were prepared by the mass media tools facilitate the different masses to have idea about each other. They create opportunities for the different social groups to interact at the public level.²⁴¹

All the things which need to be done by the media are listed in the plan. Accordingly, migration and integration should be discussed effectively. When migration and integration is the main element presented by the media, the events which accept diversity and which is blended with different experiences can promote the integration of the people. Regular work has to be done in order to know how to reach the target

²⁴⁰ Ibid 104.

²⁴¹ Ibid 150

audience. Additionally, there are some elements like encouraging the authorities, evaluating the potential, improving the dialogue and encouraging the participation in the hand of the media which are important factors of facilitating the integration.²⁴²

9th Subject area includes activities entitled as “Integration through voluntary social activities and equal participation”. The idea of strengthening the participation and integration all together lies on the basis of the German integration policy. In this case, unity environment is needed at the socialization level by increasing the daily and social activities creative.²⁴³

According to this plan the short and medium –term objectives were determined as the followings; “ The organization should open towards every culture, Strengthening the equal participation and responsibilities between men and women during the integration process, Opening the ways to gain competence in the voluntary engagement, Sharing the public responsibility through the co-operation of the German associations and the immigrant organizations on the basis of mutual respect, recognition and tolerance, Strengthening the perception against xenophobia, Improving the public works of the organizations, Expanding the media information about the activities of the migrant people, Improving the culture of acceptance. ²⁴⁴

Finally the 10th subject area is constituted by the activities entitled as “ Science-open to the World”. In this subject the German government comes to the forefront due to the importance given to be scientific. The government which is committed to follow the technological developments and to carry the science to an advanced size finds it appropriate to use the opportunity in the context of using the potential of the well-educated migrants both in terms of the integration as well as in terms of the technical developments. For this purpose, under this heading the following issues were discussed; the integration of the foreign scientists, the perspectives of the foreign students and the well-educated people, solving the problems faced within the education and helping the participation.²⁴⁵

²⁴² Ibid 152.

²⁴³ Ibid 165.

²⁴⁴ Ibid 166.

²⁴⁵ Ibid 175.

The German universities, student organizations, student units and international science organizations spend much effort for the integration of the foreign students. In order to ensure the commitment of the young foreign scientists to Germany it was intended to increase the quality assurance, the control of success and the activities by increasing the opportunities for the postgraduate education.²⁴⁶

The measures taken in relation with the marketing researches should be permanent and should be based on long lasting and stabile basis. The cornerstone of integration is the language learning, it should be offered to the scientists and to their families. In order to break the prejudices creating xenophobia campaigns should be conducted in Germany on creating a positive attitude towards the foreigners.²⁴⁷

4.2. Predictions on the Stay or Persistence of the Syrians

The asylum seekers who were left face to face with the security threats are undoubtedly the biggest impact of the on-going Syrian civil war which started in 2011. Many people in Turkey believed at the beginning of the crises that the Syrians would stay only temporary in Turkey and within a few months they would return to their own country. It can be said that the ideas and desires about the future interest and reputation played an effective role in applying the open door policy for Turkey which wanted to play an active role in this crises. The host –guest relationship which seemed to be on the axis of the ethical values and humanitarian aid during the first time with the extension of the stay turned into a complex situation.

The words of a Turkish NGO representatives in Hatay in 2013 were quite right; “Initially, all the refugees wanted to return to Syria. But with the growing chaos and the increasing involvement of radical groups, there is a feeling that this is not the Syria they want to go back to.”²⁴⁸ 90% of the Syrians who have been coming for 5 years and now constitute 3.5% of the population do not expect to return²⁴⁹. While

²⁴⁶ Ibid 183.

²⁴⁷ Ibid 184.

²⁴⁸ Osman Bahadır Diñer, Vittoria Federici, Elizabeth Ferris, Sema Karaca, Kemal Kirişci, and Elif Özmenek Çarmıklı. “Turkey and Syrian Refugees: The Limits of Hospitality” (International Strategic Research Organization, Ankara: 2013) 9.

[http://www.brookings.edu/~media/research/files/reports/2013/11/18-syria-turkey-refugees/turkey-and-syrian-refugees_the-limits-of-hospitality-\(2014\).pdf](http://www.brookings.edu/~media/research/files/reports/2013/11/18-syria-turkey-refugees/turkey-and-syrian-refugees_the-limits-of-hospitality-(2014).pdf). Access. 5 May 2016.

²⁴⁹ Yaşar Aydın, ““Gelenlerin %90’ı dönmeyecek, eğer istersem onları gönderirim diyemezsiniz!”, Birgün Haber, 12 May 2015.

the former Minister of Family and Social Policy Fatma Sahin who is now the Mayor of the Gaziantep Metropolitan Municipality stated that most of the Syrians do not consider to return to their country even if peace would be ensured,²⁵⁰ Volkan Bozkır who is the Minister of the EU Affairs said that the Syrians were not permanent in Turkey, as soon as the problem was resolved in Syria they would return back.²⁵¹ Despite the disagreements between the politicians solutions should be found on scenarios by combining the aftermath of the issue in common denominator.

A research which was conducted in 2015 was very important in terms of reflecting the opinion of the Turkish society about the persistence of the Syrians. According to this research, 45,1% of the society stated that all the Syrians would return back, while 54.9 % of the society said that all or at least a part of the Syrians would remain in Turkey.²⁵² In other words more than half of the society believed that the Syrians will stay permanently in Turkey. Another inevitable proposition caused by this result is the perspective of the Turkish citizens about a life together.

The citizens of Turkey are not looking positively at the idea of living together with the Syrians despite all the similarities in the religion and ethnic features. In the above mentioned research the support given for the proposition “ The Syrians’ stay in Turkey could lead to big problem” is the evidence for it. 76.5% of the opinions validate this proposition, 16.6% do not agree with it, while 7% do not declare an idea about this issue.²⁵³ The belief that the Syrian would be able to adapt to the Turkish society is quite low.²⁵⁴

When investigating the situation of the Syrian civil war the achievement of this result is an expected development. The conflicts which increase the physical destruction in many parts of the country and increases tremendously with each passing day along

<http://www.birgun.net/haber-detay/gelenlerin-90-i-donmeyecek-eger-istersem-onlari-gonderirim-diyemezsiniz-112041.html>. Access. 28 April 2016.

²⁵⁰ “Şahin: "Majority of the Syrian refugees will not return ” Bugün Haber, 127 March 2016.

<http://www.bugun.com.tr/son-dakika/sahin-suriyeli-siginmacilarin-cogu-geri-1993099.html>. Access. 24 April 2016.

²⁵¹ “AB Bakanı: Syrians will not stay in Turkey” T24, 10 May 2015.

<http://t24.com.tr/haber/ab-bakani-suriyeliler-turkiyede-kalici-degil,333719>. Access. 14 May 2016.

²⁵² Erdoğan, op. cit., 142.

²⁵³ Ibid 143.

²⁵⁴ Ibid 143.

with the fact that it is still far away from stability brought a state from which it is not easy to return.

4.3. Developing the Living Culture Together in Turkey

The complex structure of the on-going conflict in Syria and the low probability of a recent solution cause a new refugee influx to Turkey with every passing day. The belief in the persistence of the Syrian and the fact that the developments occur to confirm this indicates that Turkey should make some preparations for a long term period.

The UNHCR which is concerned with the situation of the refugees worldwide and which is the institution responsible for the refugees identified the voluntary return as the primarily aim. The failure to achieve success at the Geneva Meeting which was carried out with the participation of the European leaders shows that even though the civil war would be finished this return will not be in the near future due to the effect of the destruction and the political situation .²⁵⁵

So far the European Union applied the “Fortress of Europe “policy by reducing the humanitarian support for the asylum seekers coming from the sea and by increasing the border security at the east. While the neighbours of Syria accepted the vast majority of the Syrians whose number was close to 4 million, the sensitivity of Europe has been at a low level regarding this issue.²⁵⁶

Europe’s approach towards the Syrians has aggravated further the burden on the neighbouring countries. In 2014 the UNCHR asked the member countries to accept voluntarily 30 thousand Syrians in their countries in order to increase the burden sharing by determining the responsibilities which are loaded only to the neighbour countries.²⁵⁷ The unwilling promises of the member countries and the failure to fulfil

²⁵⁵ International Crisis Group , “*The Rising Costs of Turkey’s Syrian Quagmire*”, (Number.220, 30 April 2014) 2.
<http://www.crisisgroup.org/~/media/Files/europe/turkey-cyprus/turkey/230-the-rising-costs-of-turkey-s-syrian-quagmire>. Access. 14 January 2016.

²⁵⁶ James, Denselow. “Europe’s fear from the Syrian refugees”, 5 January 2015.
<http://www.aljazeera.com/tr/gorus/avrupanin-suriyeli-multeci-korkusu>. Access. 14 January 2016.

²⁵⁷United Nations High Commissioner for Refugees, “Resettlement, Humanitarian Admission, and Other Forms of Admission for Syrian Refugees 2013/2014 Pledges”. (Ankara: February 2014) 19.
<http://www.unhcr.org/52d565699.pdf>. Access. 23 January 2016.

these promises made it clear that sharing would not be made on this regard, and changes would not happen in terms of Turkey and the other neighbouring countries.

The primarily move of Germany on the foreigners' issue was to encourage the return. For this purpose, it recognizes the positive effect of the financial promises which was mentioned previously and agreed to pay a certain amount of money for each foreigner who accepted the return. The implementation of this policy for the foreigners with Middle East origin who are living in Turkey would be invalid due to the fact that the basic needs and the security requirements are not met. In this situation when the voluntary return and the burden-sharing is too difficult another way to get prepared to a long term period is the integration within the host country. Turkey's strategy of making long-term preparations is based on re-creation and development of the integration policy.

According to a survey conducted by the German Marshall Fund in 2013 the regular migration is considered as a problem by 54% of those who participated in the survey in Turkey while this percentage was 32 in Germany.²⁵⁸ The perspective and perception of the local people is very important at this point. Due to the fact that living together is based on mutual interaction, common denominator should be found on both sides and these should be united in the same proportion.

4.3.1. Planning the Future of the Syrians

The vast majority of the Syrians who entered Turkey within the framework of the Temporary Acceptance and whose number approached 3 million according to the unofficial figures believed that their visit would be short and that they would return back to their country. The largest refugee crisis of recent times broke out along with the progress in the Syria's situation which processed toward the opposite direction than it was expected. Temporality and uncertainty creates problems in terms of the adaptation to the community and due to the growing gap between the local people and the immigrants the emergence of the social unrest will be unavoidable. The employment, education, social integration, housing conditions and the security

²⁵⁸The German Marshall Fund of the United States. "Transatlantic Trends Key Findings 2013", (Germany: 2013) 37.
<http://trends.gmfus.org/files/2013/09/TTrends-2013-Key-Findings-Report.pdf>. Access 29 January 2016.

requirements of the Syrians should be handled on the basis of Germany's overall integration policies in a way that distinguishes the basic opportunities from the risks. The 2006 National Integration Plan of Germany which was set in order to be an example in these areas is a plan that identifies the important qualities of a successful integration.

The basis of the German integration policy is the learning of the language. Without knowing the language cohesion and harmony cannot be achieved in the community. The Federal Republic of Germany encourages the learning of the German language by opening integration courses for the foreigners living within the country. The aim of these courses is to help the immigrants to cope with the daily life problem without the need of a third person by getting acquainted with the German living conditions. Opening the same courses in Turkey and ensuring the asylum seekers who arrived newly or live here for a long time to get to these courses will be the beginning of a positive process which will prevent the social stratification. The language and orientation training should be the first step for the asylum seekers to adapt to Turkey.

4.3.1.1. Employment and Unemployment

The big majority of the Syrians who have taken refuge in Turkey since 2011 and thought to stay here temporarily and short-term were obligated to work as they run out of money due to the prolongation of their duration. The survey conducted by AFAD in 2013 showed that three-quarters of those living outside the camps were looking for works during certain periods.²⁵⁹

Even though many of the Syrians are working in temporary jobs, it is one of the issues which need to be regulated urgently because these are labour exploitations and illegal employment and push the employer into criminal situation. Although recently work permits were provided to the Syrians beside the residence permit, but this could not solve the problem. Many of the Syrians are afraid of being registered in Turkey therefore it is an obvious result that they do not have work permit because they are afraid of the registration. At the same time, another important problem is that the working place and the place of registration are in different provinces.

²⁵⁹ AFAD, Syrian refugees in Turkey, 2013 Field Research (Ankara: 2013) 10.

The Syrians' participation in the workforce is considered as a positive development in terms of the industry and trade. The most important reason is the wage advantage which arises from the supply in the labour market.²⁶⁰ This situation causes an increase in the cheap labour force therefore the employers fire their current workers and turn toward the cheap labour and do not prefer the normal job seekers, while these problems increase the concerns of the local people. As a result the local people consider the Syrians as a threat in the labour market. In normal circumstances a job which is done at least for 1000 Turkish Lira can be done for 300-400 Liras which is a more meagre prize, therefore the employees who are also exempted from the insurance and the social rights are accepted positively by the employers which make the local people irritated. The perception of cheap labour is one of the most important causes of the hatred against the foreigners and the reduced desire to live together.

The Turkish workers are also included within the foreigners who form the basis of Germany's integration policy. Turkey can also turn this situation into an opportunity just like Germany where labour force was imported to run the work which was not done by the well-educated people. A survey conducted in 2013 revealed once again the need for more qualified people in Turkey. Within the scope of the study the following professions were specified as unfilled; sewing machine operator (textiles), salesperson, waiter, welders, security guards, fitters, driver, furniture manufacturer, electrician, call center attendant. In general across the whole Turkey 95.6% of each 100 job is filled, while 4.4 % of them is empty and is waiting to be filled.²⁶¹

The Gaziantep Joint Intelligence Platform which was established in Gaziantep where the majority of the population is Syrian stated important findings in its report dated in February 2014. The report under the headings of "The Syrians should be included within the Working Life" clearly defined that it was necessary to provide temporary work permits to the asylum seekers, it requested the establishment of the legal basis for it and the provision of the work permit for those who are registered and are living in Turkey at least for 6 month without seeking for any other procedure. It also mentioned that the health care cost of the Syrian employees should be paid by the

²⁶⁰ Erdoğan, op. cit., 189.

²⁶¹ "It is difficult to find worker for this job!" 16 September 2013.

<http://finans.mynet.com/haber/detay/ekonomi/bu-islere-isci-bulmak-zor/89156/>. Access. 5 May 2016.

state. The report requests that the given work permits should be designed in a way that it would not disrupt the work ethic and would not cause permanent stay. This means that the temporary work permit expires with the end of the war and with this the employers will be prevented from paying compensation to the Syrians who go home.²⁶²

An important issue within the employment is the identification of the qualified workers. The potential to get efficiency by providing opportunity for the well-educated persons to improve themselves has an important place in Germany's integration policy. Turkey has the opportunity to take advantage of the situation from a similar perspective.

According to the data released by the TurkStat on 8 March 2014, the three provinces in which the unemployment was reduced the most in other words where the labour market produced the biggest growth were the followings: Gaziantep, Kilis and Adiyaman. The common feature of these three provinces is that they host many Syrians. This situation shows that along with the Syrians a new market emerged and this caused a decrease in the unemployment. The employment in these three provinces which was 631 thousand in 2012 reached 707 thousand in 2013. The number of unemployment in Kilis, Adiyaman and Gaziantep which was 84 thousand in 2012 was decreased to 56 thousand. Thus the unemployment rate in Gaziantep, Kilis and Adiyaman decreased from 11.8 % to 7.3 %. 22 thousand of this growth in employment occurred in the agriculture, 7 thousand of it in the industry and 47 thousand occurred in the service sector.²⁶³ These data suggest a new economic structure that emerged along with the Syrians. Despite the negative situations the economic trend is positive and the crises can be turned into opportunity by some regions and sectors.

²⁶² Gaziantep Ticaret Odası, Gaziantep Ortak Akıl Raporu, "Suriyeli Sığınmacılarla İlgili Yaşanan Sorunlar ve Çözüm Önerileri", Gaziantep: Şubat 2014.
<http://gto.org.tr/upload/serbest/Icimizdeki-Suriye-Ortak-Akil-Raporu--2-113627.pdf>. Access. 1 January 2016.

²⁶³ Göksel, Yıldırım. "Gaziantep, Adiyaman ve Kilis ekmek kapısı oldu", Ankara, 8 March 2014.
<http://aa.com.tr/tr/ekonomi/gaziantep-adiyaman-ve-kilis-ekmek-kapisi-oldu/176436>. Access. 20 May 2016.

The Syrian business men who were forced to leave their country due to the economic crises made serious investments in Turkey. Despite of a report stating that the investments originating from Syria was close to 4 million \$ in 2013, the accuracy of this information was not confirmed. Additionally, as a result of the Hatay problem which was experienced in the 1930's between Turkey and Syria, since 1939 with the decision of the Council of Ministers the Syrian citizens were prohibited to acquire any property in Turkey. The mentioned prohibition has continued in the Law on the Property of Foreigners which was issued in 2012. In the future in case they get Turkish citizenship and continue to live in Turkey this provision has to be revised.²⁶⁴

The systematic integration of the labour force coming from Syria undoubtedly has numerous challenges. The Ministry of Labour and Social Security announced that the procedure to provide work permit for the Syrian was accelerated. Regulating the procedure on a legal basis caused the advancement of the process. The Syrians who can get work permit since 2015 entered the labour market with the right to have at least the minimal weight and to benefit from the social rights.

Work permission was given to the Syrians in accordance with the regulations signed by the Council of Minister and came into force on January 11, 2016. The Syrian citizens can apply for work permission 6 month after they received their temporary protection identity documents. The asylum seekers are only allowed to work within the borders of the province where they live and another condition for their employment is that the numbers of Syrians cannot exceed the 10 % of the whole workers working in that company.²⁶⁵ The temporary protection document issued by the Ministry of Interior to the Syrians draws the border of the province where they can work and this causes confusions for the preventive measures. The minimum wage must be paid to Syrian refugees with work permits; the labour exploitation is prevented by giving them 1300 Turkish Lira. In the directive the employers must fulfil certain conditions in order to employ Syrian workers. The number of the

²⁶⁴ ORSAM, "The Situation Of Syrian Refugees in the Neighboring Countries: Findings, Conclusions and Recommendations ", Report No:189. Ankara: 2 May 2014.
<http://www.orsam.org.tr/en/showReport.aspx?ID=2638>. Access. 2 May 2016.

²⁶⁵ "The work permit fort he Syrians entered into force", Hürriyet Haber, 12 February 2016.
<http://www.hurriyet.com.tr/suriyeli-multecilere-calisma-izni-yururluge-girdi-40053841>. Access. 10 March 2016.

foreign workers permitted to work shall not exceed the 10 % of the Turkish citizens working at the same workplace. However, if it is documented by the employer that the open position was not filled 4 weeks retrospectively from the date of application the 10 % quota shall not be applied. At the workplace where less than 10 people are working maximum one foreign person can be applied. Those who have temporary protection identity but work in seasonal job within the agriculture or livestock are not included within the quota, the work permit exemption will be provided in coordination with the Governor's Office.²⁶⁶

4.3.1.2. Health and Housing

The two main problems for the 3 million Syrians coming to Turkey is to benefit from the health services and the difficulty of the housing conditions. These problems which are frequently encountered even by those who are staying in the high quality refugee camps cause concerns. Despite the existing primarily health care and the vaccination campaigns for children within the camps, the report which was published by the Turkish Medical Association in 2014 mentioned the lack of medical services, language problem and the problems arising from the lack of personnel.²⁶⁷

As it was determined by AFAD in a field study conducted in 2013 the access of the Syrians living within the camps to health services and drugs is better compared to those who are living outside. The low rate of those who are using the health care services among the Syrians living outside the camps can be related to the fact that they need to be register in order to have access to free health care.²⁶⁸ Outside the unwillingness of being registered there is another problem that they are not informed about the opportunity of the free health care service. Information centers should be activated in order to prevent this situation which occurs in the absence of adequate current information sharing. Another health problem is at the local community level. The increased crowd which started when the Syrians were also allowed to benefit

²⁶⁶ "The working conditions of the Syrians were launched ", Habertürk, 20 January 2016. <http://www.haberturk.com/ekonomi/is-yasam/haber/1183604-suriyelilerin-calisma-sartlari-belli-oldu>. Access. 14 March 2016.

²⁶⁷ Türk Tabipler Birliği. "Syrian Refugees and the Health Service Report". (Ankara: Türk Tabipler Birliği, 2014): 82. <https://www.tb.org.tr/kutuphane/siginmacirpr.pdf>. Access. 3 March 2016.

²⁶⁸ "Syrian Refugees in Turkey, 2013" https://www.afad.gov.tr/Dokuman/TR/60-2013123015491-syrian-refugees-in-turkey-2013_baski_30.12.2013_tr.pdf. page 39.

from the health services and the slowdowns and the intensity of the services especially at the borders also leads to the local people's compliments.²⁶⁹

Thanks to the "Food Card" given within the sheltering centers, the Syrians citizens are able to meet the food needs by shopping in the markets.²⁷⁰ Additionally all the assistance and all the operations are processed on the AFADCARD which is given to each family living within the camp. Thus the assistance given to the asylum seekers can be controlled and the continuity is ensured.²⁷¹

The infectious diseases constitute another problem area. Due to WHO's announcement of the polio cases which widespread among the Syrian children the Turkish authorities started the vaccination campaigns. The statements made within the report published by the AFAD in 2013 "Due to the fact that the Syrian refugee children are not vaccinated against polio and measles, Turkey is exposed to the risk of spreading these viruses to the country "showed that the health personnel had difficulties with accessing the sick children and there was a danger of spreading these diseases."²⁷²

4.3.1.3. Education

In terms of the fact that more than 53% of the Syrian refugee population composed of children and young people under the age of 18 is one of the most important problems experienced by the Syrians is the lack of education. The situation which leads to major problems in medium and long term manifests itself by the problem of

²⁶⁹ Yok Sayılanlar; Kamp Dışında Yaşayan Suriye'den Gelen Sığınmacılar: İstanbul Örneği", <http://www.ihd.org.tr/images/pdf/2013/YokSayılanlar.pdf>.

²⁷⁰ http://www.nytimes.com/2014/02/16/magazine/how-to-build-a-perfect-refugee-camp.html?_r=0. Access. 21.12.2015.

²⁷¹ "Suriyelilere Destek", 2 October 2015.

<https://www.afad.gov.tr/TR/HaberDetay.aspx?IcerikID=4802&ID=5>. Access. 22 December 2015.

²⁷² Syrian Refugees in Turkey,op. cit. 42.

access to education. The UNICEF stated that 73 % of the Syrian children and young who were living in Turkey did not attend school.²⁷³

This rate is quite alarming and the education loss should be prevented in the fastest way. The Turkish people support the education of the Syrian refugees more than expected. According to a conducted study 72 % of the people supported different types of trainings while 27.5% of them supported the proposition that the Syrians should not be educated in any way.²⁷⁴

In 2012 the education was provided according to the Arabic curriculum instead of the Turkish in order to cause less loss to the Syrian children when they return. The process went on differently than expected and it was understood that the chaos will not end and there was a need for a permanent solution. Consequently the most valid and concrete step was the circular of “The Education Services provided for the Syrian citizens who are under temporary protection” issued by the Ministry of Education in 2013. This circular includes provisions about providing education to the Syrian children who are forced have a break in their education, providing education by using the teachers who are above the norm in that province if they are not enough the, Arabic speaking persons shall be assigned in return for tuition costs in accordance with the requirement under the control of the Ministry of Education, the education shall be prepared by the Higher Education Commission of the Syrian National Coalition and additionally upon the request of the Turkish descent Syrians they can get education according to the Turkish curriculum, Turkish and vocational training courses shall be opened for the Syrian who are interested in learning Turkish, if it is requested the curriculum of the courses shall be Turkish and it shall include applications encouraging the learning of the Turkish language.²⁷⁵

The Syria Education Commission which is organized in Turkey in the form of association conducts studies under the control of the Syrian opposition in order to conduct the education of the Syrians living in Turkey under the control of a single source and to make the education safe. In order to provide Arabic education for the

²⁷³United Nations International Children's Emergency Fund, “Suriye İnsani Yardım Operasyonu: Eğitim”, <http://unicef.org.tr/sayfa.aspx?id=73>. Access. 2 March 2016.

²⁷⁴ Erdoğan op. cit., 132.

²⁷⁵ Regulation. “*Education Services for the Syrian citizens who are taken under temporary protection*” 18 December 2014. <http://www.tkhk.gov.tr/Dosyalar/6eeb9938335c4686ba48920ffed18a91.pdf>. Access. 17 March 2016.

children who do not speak the Turkish language, the Arabic education will be ensured through a new curriculum which was freed from the expression and words praising Bashar al-Assad and his regime.²⁷⁶

The aim of this education intended to the Syrian students living in camps is to compensate the education they were forced to leave and to ensure that they could continue the education when they turn back to their country or to a third country without losing a year.²⁷⁷ It is possible to say that with this concrete step persistent and integration intended education was implemented for the Syrians.

Within the 2015-2019 Strategic Plan of the Ministry of Education which was published on September 8, 2015 the education of the asylum seekers was also discussed and in this sense it was stated that studies will be conducted which will intend to harmonise the asylum seekers with the Turkish education system.²⁷⁸

The former Minister of Education Nabi Avci stated on this issue that in the schools opened by the municipalities or NGO's Turkish lessons will be given 5 hours per weeks beside the Syrian curriculum which was revised according to the sensitivity of Turkey, as well as additional quotas will be given to the university for the Syrian students.²⁷⁹ The confusion of the educational policies lies of the basis of the problems faced by the Turkey on the issue of the Syrian's education. The confusions based on the assumptions about the questions whether the Syrians will return back home in the end or will they stay in Turkey permanently make this process difficult. Additionally, another problem is to create a new curriculum for the Syrians. Turkey and Syria are two different states with many cultural, historical and social differences. For example, while in Syria the girls and boys attend school separately,

²⁷⁶ Kenan, Irtak. "The Syrian Opposition made arrangement on the Curriculum", Haberler News, 31 October 2015.

<http://www.haberler.com/suriyeli-muhaliflerden-egitim-mufredati-7832394-haberi/>. Access. 26 Jan 2016.

²⁷⁷ Regulation. "Ülkemizde geçici koruma altında bulunan suriye vatandaşlarına yönelik eğitim öğretim hizmetleri", 18 December 2014.

<http://www.egitimvevzuat.com/index.php/Resmi-2013/uelkemizde-gecc-koruma-altinda-bulunan-surye-vatandalarina-yoenelk-etm-oeritm-hzmetler.html>. Access. 01.05.2016.

²⁷⁸ Müberra Nur Emin. "The education of the Syrian children in Turkey; Basic Education Policy" SETA Analiz, February 2016: 19.

http://file.setav.org/Files/Pdf/20160309195808_turkiyedeki-suriyeli-cocuklarin-egitimi-pdf.pdf. Access. 12 March 2016.

²⁷⁹ "Suriyeli mülteciler için üniversite kurulacak", T24 Haber, 12 October 2015.

<http://t24.com.tr/haber/suriyeli-multeciler-icin-universite-kurulacak,296455>. Access. 22. May 2016.

the situation is different in Turkey. It is known that the people who were attending school in Syria have difficulties in continuing their studies in Turkey.

Another problem in the education of the Syrian children that their education is not connected to certificate.

4.3.1.4. Compliance with the Social Life

The large number of the Syrians cause problem especially in the border provinces. The growing population creates problem in terms of the services and social life. The fact that 70 % of the Syrian population composed of children and women is an important factor in terms of tension experienced during the effort to escape from loneliness and search for support within despair and uncertainty.

Although the Syrians and the people living in Turkey have similarities coming from the common religion, there are differences within the meaning of the Civil Code. Within the framework of the Turkish Civil Code polygamy and the marriage at the childhood are considered as a crime. According to a survey conducted in 2013, the Syrians women and young girls accepted to be the second or even the third wife in local household. The women of that regions reacted and stated their concern with the following words; “The Syrian women are taking away our husbands”. It was also stated that the infighting between the local and refugee women has increased.²⁸⁰ There are researches stating that the number of divorces and the depression among the women increased in Hatay and Kilis additionally there were many babies born in common-law marriages.²⁸¹ The most important uncertainty emerging from here is that the babies who are born in Turkey outside marriage are not allowed to be registered according to the Turkish law.

One of the major problems encountered by the Syrian women living within or outside the camps is undoubtedly the sexual abuse. No doubt especially the unregistered women and children who are living outside the camps are under huge risk. Due to the fact that research was not conducted on this issue because of the sensitivity of the issue reliable data could not be obtained also. The issue which is on

²⁸⁰Türk Tabipler Birliği. “*Suriyeli Sığınmacılar ve Sağlık Hizmetleri Raporu*”, Ankara, 2014: 62-63. <https://www.tb.org.tr/kutuphane/siginmacirpr.pdf>. Access. 12 Jan. 2016.

²⁸¹Kirişçi, loc. cit., 37.

the agenda on the issue of abuse that Syrian women aged between 11 and 20 got married with Turkish men older than 50 as second, third or even as fourth wife with religious ceremony. This perception spread as sensation from mouth to mouth can be easily camouflaged as being based on humanity such as help to those fleeing.²⁸²

The Syrian beggars are the biggest cause of unrest on the issue of the experienced social problems. The Syrian beggars on the contrary of the perception they try to create are known to be people begging as professional also in their own country they did not started begging due to the living conditions in Turkey.



²⁸² Mazlumder, “Refugee Report of the Syrian women living outside the camps” (Ankara: May 2014): 11.

<http://panel.stgm.org.tr/vera/app/var/files/m/a/mazlumder-kamp-disinda-yasayan-suriyeli-kadin-siginmacilar-raporu.pdf>. Access. 14 May 2016.

CHAPTER 5: CONCLUSION

The violence of the Syrian conflict started in 2011 continued and became a civil war. As a result of this civil war millions people were forced to leave their homes and to immigrate to regions which were considered to be safe. The biggest load during this process was undertaken undoubtedly by the neighbouring countries of Syria, and more than 90% of the Syrians immigrated to the neighbour countries. Undoubtedly Turkey was the country which coordinated the refugee crisis in the best way among the neighbouring countries.

There is a long border region between Turkey and Syria. Millions of Syrians who crossed the border by their own means spread inevitably all around Turkey.

Since the beginning of the incidents Turkey followed the “open door policy” and thus three million of Syrian citizens took refuge in Turkey until the 5th anniversary of the Civil War. Since the beginning of the war Turkey opened its doors for the refugees and within the scope of the humanitarian aids it acted in a way that could be an example for the whole world. It provided support for the asylum seekers coming from Syria in all matters such as food, clothing, and health care and especially in the safety of life and property.

The quantitative data regarding the Syrians living in Turkey is not known clearly because of the state of emergency and the rapid exchange of the data. For a long time the illusion that the Syrians were here temporarily was dominant and it affected the failure to obtain accurate information. A part of the asylum seekers are living within the camps while the remaining part dispersed especially in the border provinces and metropolitan cities. This residency which started with the perception of human tragedy has changed with the advance of the process and the political and security dimensions of the crisis emerged. At the same time the refugees living outside the camps are afraid to be registered. This is another obstacle that prevent us to get information about the net numbers.

When Turkey opened its doors for the Syrian asylum seekers in 2011 and provided assistance and temporary protection for them its expectation was that the crisis would

be resolved quickly and then the asylum seekers would return back to their country. However the crisis which was expected to end in a short time has become permanent by bringing the reality of destruction. Contrary to the expectations as the time went by the war in Syria was still in progress and peace was not likely to appear in the near future and all these made the Syrians return impossible. Especially the most important point which needs to be considered regarding the refugees living outside the camps is that they are in contact directly with the local people. This brings along interaction and social problems.

One of the most important problem areas was the legal identification process of the Syrians. It was found to be appropriate to identify the Syrians as “guests”. Since October 2011 the Syrians were adopted within the scope of temporary protection with the Article 10 of the Migration and Asylum Regulation issued by the Ministry of Interior in 1994. Then the Syrians were protected temporarily with the No 62 Directive on “Acceptance and Hosting of the Citizens of the Syrian Arab Republic and the Stateless people living in Syrian Arab Republic who entered Turkey in order to seek asylum collectively”. This directive which was issued on 30 March 2012 was the first legislation on the situation of the Syrians. After the Law on Foreigners and International Protection entered into force on 12 April 2014, the Syrians gained the temporary protection status officially through the Temporary Protection Directive adopted in October 2014.

At this point it was recognized that Turkey has to leave the short-time policies and has to produce long-term and permanent policies and applications. The most important of these policies are the issues on employment, health, education and the compliance with social life. Turkey may only avoid the social unrest if it can make long-lasting improvements on these issues after preparing a suitable environment for the integration of the Syrians.

Although there are similarities between the Federal Republic of Germany and Turkey in the context of migration there are also many differences. The majority of the foreign population in Germany is constituted by the Turks and there are huge differences between the local people and the migrant living in Germany in the meaning of the religion, living style, and the accepted values. These differences are

less between the Turkish local people and the Syrians living in Turkey. This case is important in terms of the applicability of the policies.

The Federal Republic of Germany did not accept itself as an immigration country up to the 2000's and neglected to take the necessary measures by stating that the migrants would return back. However, the developments which were experienced with the progress of time did not confirm this argument and Germany has started to record positive improvements on the immigrant and integration policy by accepting the status of the immigrant country. Turkey went through a similar process. Ahmet Davutoğlu argued on 24 August 2012 that the painful situation would not last for long in Syria. He also made statements about that this process should be considered as weeks or month instead of years. This shows that the persistence of the asylum seekers living on the territory of Turkey is an unexpected development. Short –term solutions and policies were applied for the asylum seekers whose return was considered certain and these short-time policies and solution were considered adequate. With a progress in time the unaccepted permanence of the asylum seekers has started to be accepted. Turkey needs an integration policy which can solve the problem of the rapidly increasing Syrian migration crises wisely and permanently.

According to the National Integration Plan of the Federal Republic of Germany the most important priority in the integration of the foreigners is the language. Therefore intensive language and orientation courses should be given under the name of “integration courses”. The courses which are made to encourage the integration provide the basic education for the foreigners living within the border of the Federal Republic of Germany. The aim of these courses is the help the migrants to cope with the every -day life issue without the need for a third person by getting acquainted with the German living conditions. Therefore these courses which also encourage the acquiring of the German language cover 600 hours of language courses and 300 hours of orientation courses.

When we look at this situation in term of Turkey the use of the language is very low in areas other than the province of Gaziantep. Due to the fact that the Syrians do not speak Turkish they are facing problems not only in the integration to the social life but also in all social issues such as employment, education and the benefitting from the health care. The vast majority the refugee children who were registered and

started to attend the state schools cannot keep up with their education because they cannot speak Turkish. At this point Turkey should provide teachers and teaching materials which are the basis to ensure the Syrians children and adult to acquire the Turkish language. Integration courses should be opened especially in the provinces where the presence of the refugees is intense and these courses should be mandatory of the participation seems to be appropriate. In these courses Turkish language lessons and orientation training should be provided systematically. With the help of this orientation training the asylum seekers should get acquainted with the Turkish living conditions and they could be taught how to cope with the everyday life without relying on a third person. After the opening of these courses the continuity of the Turkish education should be also encouraged.

The regulation of the education conditions is one of the most important conditions of connecting the Syrians to the society. Although there are half a million refugee child who are at school age, but only a small part of them can continue the education in Turkey.

The refugee children who are called as the “lost generation of Syria” are likely to interfere in events such as committing crime or disturbing the social stability beside the inability to contribute to the community positively. This can only be prevented by education. After the abolition of the language barrier the continuity of the education should be ensured. The encouragement at an early age will facilitate this process especially in terms of language learning. Within the scope of the integration courses, full-time preschool should be ensured to the refugee children from the age of 4 . The young people should receive complementary education from the primary school up to the university in order to be able to keep up with their peers. The children who are lagging behind their peers in terms of education should be trained with intensive schedules to compensate the lost time.

As it was defined within the Integration Plan of the Federal Republic of Germany except the children’s education it should be also intended to help the adult asylum seekers to learn a profession with the help of the vocational training courses. Tools and equipment should be provided for the vocational education after the traditional education and the people should be directed towards the profession which is the most appropriate with their skills and interests. It is very important to allow all the

individuals to determine their own potential and to combine the resources. The improvement of the schools and the intensification of the integration are required by paying attention to ensure the daily continuity without neglecting the educational, social and special needs in terms of the systematic integration at an early age. It should be oppose actively against the social discrimination and victimization committed against many of the students who are already attending school. Social discrimination and victimization should be totally prevented at the schools. The children of the families who are victimized socially and have low education levels should continue their education without interruption. The education of these schools should be intended towards the working life and the orientation should start from the eighth grade according to the qualifications. Businesses, center organizations and companies should implement these plans by cooperating.

One of the biggest differences in the nature of integration between Turkey and the Federal Republic of Germany is undoubtedly the issue of employment. Germany did not have the need to create subject area on the issue of employment within the integration plan. Germany's employment policy occurred by itself due to the fact that it imported foreign labour force and the need for integration emerged after the import of the labour force due to the family reunion. At the beginning of the process Turkey acted by assuming to host and provides the basic assistance to the people fleeing the war for only a short period. By the time, the increasing violence in Syria and the extended visit of the Syrians caused the end of an era and the need for a long –term political decision had led to the opening of a new era.

Employment is one of the main vessels of integration after the regulation of the education system and the solution of the language problem. With the arrival of the Syrians the decrease in the wages of the workers especially in the area hosting the majority of the Syrians deepens the problem of the unemployed people. The workers complain about not being able to find suitable jobs.

There are two main problems in terms of employment. One of them is the unregistered employment. One of two Syrians who are living in Turkey works illegally without being registered. Another problem is the lack of the worker's right. The workers who do not protect their rights are exposed to arbitrary practices. The working conditions of the worker without health insurance are generally known to be

bad. Regarding the solution of these problems Turkey made a number of innovations which aim to compete on equal terms rather than removing the Syrians from the labour market. The Draft of the foreign employment Law was created for this purpose, it was submitted to the approval of the Parliament in February 2016 and it was subsequently approved. This law legalized the labour rights of the Syrians and aimed to reduce the illegal employment to a minimum level through deterrent measures. Due to the fact that 45% of the asylum seekers are between the age of 10 and 45 and this create a positive impact on the labour market due to the active and dynamic structure of the population. This situation which is also pleasing for the employers who can fill the open positions is important since it meets the expectations mutually through the increasing participation in the labour market. The unfilled positions despite the unemployment rate in Turkey the lack of qualified staff and the gap created by the people who do not accept working for the minimum wage cause demand-supply mismatch in the labour market. At this point the Syrian refugees are expected to fill these gaps as soon as possible. Despite the very high standards of the refugee camps in Turkey the refugees do not prefer to stay in the camps because they want to work. Therefore, the refugees living in the camps will be included within the employment cake and this will increase the satisfaction and the efficiency. The integration in the employment will be possible through hard work and time. The Foreign Employment Act whose priority subject areas are the work permit, wage regulations and the variety of protective measures covering the insurance will give the opportunity to more Syrian refugees to get employed in Turkey.

Among the Syrian refugees who are living outside the camp the rate of those using the health services is very low. This is related to the fact that they do not the registration required for benefitting from the health services. Information desks should be established in order to enable the easy information exchange by ensuring the easy access to the Syrians who are under temporary protection. With the establishment of these desks which will be created in all provinces including the regions with large Syrian population the problem of registration will be solved. The identification of the Syrians and the examination of their living conditions can be carried out easily. Moreover the periodical health control and the vaccination of the

Syrian children should be made compulsory in order to prevent the outbreak of epidemics.

One of the major problems encountered by the Syrian women living outside or inside the camps is undoubtedly the sexual abuse. Especially the unregistered women and children living outside the camps are under a great risk. The matter which brings this issue onto agenda is the fact that the Syrian women aged between 11 and 20 are likely to get married with 50 years old Turkish men as second, third or even fourth wife without legal ceremony. This perception spreading as a sensation from mouth to mouth can be easily camouflaged. Forced marriage and domestic violation are among the problems faced most frequently by the migrant women. The young girls and women who are at the beginning level of the integration process can be affected by this.

It was intended to increase the constructive precautions and practices for women in need who are the targets of the increased violation. Therefore, women shelter houses should be established. The young children who are at school age should be provided the necessary assistance by encouraging education. The immigrant women should be informed about their fundamental rights, they should be provided with guidance services and they should be encouraged with regulatory activities to be able to determine their own destinies. With the appropriate measures the person should be able to protect itself from the violence coming from the environment. There is also a need to inform the refugees on issues such as the public relations, victimization, justification and injustice, for this purpose information campaigns should be organized. Especially, institutionalized consultation facilities should be offered which facilitate the cultural adaptation of the women and helps the young population together with psychologists and pedagogues.

As it was mentioned within the National Integration Plan of the Federal Republic of Germany the integration should be supported at the real place, the reporting of the regions should be facilitated and the more reliable data acquisition should be ensured. In this sense when comparing the situation of Istanbul which is a metropolis of Turkey with the situation of Kilis which is located in the first three in terms of the density of the refugee population it is seen that the implementation of the general policies lead to legal loopholes. The integration will be performed regularly from

province to province with the specific studies which will be carried out according to the capacity and service availability of each province. The thing which needs to be done for this purpose is to adopt integration generally as a problem of the municipalities by starting from the smallest group and creating compliance. Thus the responsibilities must be given to the municipalities in connection with the urban and regional planning issues. The compliance should be based on the principle of integration to society for the society by accepting the common coordination and the supremacy of the areas. All the projects participations and incentives should be based on the ground of gender equality. The decisions should be permanent and valid, the temporarily and unstable policies should be avoided.

Cultural integration is one of the cornerstones of a good integration policy. People should be connected to the cultural, social, psychological, legal and economic structure of the country where they are living without compromising their own values based on equality and justice.

The education of the immigrants should be ensured inside and outside the educational institutions of the state. The cultural education should be a part of the existing education system. Undoubtedly cultural value is one of the issue where problem was experienced in terms of the compliance between the citizens of the Republic of Turkey and the Syrian citizens. In this sense, information should be given about the history, accepted social norms, art and cultural mobility in Turkey. The most important point to note here is that these secondary integration policies should be carried out after the primary policies. This means that the secondary integration policies can be started after the major problem areas such as housing, employment and education are resolved and become a routine. In an environment with equal terms and conditions sport is an important factor in terms of supporting the physical development of the people and helping the adaptation to the environment. In this context the sport club and associations can create an interaction atmosphere in accordance with the target audience in order to ensure integration. It is extremely important to use this effect in the creation of the common values. For example, the Turkish football players within the German national team are extremely important for the Turks in terms of the adoption of the together living culture on the basis of the shared joy of victory. Similar activities should be carried out in Turkey.

The media in other words the broadcasting organs have an important function in the integration process indirectly. For example the programs and news prepared by the mass media make it easier to have idea about each other. Opportunity will be created when the different social groups enter into interaction at the public level. The severity of prejudice about the Syrians is known in Turkey and it can be only prevented by the power of the media communication.

In the provinces of this region the sexual exploitation towards the Syrian women and the claims that they are the causes of the increased divorces because of accepting to be the second or even third wife are increasing day by day. But in a study which was conducted recently it was showed that these claims were only perceptions and did not reflect the truth.

A unity environment created sociologically and psychologically by increasing the voluntary and social activities is needed within the integration work that will be carried out. The language education which is the cornerstone of the integration should be included within all the opportunities offered to the refugees and their families. Undoubtedly, the Ministry of Immigration and Integration need to be established in order to carry out all these works systematically and seamless. The General Directorate of Immigration Administration which was established in 2013 has been quite effective in the issue of the Syrian refugees, but it is not sufficient for a long-term preparation. This Ministry should not be engaged with the integration of the Syrians it should be required to work for the development and implementation of the policies in terms of the social integration and rights of the people who are exposed to internal or external migration in Turkey.

The aim of the good integration study is to develop the culture of living together. The dialogues should be powerful because cooperation can be ensured only in this way. The integration policy to be created must give importance to the skills and compatibilities of the immigrant women and men and must use their potential in an appropriate way. It must be extremely successful in turning the risks into opportunities. After the primarily integration areas are resolved the secondary integration works should be continued.

Integration is not a process that will continue only with the fulfilment of the state's duties. It requires the participation of the whole society on the basis of the civil society organizations. The policy should be based on the equality of opportunity.



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