



TURKEY-EU RELATIONS IN CONTEXT OF SYRIAN CRISIS: READMISSION AGREEMENT AND VISA LIBERALIZATION*

SURİYE KRİZİ EKSENİNDE TÜRKİYE-AB İLİŞKİLERİ: GERİ KABUL ANLAŞMASI VE VİZE SERBESTİSİ

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Abstract

Internal disorder in Syria, starting in 2011, led to mass population movements. Turkey, soon, became both a host and a transit country for migrants. 2015, when transitions to Europe heavily intensified, was the year of revival in terms of Turkey-EU relations. With Readmission Agreement, signed on March 18, 2016, both sides became solution partners of the migration crisis. But by virtue of the increasing number of the Syrians and the prolonging war, conditions and the perspectives started to change in years and aroused divergence both within Europe and Turkey. Despite Turkey's full commitment to its obligations, EU still unrealized its commitment of visa liberalization and there happened many problems in allocating the promised financial support of 6 billion Euros in time and properly. Combined with these; handling a humanitarian issue in a financial and political approach has led to a shift in cooperation paradigm which had normally been supposed to be permanent and burden-sharing centered.

Keywords: *Turkey, European Union, Readmission Agreement, Visa Liberalization, Syrian Crisis, Refugee*

Öz

Suriye'de 2011 yılında başlayan iç karışıklık, kitlesel nüfus hareketlerine yol açmıştır. Türkiye, kısa bir süre zarfında, hem ev sahibi ülke hem de bir transit ülke konumuna gelmiştir. Avrupa'ya geçişlerin yoğun bir şekilde yaşandığı 2015 yılı, Türkiye-AB ilişkileri açısından bir dönüm noktası oldu. 18 Mart 2016'da imzalanan Geri Kabul Anlaşması ile her iki taraf da göç krizinin çözüm ortağı oldular. Ancak Suriyelilerin sayısının artması ve savaşın uzaması nedeniyle, koşullar ve perspektifler yıllar içinde değişmeye başladı ve hem Avrupa içinde hem de Türkiye ile fikir ayrılıkları yaşanmasına neden oldu. Anlaşma yükümlülüklerinin Türkiye tarafından tam olarak yerine getirilmesine karşın, AB'nin taahhüdü olan vize serbestisinin hala gerçekleşmemiş olması ve 6 Milyar Avroluk Mali desteğin zamanında ve düzgün bir şekilde gönderilmesinde yaşanan eksiklikler; normal şartlarda kalıcı ve yük paylaşımı odaklı olması gereken insani bir meselenin finansal ve politik bir yaklaşımla ele alınmış olması gerçeğiyle birleşince, işbirliği paradigmasında eksen kaymasına yol açmıştır.

Anahtar Kelimeler: *Türkiye, Avrupa Birliği, Geri Kabul Anlaşması, Vize Serbestisi, Suriye Krizi, Mülteci*

GENİŞLETİLMİŞ ÖZET

2011’de Suriye’de başlayan iç savaş hızlı bir şekilde ülkeyi kaosa sürüklemiş ve başta Türkiye gibi komşu ülkeler olmak üzere bölgesel ve küresel çapta bir mülteci akını yaşanmasına neden olmuştur. Mülteci akınının maksimum seviyelere ulaştığı 2015 yılında AB, bu konuda önlemler almak istemiş ve uzun zamandır üyelik müzakerelerinin yeniden canlandırılmasını ve vize serbestini bekleyen Türkiye ile 18 Mart 2016’da AB ile Geri Kabul Anlaşması’nı imzalamıştır. Zamanla Türkiye açısından tam bir hayal kırıklığına dönüşen bu anlaşmada AB mültecileri büyük oranda kendi toprakları dışında tutmayı başarmışken Türkiye açısından istenen sonucun alınmadığı bir sürece dönüşmüştür. Bu makale, Suriye krizinin başlangıcından müzakerelere kadar Geri Kabul Anlaşması sürecini ele almakta ve anlaşma maddelerinden yola çıkarak sonraki sürecin analizinin yapılması suretiyle hedeflerin ne ölçüde başarılı olduğunu açıklamayı amaçlamaktadır.

Bu çalışmanın araştırma soruları şu şekildedir:

- Geri Kabul Anlaşması gerçekten de Suriye’den kaynaklı mülteci sorununu çözüme kavuşturdu mu?
- Müzakereler ve Anlaşmalar AB-Türkiye ilişkilerini canlandırdı mı?
- Anlaşmanın tarafları istedikleri sonucu elde etti mi?
- İnsani bir krizin finansal yönü ağır basan bir anlaşma ile çözümü gereekten mümkün mü?

Çalışmada literatür taraması öncelikli olarak araştırmanın omurgasını teşkil eden “Müzakereler ve Anlaşmalar” kısmının amacına uygun olacak şekilde yürütülmüş ve bu kısımlarda birincil kaynak olarak Avrupa Komisyonu’nun raporları, toplantı tutanakları ve sonuç raporları ile Dışişleri Bakanlığı’nın resmi raporlarından yararlanılmıştır. Akademik çalışmaların da yoğun olarak kullanıldığı makalede, makalede yer verilen dönemlerin gazete haberlerine ve uluslararası kuruluşların raporlarına da sıklıkla başvurulmuştur.

Çalışmada, verilere ulaşma ve bu verileri çalışmanın amacına uygun biçimde analiz etme noktasında doğrulayıcı doküman analizi yöntemi benimsenmiştir. Mevcut durumun tespiti kısmında betimsel araştırma yöntemi, sonuç kısmında ise bağlantısal yöntem kullanılmış olup örnek olaylar ele alınırken tarihsel yönteme de yer verilmiştir.

Mülteci krizinin dışarıya havale edilerek kontrol altına alınmış olması, AB’nin sadece değer temelli değil, insan haklarına dayalı bir topluluk olma vizyonuna da gölge düşürmektedir. Avrupa Birliği, mülteci krizinin uzun vadede parçalayıcı etkisi olabilecek kaotik düğümlere dönüşmesini istemiyorsa; günü kurtarmaya yönelik çözüm arayışları yerine, sorunun kökünden çözülmesini hedefleyen kalıcı politikaları tercih etmelidir. Bunun için de temelde yapması gereken sınır komşularına her an patlamaya hazır bir yük bırakmak yerine, bu yükü gerçek anlamda hafifletici ve birlikte omuzlamayı ön gören samimi bir işbirliği içerisinde olmalıdır. Çünkü tampon ülke olarak görülen bu ülkeler, bir yandan sosyal ve mali yönden mülteci krizinin en büyük külfetini çekerken, diğer yandan da kendi iç kamuoyunun tepkileri ve mültecilerin uyumu gibi kırılgan politikaları da hassasiyetle yürütmek durumunda kalmaktadırlar.

AB’nin, aday ülkeler arasında vatandaşlarına vize uygulanan yegâne ülke konumundaki Türkiye’ye, halihazırda zaten daha ileri bir aşamaya gelmiş olması beklenen vize görüşmelerini bir mükafatmış gibi sunarak, göçmen sorununu kendi sınırlarının dışında çözümlen bir aracı haline getirmesi; temel insani değerlerle ve Avrupa normları ile bağdaşmamaktadır. Vize serbestisi müzakerelerinin bir türlü sonuca ulaşmayan ve ulaşmayacağı algısı her geçen gün daha da pekişen ve bundan yorulmuş olan Türk halkı, 2019 yılında tamamlanmış olması gereken toplam 6 milyar Avroluk mali desteğin 2020 yılına gelinmiş olmasına rağmen niçin hala tamamının aktarılmamış olduğu gerçeğini sorgulamaya ve zaten bu mali desteğin Türkiye’nin yaptığı harcamaların yanında çok ciddi bir öneme sahip olmadığını düşünmeye başlamıştır.

Türkiye-AB işbirliği “aday ülke” mantığı ve ruhu çerçevesinde ele alınmalıdır. Bu kapsamda yeni müzakere başlıklarının açılması, mülteci krizinde işbirliğine karşılık olarak değil, mülteci krizi ile daha etkin işbirliğinin bir aracı olarak gündeme gelmelidir. 15 Temmuz 2016 darbe teşebbüsünün ardından yayınlamış olduğu Türkiye raporlarında, Türkiye’nin güvenliğini tehdit eden unsurları yok sayarcasına sert bir üslup kullanarak sıklıkla “insan hakları” kavramına değinen Avrupa Birliği; öznesi “insan” olan mülteci krizini bir pazarlık aracı haline dönüştürerek kendi demokratik yaklaşımının sorgulanmasına yol açmaktadır. Nitekim Türkiye – AB mülteci anlaşmaları, AB’nin jeostratejik çıkarlarını hak ve özgürlüklere olan normatif bağlılığından fiili olarak daha ön planda tuttuğunu göstermiştir.

Yük paylaşımının küresel ölçekte adilane bir yaklaşımla ele alınmasının; göçün bütün tarafları açısından (ev sahibi ülkeler, göçmenler ve destek veren ülkeler) ilk aşamada en faydalı sonucu vereceğini iddia etmek yanlış olmayacaktır. İkinci aşamada ise göçe kaynaklık eden insani krizlerin ülkelerin bireysel çıkarları perspektifinden değil de, “insan” perspektifinden ele alınması ve çözüm odaklı sürdürülebilir politikalara dönüştürülmesine ihtiyaç vardır. Her ne kadar mevcut politikalar bakıldığında fazla iyimser bir öneri olarak düşünülebilirse de; göç, uluslararası düzeyde ortak bir yaklaşımla yönetilmediği ve kitleleri göçe zorlayan nedenlere odaklanılmadığı; yani Suriye’deki savaş sona ermediği sürece tampon ülkelerin iç meselesi olmaktan kolaylıkla çıkabilecek ve daha büyük çapta küresel bir krize dönüşebilecektir.

1. INTRODUCTION

Social movements which is called as Arab Spring and led off in North African countries, leaped to Syria in the beginning of March; and, opposition groups claimed Bashar al Assad and the Ba'ath Party to cease the power (Demir et al., 2015, p. 9). Escalating tension and increasing domestic turbulence, soon, started to threaten the security of the public. Syrian people, hence, began fleeing their country in large masses leaving not just their homeland behind but also their achievements, belongings and dreams. Turkey, having historically and geopolitically been a safe shelter for migrants, became the center of this migration process which has created largest wave of refugees since the World War II.

Turkey, embracing the first group of 252 refugees on April 29, 2011; applied Open Door Policy for the refugees regardless of their religion, language and race after that date and offered safe conditions for the victims of the crisis. Thereafter, number of the refugees increased rapidly in direct proportion to increasing violence in Syria. The number of the refugees reached up to 14.237 in the year 2012; to 224.665 in 2013, to 1.519.286 in 2014, and to 2.503.549 in 2015 (DGMM, 2019). This means that in the year 2015, namely in only 4 years after the conflict started; the number of the refugees having been hosted by Turkey was more than the populations of 7 EU member states.

In the meantime, Turkey; while continuing to host the largest number of refugees worldwide (UNHCR, 2019), called the other states and especially EU countries for raising awareness worldwide, sharing burden, launching a sustainable joint aid system, applying open door policy and bringing the matter to a solution at international level. However, this call did not make any kind of impact until September 2, 2015, when the photo of a three year old toddler Alan Kurdi's washed ashore body touched the conscience of international public throughout the world. The effects of the Syrian war were then being felt not only in the spread of violent instability in the broader region but across the world (Barnes-Dacey et al., 2015, p. 1).

This photograph soon turned into the symbol of the horror of the Syrian internal war and highlighted that migration flow was an international issue and Turkey's call is to be responded. It was obvious that small scaled attempts and temporary solutions were no longer answering the purposes. 2015 was also the year that refugees flocked and forced the borders and shores of the EU in illegal ways and loss of lives came out on top. According to the Frontex, just under 900.000 refugees and irregular migrants crossed the EU's sea borders via the Eastern Mediterranean route in 2015 (Arısan Eralp, 2016, p. 21). In October 2015, the monthly number of the refugees entering Europe, 218.394; was almost equivalent to the total that entered over the whole of 2014, and more than 50 per cent of these were Syrians (Miles et al., 2015).

This was the worst migration crisis ever for Europe and in order to keep the immigrants out of its borders, EU came up with the idea that Turkey would become a buffer zone. Turkey who had long been waiting for the revival of membership negotiations and visa liberalization until then, signed an agreement with the EU called Readmission Agreement on March 18, 2016. According to this agreement both sides were supposed to get what they were looking for; however, in time, it turned out to be a complete disappointment from Turkey's perspective. This paper seeks to reveal the process of Readmission Agreement from the very beginning of the Syrian crisis to the negotiations and then to the post-signature process from the perspective of a humanitarian issue. Besides, it claims that the agreement was a regional and indeed a temporary solution; though the migration crisis was a global issue and needed to be addressed in a more cooperative and sustainable way.

2. REVIVAL OF THE EU-TURKEY NEGOTIATIONS AND READMISSION AGREEMENT

Until the year 2015, European states prioritized its own border security against refugees by supporting them only with small scaled monetary assistances at regional levels. With the outbreak of public oppression, EU states, still keeping its prior objective alive, organized the EU Leaders Summit which ended up with the adoption of a course of action like strengthening cooperation in struggling with irregular immigration and supporting the Syrians under temporary protection and Turkey as the hosting state. Just after this summit, the dialogue process which had previously been initiated by the German chancellor Angela Merkel, were turned into joint action plan. In the Meeting of Heads of State or Government with Turkey-EU-Turkey statement Turkey-EU Summit, held just after one month on November, 29, 2015 in Brussels, following remarks were adopted:

- Turkey's accession process to EU membership needs to be re-energized,
- Both sides agree to have regular Summits twice a year,
- Both sides agree that the EU-Turkey Readmission Agreement will become fully applicable from June 2016 in order for the Commission to be able to present its third progress report in Autumn 2016 with a view to completing the visa liberalization process i.e. lifting of visa requirements for Turkish citizens in the Schengen zone by October 2016,
- The EU is committed to provide an initial 3-Billion-Euro of additional resources (EC, 2015a).

Though, many EU member countries, just after the Baby Alan case dominated the headlines, agreed that refugee crisis is a humanitarian issue; these conclusion remarks of the leaders' summit show that refugee issue were preferred to be handled as a financial issue. On the other hand, the method of shifting burden to Turkey, instead of sharing it, still remains to be another topic of discussion.

Following this summit, just after 2 weeks later, simultaneous terrorist attacks around Paris killed more than one hundred people and wounded hundreds. The fact that these attacks were coordinated and carried out by the migrants of foreign origins, one of whom were Syrian and had illegally crossed the borders of Europe through Greece; alerted the people throughout Europe (BBC, 2016). This case was more than enough to turn the tables on for the EU policy-makers. While the opinion of international public towards migrants, which had converted to a humanitarian perspective, started to change rigorously. Dedication of the EU to stop illegal immigration on the outer side of its borders, speeded up the process, but this time with a well support of the public. Within only two weeks, another summit was held on 29 November, 2015 and a joint action plan was adopted to deal with the refugee crisis. The EU-Turkey Readmission Agreement of March 18, 2016 was signed under these developments in Brussels.

The articles of the agreement, in brief, are as below:

- All new irregular immigrants crossing from Turkey into Greek islands as from March 20, 2016, will be returned to Turkey,
- For every Syrian being returned to Turkey from Greek islands, another Syrian (1 for 1) will be resettled from Turkey to the EU (in the first instance, 18.000 places and any further need for resettlement will be carried out through a similar voluntary arrangement up to a limit of an additional 54.000 persons),
- The EU, in close cooperation with Turkey, will further speed up the disbursement of the initially allocated 3-Billion-Euro under the Facility for Refugees in Turkey (FRIT),
- The fulfillment of the visa liberalization roadmap will be accelerated vis-à-vis all participating Member States with a view to lifting the visa requirements for Turkish citizens at the latest by the end of June 2016 (EC, 2016a).

This agreement, also called as "18 March Statement" is based on the perception of stopping the refugee flow to Europe; within this context, it could have been hope-inspiring from the viewpoint of the EU in regards to solving the issue on the other side of the European territories. On the other hand, for Turkey, it was a sign of revival in the EU-Turkey relations which had been remaining inactive for a long while. It could even have been regarded as a political achievement in aspect of visa liberalization corresponding to the public expectation. However; from another point of view, it might have been no more than making the routine visa liberalization process clearer and foreseeable from Turkey's perspective.

Agreement between the EU and the Republic of Turkey on the Readmission of Persons Residing without Authorisation had first been proposed by the EU in 2003 and, after years of negotiations, it was signed in January 2011. Council of the European Union declared on June 21, 2012 that European Commission had the permission of initiating the Visa Liberalization Dialogue (EC, 2013) which were expected to be ended up with lifting the Schengen Visa for Turkish citizens. Concurrently with the initiation of the Visa Liberalization Dialogue, Readmission Agreement were signed on December 16, 2013, in Ankara. Yet, readmission were mostly referring to the own nationals (and their family members regardless of their nation) of the parties in that version. According to the Agreement "the readmission obligation for third country nationals or stateless persons becomes applicable only three years after the entry into force of the whole agreement (EC, 2012)." which points to the year 2016.

One important obligation, taking part in the Roadmap of Visa Liberalization, is the effective application of the EU-Turkey Readmission Agreement. When viewed from this aspect; bringing the visa liberalization matter, which had already been started but running dead slowly, back to the table at a time when refugee crisis hit peak could be rendered as far from the EU norms and seems like playing politics with the humanitarian issue. A similar problem arouses in the clause of “1 for 1”. According to this clause, number of the refugees that will be taken from Turkey and resettled in Europe is maximum 72,000 in total. But there seems no such limitation for the refugees to be sent away to Turkey (Saatçioğlu, 2017, p. 229). This situation opens the door for discussions whether the parties are handling the burden sharing issue from the humanitarian perspective and from the same principle of goodwill. In the matter of fact; the report, released by the Commission of the EU at the end of the same year, emphasizes that only 2,217 Syrians were resettled in the EU territories between April and November under the framework of this agreement (EC, 2016a). This clause of the “Readmission Agreement” also includes and implies that non-Syrian immigrants would unconditionally be sent back to Turkey without resettling one instead. When we look at the number of the readmitted irregular immigrants since the date April 4, 2016; we see that Pakistani immigrants take the first place, not the Syrians. Only 369 out of 1,978 irregular immigrants were Syrians (DGMM, 2019). This agreement of which main purpose is to stop non-Syrian asylum seekers (Erdoğan, 2017, p. 177) is, therewithal, too much far from the spirit of the Dublin Regulation which regulates the implementations of the EU member states towards asylum applications. The Regulation entered into force on January 1, 2014, setting down the criteria and the mechanisms of determination of the member state in charge of examining the request of international protection presented by a third-country national or by a stateless person in one of the European states (Ammirati, 2015). As things stand, it would not be a wrong inference to claim that the EU is inclined to go against its own values when it comes to its own interest.

3. THE EU FACILITY FOR REFUGEES IN TURKEY (FRIT)

The Commission, set up to plan and allocate the financial support of 3 billion euros within the scope of “burden sharing” to meet the needs of the Syrians in Turkey, assembled its first Steering Committee Meeting on February 17, 2016. Until its 5th meeting on January 12, 2017, the Committee tried to resolve the disagreements on basic principles. However; those disagreements were not solved satially and rosily for Turkey, despite the fact that the whole of the first 3-Billion-Euro fund were bound by contract at the end of December, 2017 (FRIT, 2017). Increasing disagreements during the process proved, in time, that the 18 March Statement would not have the same impact of functionality as the expectation it had led.

In the first Annual Report of the Facility for Refugees in Turkey, it is stated that;

“In answer to the call from EU Member States for ‘significant’ additional funding to support refugees in Turkey, the Commission established the Facility for Refugees in Turkey by means of the Commission Decision of 24 November 2015, amended on 10 February 2016.” (FRIT, 2017).

In order to understand whether Facility is a “significant” funding or not, it is helpful to take a glance at the OECD research, carried out across Europe, on the cost of a refugee for the hosting states. According to the report; the cost for processing and accommodating asylum seekers is estimated around 10,000 Euro per application for the first year but can be significantly higher if integration support is provided during the asylum phase (OECD, 2017). Considering that there were 2,834,441 Syrians in Turkey in the year of signature of the Agreement (DGMM, 2019), the cost of the first year of the refugees would simply reach up more than 28 billion Euro. Devotion of Turkey in the issue of refugee can well be seen in the Global Humanitarian Assistance Report, 2018. According to the report, Turkey preserved its leading position with a 0,85 ratio between its national income and humanitarian assistance, as the “most generous country” in the world (Euronews, 2018). Beside its economic cost, there are also social and political costs that Turkey had to take the brunt, which could be the main theme of another study. Thus, when compared with full commitment of Turkey, defining a financial support of 3-Billion-Euro as “significant”, could lead to bring the approach of the EU under question.

Another expression that takes place in the First Annual Report is;

“Implementation of assistance is conditional upon strict compliance by Turkey with undertakings reflected in the EU-Turkey Joint Action and the EU-Turkey Statements from 29 November 2015 and 18 March 2016.” (FRIT, 2017).

This clearly states that the EU seeks the Syrian asylum seekers to stay in Turkey; in other words, prefers to solve the global refugee crisis in a financially way (Ercan, 2016, p. 4) by cutting the corners. The expression in the Annual Report might well mean that a humanitarian issue was held only politically by the EU. Let alone lighten the burdens of Turkey; it could be seen as a step to put all the weigh singly on Turkey's shoulders in the long run.

Another statement taking part in the First Annual Report is another sign that not only the target was far from goodwill but also the process itself was:

“The Commission's cooperation with the International Financial Institution (IFI)s takes place within the framework of indirect management (Financial Regulation Articles 60 & 61) where the Commission entrusts the management of the implementation to the IFI concerned.” (FRIT, 2017).

This was the point that Turkey insistently objected to and specified as “red line” during all steering committee meetings. Because the EU was declaring to disburse the Facility through the medium of International Financial Institutions (IFI) like United Nations, Development Banks, Investment Banks including NGOs accredited by the EU. None of the Turkish NGOs, carrying on business in Turkey, were fulfilling the conditions of the EU accreditation criteria; thus, only foreign NGOs and international financial institutions were able to be active in disbursement of the Facility. After negotiations of more than one year; in the end, only 3 official Turkish authorities (Ministry of Health, Ministry of National Education and Ministry of Interior) and one Turkish university (TOBB ETU) became a part of 4 projects -but with IFI partners- among 72 projects in the allocation plan of the first 3 Billion Euro financial support (FRIT, 2018) . These Turkish institutions did not have the right to receive the money directly, for every project, the amount was being allocated to the account of the related IFI and the payment was being done by that IFI. Besides, preparation of the projects and the approval of the appropriate ones among proposed projects were requiring a while; hence, the disbursement of the Facility was not fast and bunched (Özer, 2017, p. 50).

Again during this process, some of the NGOs, who did not have official authorization from Turkish authorities, were made partners of some of the projects and this issue increased the tension between parties at times as EU representatives were not willing to accept Turkish NGOs as partners of the projects. Additionally, the fact that all IFIs were getting commissions per project at varying rates opens the discussion of the real amount of Facility to be disbursed for the Syrians in Turkey.

Similarly, when we analyse the table, published by the EU (FRIT, 2020), which shows the distribution of the funds, a very important point takes the attention: more than 36 Million Euro budget is allocated to the technical assistance (purchased by the EU staff), expenses of audit (carried out by the EU staff) and the salaries, expenses and subsistences of the administrative staff (assigned by the EU) for the first and second tranche of 3 Billion Euro. Though, the salaries, expenses and subsistences of all Turkish staff who serve for the same function, and all other expenses being made for the same purpose are covered by the ministerial budgets of Turkey. As a consequence of this fact, the credibility of the total 6-Billion-Euro budget of the “Facility for the Refugees in Turkey”, expected to be gracious and to fit the real purpose, goes under question. Under these circumstances, the real amount is needed to be re-calculated, taking out the percentages given to the IFIs which had been chosen by the EU and other expense items. Therefore; whether sensible it is to call the “Facility for the Refugees in Turkey”, shortly as “6-Billion-Euro support” or not is, then, better to be re-evaluated.

4. VISA LIBERALIZATION DIALOGUE AND JULY 15 COUP ATTEMPT

Visa Liberalization Dialogue between Turkey and the EU, aims to lift the Schengen visa being applied for Turkish citizens. The EU, as a consequence of its policy to sign Readmission Agreements with the source or transit countries in illegal immigration towards the EU, in return for the Readmission Agreement, adopts the method of signing Visa Facilitation Agreements first and if the country meets the technical conditions (visa liberalization action plan) in due course, then, approving the visa liberalization.

Under the framework of conditionality principle of the EU, this strategy of visa liberalization, adopted as an encouraging policy tool for the neighboring countries, is designed to defend the EU's enlarging easterly borders from illegal immigration. Therefore, it could be said that the readmission agreements are playing a function of a prior step on the way of visa liberalization process with the purpose of making its borders more secure and consolidated. It means that the EU loads with the eastern countries, like

Turkey, a charge of buffer zone (Demir et al., 2015, p. 37) and by doing so, shifts its responsibilities to other countries (Elmas, 2016, p. 298).

Turkey, in response to the sign of Readmission Agreement demand from the EU, uttered its aspiration of visa liberalization -not visa facility- since the very beginning of the process. In this main axis, Visa Liberalization Dialogue were launched on the same date with the signature of Readmission Agreement on December 16, 2013 (EC, 2016c). The requirements Turkey had to meet were specified in the Visa Liberalization Roadmap as 72 items. These 72 requirements listed in the Roadmap are organised in five thematic groups: document security; migration management; public order and security; fundamental rights and readmission of irregular migrants (EC, 2016c).

Though it was well known and stated by the EU in progress reports clearly that fulfilling all the requirements needed a longer timeline due to practical and procedural reasons (EC, 2016c), it is worth questioning and emphasizing why the EU did ignore this reality and promised Turkey to lift the visa fully in the same year of 2016. In the Readmission Agreement signed on 18 March 2016, it was declared that the Visa Liberalization Dialogue would be initiated in June, 2016. Within this period, Turkey entered into the process of reforms and consecutive legislative regulations to meet the criteria. Indeed, in the third report of Visa Liberalization Dialogue released on May 4, 2016, the Commission confirmed that Turkey met the 65 requirements out of 72 (EC, 2016c), in the case that the remaining requirement are met, modification proposal of the Code on visa liberalization were sent to the Parliament of the EU and the Commission. The non-met requirements in the report were as below:

- adopting the measures to prevent corruption foreseen by the Roadmap, i.e. ensuring an effective follow-up to the recommendations issued by the Council of Europe's Group of States against Corruption (GRECO),
- aligning the legislation on personal data protection to EU standards, notably to ensure that the data protection authority can act in an independent manner and that the activities of law enforcement agencies fall within the scope of the law,
- negotiating an operational cooperation agreement with Europol. This also depends upon the above changes to the data protection legislation,
- offering effective judicial cooperation in criminal matters to all EU Member States,
- revising the legislation and practices on terrorism in line with European standards, notably by better aligning the definition of terrorism with that set out in Framework Decision 2002/475/JHA as amended in order to narrow the scope of the definition and by introducing a criterion of proportionality,
- fully implementing the provisions of the EU-Turkey readmission agreement, including those related to the readmission of third country nationals,
- entering EU-Turkey Readmission Agreement into force with all its provisions,
- upgrading the existing biometric passports so as to include security features in line with the latest EU standards (EC, 2016c).

While all the process of negotiations on Visa Liberalization Process were going smoothly, everything completely and abruptly changed with the attempted coup d'état in Turkey on July 15, 2016. Due to the fact that some of the EU states abstained condemning the attempted coup d'état openly and did not officially, swiftly and clearly declare that they were standing with Turkey on this issue; this date became the date of breaking point of the relations from Turkey's perspective. Turkey, after declaring emergency rules, focused heavily on the security-centered policies and affirmed that it would be far-fetched to change the definition of terrorism and revise the legislation and practices on terrorism under those circumstances. However, this approach of Turkey did not attract the expected attention in the presence of the EU. Lack of empathy and callousness of the EU and its harsh criticism towards Turkey by expressing that the measures taken by the Turkish government were out of proportion and unlawful and then Parliament of the EU's decisions reaching up to the suspension of the negotiations; worsen the tensed up relations (Özer, 2017, p. 38). When considered that Turkey, having serious security problems and concerns would not surrender its security in favor of democracy in the freedom-security dilemma; the possibility of strengthening the membership perspective weakened and, at this point, the idea of keeping relations alive formally and

discursively by cooperating in certain fields without leaving the goal of participation, directed by mutual interests, started to dominate (Özer, 2017, p. 38).

The visa liberalization, which was expected to be completed in June 2016, is still on the agenda as an unresolved issue; yet, it also includes a different sensitivity in the context of the refugees. Because Article 24 of the Readmission Agreement states that unilateral termination of the agreement is possible if the visa dialogue process is not concluded within the stipulated period and Turkey's approach in this direction were clearly recorded and notified to the EU (MFA, 2019). This signaled that the Readmission Agreement could enter into critical turns at any moment in line with the political developments and, thus, the fate of millions of Syrian refugees could remain unclear for a long time.

5. MANNERS OF THE MEMBER STATES ALONG REFUGEE CRISIS: DISSOCIATION OF THE UNION

In April 2015, a ship carrying refugees sank off the Island of Lampedusa, killing more than 800 refugees after which Matteo Renzi, the Prime Minister of Italy, said “We closed our eyes about what happened in Srebrenica 20 years ago, but today we cannot close our eyes against this refugee drama.” (Anadolu Ajansı, 2015) and he stated that the refugee problem should not be a problem only for the countries that have borders to the Mediterranean Sea.

Immediately afterwards, the EU interior and foreign ministers, led by Grederica Mogherini, High Representative for EU Foreign and Security Policy, agreed on a 10-point action plan; and together with Mogherini, Dimitris Avramopoulos, European Commissioner for Migration, Home Affairs and Citizenship made a joint statement with the emphasis on “Europe taking responsibility and working together” (EC, 2015b). Similar statements were made at the EU Leaders Summit in October of the same year, where the migration and refugee crisis was intensively addressed; however, instead of seeking solutions to eliminate the factors causing migration, steps have been taken to stop the migration to Europe through Readmission Agreements. While these talks continued, the terrorist attacks in Paris on November 13, 2015 and the one in Brussels on March 22, 2016, just 4 days after the Readmission Agreement on March 18, 2016, strong rhetoric of the political leaders made the Europe's already negative perception of immigration and migrants even worse.

The intense use of the term of “refugee” in combination with the concept of “terror” put the refugees to exactly the focal point of social hatred. In line with these terrorist incidents, political actors who did not want refugees in their countries increased the dose of racist rhetoric as if they had found a legitimate basis for their discourse and started to develop measures that would be incompatible with the fundamental values within the EU which could violate fundamental human rights. That the EU press and some EU leaders labeled the refugees as “security-threat”, “ financial burden”, “organized crime groups”, “groups trying to escape to the EU by boats”, “Islamist terrorists”, “foreigners”, “threat to EU identity” increased anti-refugee tendency in Europe and highlighted refugees as a security issue (Özcan, 2017, p. 10).

Following the European Union's confrontation with the refugee crisis, many countries, particularly Germany, passed passport control applications on land borders and suspended the Schengen System (Çetin, 2015). The steps that shook the Schengen system were later taken by Hungary, Austria, Slovakia, Denmark, France, Germany, Sweden, Norway and Belgium, and abandoning the common practice within the EU, countries turned to individual policies. Similarly, Germany and Hungary stated that they suspended the Dublin Convention for the refugees coming from Syria, which is the only agreement adopted by the EU member states in the field of border controls, visas, asylum or immigration law (Akkaya, 2016, p. 38).

During the refugee crisis; Hungarian Prime Minister Viktor Orban stated that “Christian and Muslim communities would never unite” and called refugees as “Muslim invaders” (Sputniknews, 2018); Polish Prime Minister Ewa Kopacz claimed that “Poland, as a Christian country, had a special responsibility for helping Christian Syrians” and that “they would only choose Christian Syrians”; Interior Minister of Slovakia declared that “they did not have a mosque in their country, therefore, they could not accept Muslim refugees” (Rettman, 2015); Estonian Social Policy Minister Margus Tsahkna told that “they, eventually, belonged to the Christian culture and they are closed to Muslim refugees” (ERR News, 2015); Czech President Milos Zeman said that “refugees coming from a completely different culture in the background could not be in a good position in their country” and called Muslim refugees as “potential terrorists” (Werber, 2015); and Bulgarian Prime Minister Boyko Borissov said that “if more Muslims came from

abroad, the demographic structure of their country might be at risk of radical change” (Zhelev, 2015). They all proved that anti-refugee perception is not only based on population and cost but also on religion and culture.

Austria held a summit on February 24, 2016, inviting 9 of the Western Balkan countries to discuss stopping the refugee influx and, at this summit, where Greece was not invited, consensus was reached on measures to prevent refugees from reaching their borders via Greece (DW, 2016). In the face of this exclusionary attitude, Greek Prime Minister Alexis Tsipras made an official complaint against Austria, stating the country's decision of refugee restriction as “an attitude from the 19th century” and recorded that the EU was, in general terms, moving away from the principle of solidarity (Saatçioğlu, 2017, p. 225). The fact that the “quota system” decision, taken at the EU Council of Ministers of Justice and Interior on September 22, 2015, was taken despite the vetoes of Hungary, Czechia, Romania and Slovakia is an indication that this divergence spread not only to discourse but also to decision mechanisms.

Refugee crisis revealed divergences between member states and the EU's weakness in the establishment of common policies and it even turned into a crisis of solidarity within the EU (Özer, 2017, p. 43). Although member states have tried to cooperate in the face of an external crisis, it is difficult to argue that the EU reflects the value-based community model at this point, since this is not ideally realized. Indeed, the EU states, having failed to solve the problem through solidarity within themselves, came to the point of solve the problem by transferring the crisis to a third country such as Turkey (Saatçioğlu, 2017, p. 228).

6. CONCLUSION

The refugee issue is not a regional issue but a global one, and each country needs to develop a common language and play an active role in sharing this responsibility (Karakas, 2016, p. 2). The control of the refugee crisis by shifting it to the outside undermines the EU's vision of being a community based on human rights, not only value-based (Saatçioğlu, 2017, p. 230). If the European Union does not want the refugee crisis to turn into chaotic nodes that may have a disruptive impact in the long run, instead of seeking solutions to save the day; they should prefer permanent policies aiming to solve the problem from the root. For this purpose, instead of leaving a burden, ready to explode at any moment, to the border neighbors, what the EU has to do is to cooperate in a truly mitigating and sincere cooperation that anticipates joint shouldering. Because these countries, which are seen as buffer countries, suffer the biggest burden of the refugee crisis in social and financial terms, while having to carry out fragile policies such as the reactions of the internal public opinion and the harmony of refugees. This, in particular, is only possible by analyzing the internal dynamics of a country like Turkey, who is hosting more than 4 million refugees together with the Syrian population whose number reached up to 3.579.332.

That the EU presented visa negotiations that were already expected to be far advanced, as if it was a reward to Turkey, the only candidate country whose citizens are required visa, and that it chose to solve the immigration problem outside its borders, contradicts basic human values and European norms. The Turkish people who are tired of the processes of visa liberalization negotiations, which have not reached any result and seems not to reach in the near future, are questioning why total 6-Billion-Euro package of Facility - which had to be disbursed between 2016 and 2019 (FRIT, 2020)- have not yet been fully disbursed. Nevertheless, it needs to be highlighted that these amount is too little when compared with the amount that Turkey already spent.

In brief, Turkey-EU cooperation, should be dealt within the framework of logic and spirit of candidate state. In this context, the opening of new negotiation chapters should come to the agenda not as a response to cooperation in the refugee crisis but as a means of more effective cooperation with the refugee crisis (Kutlay et al., 2015, p. 12). In the reports, released after the attempted coup d'état on July 15, the EU used a harsh style ignoring the security threats towards Turkey and frequently touched upon the concept of “human rights”. However, on the other hand, by turning refugee crisis, the subject of which is “human”, into a bargaining tool, the EU leads its perception of democracy under question. In fact, Turkey - EU refugee agreements showed that the EU holds its geo-strategic interests in the foreground before the normative commitments to freedom virtually (Saatçioğlu, 2017, p. 230).

In the final analysis; it would not be wrong to argue that it would be most beneficial for all parties (host countries, migrants and supporting countries) to handle the migration issue in a fair approach on a global scale. In an advanced stage, humanitarian crisis stemming from migration need to be addressed from a

“human” perspective, not from the perspective of individual interests of countries, and need to be turned into solution-oriented sustainable policies. Although, it might be considered to be a very optimistic proposal in terms of current policies, migration can easily cease to be an internal issue of buffer countries and turn into a global crisis on a larger scale; unless it is managed jointly at an international level and unless all the parties focus on the reasons that force the masses to migrate.

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