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International Migration and Diplomacy: Challenges and Opportunities in the 21ˢᵗ Century

Şebnem KÖŞER AKÇAPAR*

Introduction

In today's world, international migration is one of the key public policy areas with repercussions for international relations and diplomacy. In fact, the movement of people has proven to continue to be a significant topic of discussion, as it has direct implications on borders that nation-states try to maintain, on the existing political and social institutions, as well as on the receiving and home societies.[1] Various kinds of political and social animosities, including xenophobia, Islamophobia, and racism are in ascendancy all around the world, creating problems for the maintenance of a healthy national and international order. Hardly any country or society seems totally immune from such tensions, since almost all countries in the world face the challenges of managing migration, border controls and integration of immigrants.

Although the mobility of persons is often a contested area, it also provides a forum within which international diplomacy may play a key role. However, there is a limited number of case studies in the migration literature that sheds light on how migration processes can become a part of diplomatic relations and when negotiations over migration can evolve into 'diplomacy of migration'.

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One of these cases that explores the role of migration in international relations and diplomacy is Thiollet's account on labour migration in the Middle East.[2] Looking at the free circulation of Eritrean refugees and other migrants in the Arab region, Thiollet argues that diplomacy over labour migrants and refugee movements revived pan-Arabism and facilitated regionalism in the Middle East in the 1960s and 1970s. Thiollet's research sheds light on how migration diplomacy links sending and receiving countries via intense bilateral relations while engaging with a wider range of actors in this process.

In another historical analysis on US-Chinese relations, Oyen argues that migration diplomacy over Chinese Americans was a crucial aspect in forming alliances and creating disputes between the two countries in the period of 1943 to 1972.[3] Beginning with the US's rescinding of the Chinese Exclusion Act in 1943 to create a strong wartime alliance with the nationalist Chinese regime, Oyen argues that migration policies and practices were used to renegotiate the intergovernmental relations during the war and post-war period. Oyen's historical account on how irregular migration, student exchange, family remittances, asylum movements and deportation of dissidents were deployed by both the US and China in terms of *rapprochement* or *detente* is quite

impressive in the sense that it clearly indicates that migration diplomacy becomes a means of realizing other foreign policy objectives through changes in migration legislation. While Oyen's research suggests that the positive or negative impact of migration to diplomacy and vice versa is prone to change over extended periods of time, Thiollet's discussion captures the possibilities of regional integration as a response to incoming diverse migration flows. These studies are enlightening for discussion of the complex and intertwined relationship between migration and diplomacy.

> The externalization of border policies has led to the increasing involvement of the EU member states in the border infrastructure of transit countries, and in the negotiations of re-admission agreements to deport irregular migrants and reject asylum seekers.

In the context of the EU and Turkey, we see that migration related issues are still relevant, and diplomatic tools are proving to become even more important to solve current problems. The externalization of border policies has led to the increasing involvement of the EU member states in the border

infrastructure of transit countries, and in the negotiations of re-admission agreements to deport irregular migrants and reject asylum seekers. Turkey, as a candidate country guarding the external borders of the EU has long been under pressure from the EU. Many media outlets referred to 2015 as the year of the European refugee crisis. Today, the number of Syrian and other refugees living in the EU is still minimal, with Germany holding the highest numbers, with over one million. However, we are aware that most of the refugees (84 %) today live in developing and neighbouring countries rather than in the global North.[4] While many traditionally migrant receiving and refugee settlement countries in Western Europe and North America have introduced more restrictions on entry or lowered their quotas, they donate large sums of money to many governments in the global South to curb flows of people before entering the EU territory. What we witness in this process is so-called 'transit' refugees, stuck in the countries of transit for longer periods of time. This eventually either paved the way to more human smuggling and an immense death toll in the Mediterranean and the Aegean[5] or to the creation of a migration project industry with increasing activities carried out by international, intergovernmental and local/national organisations to contain and to improve living standards of 'transit' refugees.

As of April 2011, Turkey started receiving refugees from Syria fleeing the civil war. Since then, the civil war escalated in Syria and Turkey has become the country hosting the highest number of refugees in the world. According to the Directorate General of Migration Management of Turkey (DGMM), as the end of 2017, the number of Syrian refugees under temporary protection settled in Turkey stands at 3.5 million.[6] Turkey has displayed an exemplary humanitarian effort in this crisis with its open border policy up until 2017, and was able to manage unprecedented migration flows from Syria mostly relying on its own resources. Beyond the immediate and evident humanitarian perspective, though, there are obviously political, economic, demographic, and socio-cultural implications of this mass movement for the wider society and for the refugees themselves. After seven years of living together with almost four million Syrian and other refugees and asylum seekers mainly from Afghanistan, Iraq, Bangladesh, and Iran, Turkish authorities have finally accepted that Turkey has *de facto* become a country of immigration. This transformation from being an emigration country to an immigration country appears to be acknowledged by the government, as the DGMM 2016 Turkey Migration Report suggests the completion of the transition to

a destination country for migrants, asylum seekers, and refugees.[7]

With a large number of immigrants and refugees in its territory, Turkey is also coming to terms with the challenges of integration. Although most of the Syrians enjoy a temporary protection regime, they are still not considered as 'refugees' due to Turkey's upholding of the geographical limitation clause in the 1951 Geneva Convention on Refugees. Nevertheless, Turkey closely follows the principle of *non-refoulement* and other duties in accordance with the international protection. There are also thousands of Syrians holding only residence permits but without temporary protection and an unknown number of Syrian irregular migrants.[8] Their 'liminal' situation and temporary status not only automatically limits opportunities given to Syrians like permanent settlement in Turkey, but also hinders the political will to put proper integration regimes in place at the national level even after seven years of living together.

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Yet, there were good lessons for Turkey in this process, especially at the institutional and polity level to address the challenges. In fact, Turkey has started to make a series of changes and reforms in migration policies not only to address pressing issues resulting in large numbers of flows over the course of seven years but also for the sake of the EU Accession Process since the early 2000s. In 2003, Turkey adopted the law on work permits for foreigners (No. 4817), mainly addressing the growing number of irregular and circular economic migrants working in the informal sector, who were lured into the country thanks to Turkey's booming economic stance as the 10th largest economy in the world and a G-20 country. Wage differentials in their countries of origin is another factor attracting labour migrants from diverse locations, including Central Asia, Eastern Europe, Africa, and South Asia. Changes in regulations continued with the International Labour Force (Law No. 6735), which became the primary legislation for foreign labour in 2016. The Law includes both employer-led and points-based approaches with an emphasis on selective labour migration. The introduction of the Turquoise Card is the signifier of this emphasis, which enables permanent work permits for those considered of strategic importance, determined by indicators such as education level, professional

experience, and investments, and provides residence permits for the holder's spouse and children. The Law also assigns the task of determining international labour force policy to the International Labour Force Policy Council.

> **In 2003, Turkey adopted the law on work permits for foreigners (No. 4817), mainly addressing the growing number of irregular and circular economic migrants working in the informal sector.**

In 2005, Turkey adopted the Action Plan on Asylum and Migration, laying out the tasks to be completed in aligning migration law to the EU *acquis* until 2012. That would include lifting the geographical limitation as well as making asylum and migration procedures in line with that of the EU. However, Turkey's concerns over becoming a buffer zone for irregular migrants and rejected asylum seekers as well as the EU's reluctance to admit Turkey as a full member even after meeting the set criteria were evidenced by its hesitation to eliminate the geographical restriction. Nevertheless, the Action Plan was a strong assurance for reforms on migration-related issues and led to changes to the 1994 Asylum

Regulation. One of these changes was lifting the 10-day time limitation for refugees to apply to the governorates and the UNHCR for asylum. Before the change, this limitation was already targeted in the cases against the deportation of asylum seekers who were recognized as refugees by the United Nations High Commissioner for Refugees (UNHCR), in both local courts[9] and the European Court of Human Rights (ECHR).[10]

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In 2006, Turkey made some amendments in the Settlement Law (No. 5543) that had dated back to the 1930s, and in 2009, to the Citizenship Law (No. 5901). As such, the new Settlement Law that replaced the 1934 Resettlement Law (Law No. 2510) maintained the definition of migrants as those of Turkish descent despite the relaxation in other aspects. In 2008, pursuant to the Action Plan, the Bureau for the Development and Implementation of Asylum and Migration Legislation and Administrative Capacity Improvement

was also established to draft the Law on Foreigners and International Protection (LFIP) (No. 6458). It was adopted later in 2013 and the temporary protection regime that came into force in October 2014 literally changed the legal status of Syrians from temporary guests to those under temporary protection.[11] The current asylum system established under the LFIP presents four statuses of international protection: refugee; conditional refugee; subsidiary protection; and temporary protection. A person who qualifies neither as refugee nor conditional refugee would be assigned to subsidiary protection. Lastly, those who left their country in exodus would apply for temporary protection. Applications for temporary protection must be made at a Provincial Directorate of Migration Management, local divisions of the DGMM that are established in every province. All issues related with migration and integration will be handed to the DGMM, including the camps for Syrians which, since their inception, have been run by the Disaster and Emergency Presidency (AFAD).

Temporary protection provides access to primary and secondary education, healthcare and other social services.

Temporary protection provides access to primary and secondary education, healthcare and other social services. The Ministry of Education and the DGMM report that there are currently more than 976,000 Syrian children of school age in Turkey. Language remains a barrier in public schools, where the language of instruction is Turkish. While the language of instruction is Arabic in temporary education centers, most Syrian children go to Turkish public schools, while the remaining receives education at the temporary education centers. These figures indicate a significant rise in the number of Syrians who have the right to access to education. About 62% of Syrian children in the 2017-2018 school year are in schools compared to 30% in 2016. There are also almost 17,000 Syrian young adults who receive higher education in Turkey. The YTB provides scholarships for more than 4,000 of those students at the university level. 400 Syrian academicians are also employed in Turkish universities in different departments.[12] The Ministry of Education aims to enroll the remaining children and plans to transfer students to public schools from temporary education centers in the coming years. The enrollment of all Syrian children at school age and limiting child labour is important to prevent 'lost generations', delinquency, and high unemployment rates among

young refugee populations in the years to come. Access to healthcare in public hospitals is also provided while medication is quite costly. Although fewer in numbers, Syrian and Arabic speaking medical doctors are also employed at community centres run by some municipalities and at public hospitals.

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Currently, due to their large numbers, Syrians constitute the largest number of beneficiaries for temporary protection. Only a fraction (8%) of Syrians under temporary protection reside in shelters. Their protracted situation, mass flows, and limited capacity in camps have forced many Syrians to find housing in mostly poor neigbourhoods in cities, underlying the urban refugee issue. While cities closer to the Syrian border host most of the Syrians, the city with the largest number of Syrians is İstanbul, with 545,753 as of February 2018.[13] Under the Law, reception and accommodation centers and removal centers have also been established. Reception and accommodation centers provide services such as accommodation, healthcare and food, whereas removal centers accommodate those under administrative detention. Regarding

border management between Turkey and the EU, the implementation of online processing and biometric data requirements eased visa processes in 2010. The prerequisites of the EU membership process marked some of the developments in this area, such as the modernization of border crossing points necessary for the European Integrated Border Management Strategy (IBM). In 2013, a cooperation agreement was concluded with the European Border and Coast Guard Agency (FRONTEX), which enables cooperation between the parties such as the "exchange of relevant strategic information".[14] However, issues such as the military control of borders rather than a special police force remain as obstacles to the IBM.

The LFIP law is comprehensive in that it regulates the activities of foreigners in the country, such as entrance and residence, and the requests for asylum and protection. With this new law also came the establishment of an important institution: the Directorate General of Migration Management (DGMM), which, for the first time, is monitoring entries, and keeping and disseminating statistical data on migrants and refugees. Moreover, the DGMM, as a department of the Ministry of Interior, operates as a civilian nucleus of migration management, taking over the tasks previously undertaken by the General Directorate of Security

and other different authorities. These tasks include the development, implementation and execution of migration legislation and projects; coordination among related parties; international and temporary protection; prevention of irregular migration and human trafficking and protection of victims; and management of foreigners' entrance to, staying in, and exit from the country. Assembling these tasks under one roof, the DGMM became the sole authority in migration management in Turkey. To address one of the urgent matters in migration, the DGMM devised the Strategy Document and National Action Plan on Irregular Migration in 2015. The Plan aims to achieve progress in reducing the scale of irregular migration until 2018 through the development of extensive legislation, articulation of strategic and statistical knowledge, utilization of precautions against organized crime such as trafficking in persons and human smuggling, improvement of voluntary and involuntary return programmes, and promotion of local and global cooperation. As part of the institutional changes, the Presidency for Turks Abroad and Related Communities (YTB) was established in 2010 to address the needs of the Turkish diaspora and ethnic kin living in different countries.

As for labour market integration, a series of improvements also took place.

> The Presidency for Turks Abroad and Related Communities (YTB) was established in 2010 to address the needs of the Turkish diaspora and ethnic kin living in different countries.

Up until January 2016, work permit regulations prevented Syrians from acquiring formal employment, since a residence permit was a requirement to obtain work permits. Most Syrians who did not hold residence permits had to work in the informal economy at much cheaper rates than Turkish nationals. However, with the change in the legislation, Syrians under temporary protection for six months are eligible to apply for work permits through an employer that offers minimum wages at least. More incentives were also introduced to hire highly-skilled Syrians, like medical doctors, nurses, teachers, and engineers. To protect the national workforce and prevent resentment, the employment of Syrians is restricted at 10% of all employees in any given workplace, yet this cap was not even close to being exceeded, as the number of work permits granted in 2016 reached 9,989 and 17,062 in 2017.[15] Turkey still needs to adopt policies and a clear roadmap to facilitate labour market integration of Syrian refugees.[16] Furthermore,

in order to support the livelihood of Syrians, the Emergency Social Safety Net (ESSN) programme was launched by the Ministry of Family and Social Policies. The programme is funded by the EU and coordinated by Turkey, the World Food Programme, and the Turkish Red Crescent. The programme provides cash (TL 120) topped-up debit cards for up to 1.3 million Syrians. Self-sustaining programmes were also introduced by civil society to Syrian men and women to equip them in the labour markets and increase their capacity to find better employments. As of late 2017, there were 8,000 registered Syrian-owned small and medium-scale enterprises in Turkey and the number is expected to rise with the support of international donors.[17]

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Another important turning point regarding the legal status of Syrian refugees is about the recent amendment in the Turkish citizenship law in Turkey, opening up the possibility of foreign investors and contributors to the economy of becoming Turkish citizens regardless of their descent. Then comes the option of extending Turkish citizenship to some of the chosen Syrians who are under the temporary protection regime. As mentioned earlier, Turkey has already provided temporary protection to Syrian refugees, which somewhat eased their access to certain rights, including access to public healthcare, education of children in public schools and participation in labour markets via the new law introduced on work permits. The idea of granting Turkish citizenship to Syrian refugees who found refuge in Turkey was first voiced in 2016 by President Erdoğan in Kilis, a neighbouring city with Syria, with already existing close kin ties between Syrians and Turkish nationals. Stressing the overlapping borders of motherland and adopted homeland, he also heralded a change in naturalization policy by announcing that "the path to Turkish citizenship will be opened for our Syrian brothers and sisters".[18] Kilis is an interesting case study to consider as the Syrian refugees there have gradually exceeded the number of local inhabitants in the city and the city has *de facto* become a buffer zone between Syria and Turkey. Such public announcements triggered a heated debate partly due to the lack of legal status of Syrians as 'refugees'

or as 'permanent residents/denizens' in the first place, and partly because they fueled nationalist fears that the temporariness of Syrians would be replaced with permanence.[19] In order to thwart the political backlash and public outrage, government officials clarified that conditions of granting citizenship under exceptional criteria to Syrians would be based on high skills and higher education levels of applicants.[20] Almost 40,000 Syrians under temporary protection were given Turkish citizenship by the end of 2017.[21]

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In line with the developments in the migration system in Turkey, the official and academic discourses surrounding Syrians have also changed dramatically over the last seven years. Initially, they were considered as 'guests' underlying temporariness and hospitality. Then it took the form of religious duty of Muslims that referred to early Muslims and hijra (emigration of early Muslims from Mecca to Medina) with the terms of *ensar* (host) and *muhajir* (forced religious migrant). Regardless of a shared religion, a recent study gauging public reactions against Syrians in Turkey, 80% of Turkish people cannot find any affinity between themselves and the Syrian population. In fact, the vast majority of Turkish citizens believe that the Syrians will never go back to their country of origin.[22] Social exclusion and other-ization is also evident in the recent attacks in different urban centres in Turkey targeting Syrians[23] and some racist hashtags on Twitter.[24]

In line with the developments in the migration system in Turkey, the official and academic discourses surrounding Syrians have also changed dramatically over the last seven years.

Nowadays, reflecting public perceptions before the 2018 presidential elections in Turkey, the official discourse has taken on the form of eventual safe return of Syrian refugees and providing a safe zone for returnees, as Turkey cannot keep Syrians within its territory forever.[25] It seems that many Turkish people (86.2%), regardless of their political affiliations and voting behaviour, are united in their wish of repatriation of Syrians once the war is

over.[26] The ongoing military operation run with the Syrian Free Army across Turkey's borders called the 'Olive Branch' and the earlier 'Euphrates Shield' were launched to secure the Syrian territories across the Turkish border from terrorists but also to provide a safe zone for many Syrians who want to go back to their homeland. After the Euphrates Shield Operation, more than 100,000 Syrians repatriated voluntarily while Turkey still provides safety in the area and meets basic humanitarian needs of many living there.

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Prospects of resolving migration issues based on shared interests by diplomatic measures are evident in a most recent experience. Beginning with the 1990s, the management of borders and the mobility of persons have entered the agenda for both Turkish and European actors, finally reaching a peak point in 2015, as a result of the abrupt rise in border passages. Whereas Turkey

holds the highest number of refugees of Syrian and other nationalities on its territory, the fact that many refugees succeeded in reaching the EU through land and sea borders via irregular means made this a pressing item in bilateral official visits and multilateral talks. Albeit with smaller numbers, such irregular migration had always included the movement of asylum seekers and refugees, partly due to Turkey's maintenance of the geographical clause limiting the granting of refugee status to only the citizens of Europe,[27] and partly because of Turkey's crucial position in between many developing and politically unstable countries of the global South and the developed member states of the European Union. Turkey's hand appears to have been both strengthened and weakened during the negotiations, especially in relation to its candidacy prospect.

During the summer of 2015, with the sudden increase in the irregular migration flows from Turkey to the EU, the Joint Action Plan on Migration became operational in November 2015, with the aim of curbing irregular flows. According to Frontex, some 885,000 migrants arrived in the EU in 2015 via the Eastern Mediterranean route, the vast majority comprised of Syrians, Afghans, and Somalis, arriving from Turkey on the shores of several Greek islands in the Aegean Sea.[28] On 18 March 2016, a readmission agreement

was concluded with the EU despite certain EU member states' concerns over Turkey's potential membership to the union. The decrease in the number of sea arrivals in Greece suggests that the EU-Turkey agreement has made an actual impact on stopping irregular migration, human smuggling networks and the heavy death toll from sea crossings. UNHCR data demonstrate that there were 24,739 sea arrivals in Greece in 2017 compared to 173,450 for 2016.[29] Moreover, the number of people who drowned while attempting to reach Greece through the Aegean has decreased by almost 95 % in 2017.[30] However, other routes on the Black Sea and the Mediterranean were established almost simultaneously with the EU-Turkey deal. Many human-rights organizations also criticized the EU, saying that signing an agreement would jeopardize lives and limit the opportunities of genuine asylum seekers to reach safety by suggesting that the EU is simply shifting its responsibility towards refugees onto Turkey. The living conditions of many asylum seekers stranded in Greece as the first country of asylum were reportedly inhumane.[31]

According to the EU-Turkey deal, Turkey readmits Syrian migrants who arrived in Greece from Turkey but were denied from international protection, in return for the EU's admission of another Syrian migrant in Turkey. Under the 1:1 agreement, the number of Syrians resettled in the EU countries reached more than 12,000 by early February 2018.[32] Another component of the agreement was international burden-sharing and financial help. Turkey would be compensated with EUR 3 billion initially, and with another EUR 3 billion promised by the end of 2018. To date, Turkey has spent US$ 30 billion on Syrian refugees and has only received a small part of the financial support (1.85 billion Euros) from the EU while the rest of the sum is slated to be given under humanitarian aid and only in installments.[33]

During the summer of 2015, with the sudden increase in the irregular migration flows from Turkey to the EU, the Joint Action Plan on Migration became operational in November 2015.

In addition to burden-sharing, another expectation from the deal was that the Schengen visa requirements would be lifted for Turkish citizens by the end of June 2016. While the readmission agreement reduced the number of refugees taking the Balkan Route, the EU did not lift the visa requirements for Turkish citizens on the pretext that Turkey's reluctance to reform its anti-

terror laws would be a violation of human rights. However, the Turkish government considered these reforms as impossible by referring to security reasons[34] and cautioned several times that in the case that visa-free travel was not granted, Turkey might withdraw from the agreement.[35] As expressed by Stringer, although visa diplomacy is usually seen as part of consular affairs and "low politics", issuing or denying visas - as part of carrot and stick policy - "often allow regimes to make policy statements that cannot be expressed by other diplomatic means."[36] Although Turkey still meets the requirements borne from the agreement, the possibility that it could withdraw unilaterally alarmed the European countries, especially the ones on the Balkan Route such as Greece and Austria. There are also public concerns and anecdotal evidence that the EU countries are handpicking the skilled Syrians under the scheme, while the unskilled are dumped into Turkey.

According to the EU-Turkey deal, Turkey readmits Syrian migrants who arrived in Greece from Turkey but were denied from international protection, in return for the EU's admission of another Syrian migrant in Turkey.

For some time now, the two migration processes, the emigration of Turkish nationals and the mobility of third country nationals have been attached to one another- frequently utilized as a *quid pro quo* by political leaders. In terms of the readmission agreement negotiations, from the perspective of Turkey, since the beginning of negotiations in 2002, the agreement was understood as a very risky instrument, which would eventually turn the country into a buffer zone between the EU borders and the borders of the source countries of irregular migrants. It was within this context that a visa facilitation agreement, which would lead to a visa-free regime between Turkey and the EU, was seen as the only positive outcome that Turkey could gain from this process.[37] Paradoxically, the free movement of workers across Turkish-EEC borders has been envisaged and deemed extremely positive in Article 12 of the Ankara Agreement in 1963,[38] nevertheless it has not been put into practice up to date. Still, the prospects for free circulation have continued to be addressed by certain political leaders and state officials in Turkey, to boost electoral wins in domestic politics, or to strengthen the bargaining capacity of the country in the negotiation processes. Moreover, in the course of the Turkey-EU readmission agreement, there have always been concerns over

domestic security.[39] Opening up the black box of statecraft, this illustrated that migration diplomacy almost always involves more than two actors.

Another area of contention between the EU and Turkey is related with the large Turkish diaspora- the majority of which live in Germany, with three million. Many examples around the world indicate that diasporas are active participants in homeland politics, that they influence and even challenge foreign policy-making of the host and home states, and develop alternative political identities transcending borders.[40] Since the 1990s, international migration has become a major component in the diplomatic relations between Turkey and the EU, shaping particularly policies on irregular migration and the five million Turkish emigrants living in Europe. Over the last couple of years, diaspora engagement and state-led transnationalism have also entered high on the agenda for policy makers as well as public opinion in Turkey.[41]

Diasporas are active participants in homeland politics, they influence and even challenge foreign policy-making of the host and home states, and develop alternative political identities transcending borders.

As a traditional country of emigration, international migration has clearly influenced Turkey's diplomatic relations with other countries, particularly with those on the European continent. The history of migration from Turkey to Europe has been shaped by the search for work in the expanding European economies of the 1960s in the context of Fordist guestworker programmes, and later continued by family reunification and formation as well as asylum flows throughout the 1980s and 1990s.[42] Beginning with the 1961 bilateral labour recruitment agreement signed with the Federal Republic of Germany and followed by the agreements with other countries in Western Europe and elsewhere, the planning and management of the mobility of persons across the borders as well as the managing of post-migratory conditions entered in the agenda of the state actors. Over the last two decades, the acknowledged permanence of Turkish citizens in the EU and Turkish state's policies around reinforcement and institutionalization of diaspora governance have posed some challenges in bilateral relations. These include questions about how to deal with the spill-over effect of domestic politics beyond the physical borders and how to approach dual citizens' loyalties towards their home and host countries. A significant development for the Turkish diaspora

was the introduction of external voting for Turkish citizens. After the implementation, the participation rates of the Turkish diaspora in domestic politics increased significantly, from about 5% in 2014 to 48% in 2017,[43] which reinstated its position as a political actor in Turkey. Moreover, an initiative referred to as the Blue Card was established for foreigners who had previously renounced their Turkish citizenship to benefit from rights defined for citizens. The politicization over Turkey's diaspora engagement policies coupled with populism fed by xenophobia and Islamophobia and electoral concerns in the EU have contributed to the already worsening relations between the EU and Turkey.

> As a traditional country of emigration, international migration has clearly influenced Turkey's diplomatic relations.

Recently, migration diplomacy was tested with the deterrence of Turkish ministers from campaigning on the April 2017 referendum in the EU. One of these instances coincided with the Dutch general election. The attempts of Turkish officials to organize a political rally in the Netherlands resulted with the Dutch government's withdrawal of the landing permission of the flight of the Turkish Minister of Foreign Affairs, Mevlüt Çavuşoğlu and the forced expulsion of Fatma Betül Sayan Kaya, Turkish Minister of Family and Social Policies, from the country, causing a political and diplomatic incident between the two governments in violation of the Vienna Agreement. Consequently, the Turkish government terminated diplomatic relations at a high level and prohibited the return of the Dutch Ambassador to Turkey. As a response, the Dutch government announced that the Ambassador was being withdrawn from Turkey and diplomatic representation was lowered. In Austria and Germany, there were similar problems[44] and the Turkish government's response was severe. The Turkish President Erdoğan severely condemned the Dutch government and accused the Netherlands of being responsible for the Srebrenica massacre, while the President of the European Council, Donald Tusk, considered the reaction as "detached from reality."[45]

> The free movement of workers across Turkish-EEC borders has been envisaged and deemed extremely positive in Article 12 of the Ankara Agreement in 1963, nevertheless it has not been put into practice up to date.

However, the larger locus of tension was in Germany. Similar to the Netherlands, political rallies for the Turkish referendum were not allowed in Germany either.[46] President Erdoğan labeled these last minute cancellations as "Nazi practices."[47] Additionally, a Kurdish opposition rally in Frankfurt attracted the attention of the Turkish government because of the use of the Kurdistan Workers' Party's (PKK) forbidden symbols. Germany's permission for this rally but not for the others was considered as a "double standard" by the Turkish Foreign Ministry. Other officials further accused Germany of supporting and giving refuge to terrorists- both PKK and Gülen supporters (FETÖ).[48] Lastly, it has been claimed that some Turkish imams affiliated with the Turkish-Islamic Union for Religious Affairs (DITIB), funded by the Turkish Directorate of Religious Affairs, were collecting intelligence on Turkish Gülen supporters living in Europe.[49] The developments in the relations between Germany and Turkey resulted in Germany's more critically determined stance on Turkey, which was publicly announced by the former German Foreign Minister Gabriel along with a caution to travel to Turkey.[50] Germany's Chancellor, Angela Merkel, visited Turkey couple of times before concluding the EU-Turkey deal. Yet, over the course of the 2017 German federal elections, this quite harsh stance was retained and even extended to the EU-level. Merkel openly expressed her opposition to Turkey's EU membership and expansion of customs union while supporting economic sanctions through the restriction or suspension of EU funds. In retaliation, Erdoğan urged Turkish-Germans not to vote for Turkey's adversaries, and other officials made comparisons of racism and the far-right to the German stance, which were also complemented with a travel advisory on Germany.[51]

Germany's Chancellor, Angela Merkel, visited Turkey couple of times before concluding the EU-Turkey deal.

To sum up, in the current state of affairs, the diplomatic relations between Turkey and the EU and some of its member states are strongly linked with three issues of concern related to migration and post-migratory conditions: The first point is whether the intense migratory flows due to the free circulation of Turkish nationals could create significant adjustment problems for the labour market and migrants. The second point is whether Turkey will continue to fulfil the requirements of the readmission agreement signed between the EU and Turkey and to

meet the EU's objectives on border control and management in order to keep irregular migration heading to Europe at a minimum pace.[52] The third concern is over dual citizenship and allegiance. Turkey's continuous ties with and influence over its emigrants in Europe on domestic politics have created problems in the recent past. In fact, the bilateral relations, especially with some of the EU member states, have reached their "lowest point" in history.[53] The deterioration of relations between Turkey and European countries also corresponded to the periods of referendums and national elections. All these examples related to cross-border practices may carry the potential for tension or cooperation in diplomatic relations between states, which are already entangled with concerns over domestic politics.[54]

In the current state of affairs, the diplomatic relations between Turkey and the EU and some of its member states are strongly linked with three issues of concern related to migration and post-migratory conditions.

The picture, however, is not void of signs that can bring optimism. While the ties between Europe and Turkey displayed a negative slope recently, there were also instances of positive initiatives at the diplomatic level. These were also coupled with the remarks of officials affirming the continuation of relations and the strategic importance of the relations for both sides.[55] One of these remarks belongs to Commissioner Avramopoulos, which portrayed the current progress on visa liberalization as the "last mile to run."[56] An EU-level prohibition of PKK assemblies and symbols would also be considered as a materialization of these initiatives and remarks.[57] Although some Turkish political leaders speak of the possibility of choices other than the EU and sometimes express that the EU memberships is not a necessity any longer, negotiations on membership and visa-free travel continue.[58] However, there are indications that relations between the EU and Turkey may evolve to a different form in the future, one with a higher emphasis on strategic partnership and a lower stress on membership.[59] For so long, the relationship between the EU and Turkey has been an unbalanced one. The EU was the active agent demanding changes, which Turkey had to accept unconditionally in anticipation of full membership. Yet, the new driving force in Turkish foreign policy with the motto of an "enterprising and humanitarian outlook" and Turkey's

eventual move from being a country in the periphery to a core country, has altered the dynamics of uneven power relations.

While the ties between Europe and Turkey displayed a negative slope recently, there were also instances of positive initiatives at the diplomatic level.

Other positive important institutional developments related to migration have been as follows:

i) The establishment of the Migration Policies Board under the Chairmanship of the Interior Minister, with the participation of of undersecretaries from different ministries, the president of the Presidency for Turks Abroad and Related Communities (YTB), and the director general of the DGMM. The Board was given the task of determining Turkey's migration policies, coordinating migration-related activities, and devising strategies on the management of migration and integration.

ii) The other was the report prepared by the Refugee Rights Sub-committee of the Human Rights Commission at the Turkish Grand National Assembly, which was released in January 2018. The report calls for a comprehensive integration policy for the first time in order to thwart social distance in society between Syrians and Turkish citizens and to increase social acceptance and inclusion. Underlining the emergency of integrating Syrian refugees into Turkish society, the report suggests the creation of an institutional framework either by the division of the Ministry of Family and Social Policies into two, thereby allowing another Ministry of Social Policies and Integration; or establishing a Presidency of Integration. Recognizing the urgent need to support municipalities for the integration of Syrian asylum seekers especially, the report also mentions the utmost important role of local administrations in integration processes due to differing local conditions in each city. Furthermore, the report takes into consideration those who would stay in Turkey regardless of the political situation in Syria and suggests that a new strategy should be developed to envision integration policies in coordination with the EU and the Syrians themselves.[60] As it is anticipated that the Integration Strategy Document and National Action Plan for the coming five years will be announced anytime soon, there are expectations

that they would address integration issues in detail.

In fact, migration issues have always been high on the agenda of the EU and Turkey.

Against this comprehensive background, the idea of putting together a special issue on international migration and diplomacy came about after organizing an international conference in İstanbul on 18 May 2016 with the coordination of the Migration Research Center at Koç University (MiReKoc) and the Center for Strategic Research (SAM) of the Turkish Foreign Ministry. A lot has happened since then as a clear indication that the topic of international migration and diplomacy will not disappear from headlines anytime soon. Based on the past and ongoing events taken place, the question of international migration has already been positioned at the center of politics and policies within Turkey shaping Turkish-EU relations. In fact, migration issues have always been high on the agenda of the EU and Turkey. It will, most likely, continue to be one of the most important agenda items in foreign policy in the years to come, as predicted by the Global Trends 2030 Report: "International migration is set to grow even faster than it did in the

past quarter-century."[61] Therefore, it has increasingly become important for diplomats to address the political and humanitarian crisis that accompany large-scale population movements together with the international community.[62] Shared interests could indeed lead to new partnerships on international migration. If policy makers and diplomats could use it well, this might pave the way for closer cooperation not only in migration and asylum issues, but also in trade and fight against global terrorism.

It has increasingly become important for diplomats to address the political and humanitarian crisis that accompany large-scale population movements together with the international community.

Common themes that came up during the conference were solidarity; the need for burden-sharing; addressing humanitarian issues and global inequalities as root causes of outmigration; and multilateralism and migration diplomacy as important tools to solve the problems. Some of the speakers underlined the urgent need to develop a holistic multilateral,

multifaceted approach, arguing that it may be more useful than traditional bilateral diplomacy as it might open up channels for human development, cooperation and stability.[63] Other speakers mentioned good practices of global governance from bottom up, in which cities and municipalities were taking more initiatives and setting examples for national governments and even supranational organizations. In many migrant-receiving countries, from Turkey, Greece, Germany, to the UK, there are both political and civil societal approaches welcoming migrants. In these countries and beyond, there has been an army of volunteers and civil society actors in recent years working to help the migrants, offering them food and shelter. These grassroot organizations have also been pressuring the governments to provide more support for migrants by helping them help themselves.

As we were reminded in his keynote speech at the Conference on International Migration and Diplomacy back in 2016, Philip Fargues stated that the world was not facing an unprecedented international migration crisis- definitely not Europe and at least not in terms of numbers. He further added that the current system was not capable of dealing with migration. What we are facing then is not a migration crisis, but a crisis due to inadequate refugee policies

and migration management or lack thereof. Most of the forced migrants today are not even able to cross borders and remain stuck in their countries of residence as Internally Displaced People (IDP). Their numbers stand at more than 40 million by the end of 2016 compared to 25 million refugees and asylum seekers.[64] The UNHCR's Global Trends report also highlights that those people who are lucky enough to cross international borders usually move to neighbouring countries.[65] We also see more and more unaccompanied minors and single women on the move. What we focus on, though, is the security of nation-states and unfortunately not the "human security" of forced migrants.[66] Throughout the world, people are fleeing for a safe haven, but are confronted with closed borders. Syrians constitute the highest number of displaced people at the moment, but it might be some other country's nationals in the near future.

> The existing sharp dichotomy between refugees and economic migrants seems to be no longer valid, as there is an overlapping of these categories.

During the conference, we also addressed the need to reconsider migrant categories. The existing sharp

dichotomy between refugees and economic migrants seems to be no longer valid, as there is an overlapping of these categories. This "categorical fetishism" simply fails to explain the complexity of the migration phenomenon while reinforcing dominant political thinking.[67] Obviously, this migration crisis is not only about numbers but about human stories demonstrating resilience. First and foremost, people on the move are using their human agency to come up with their own solutions in defiance of rules and regulations (sometimes with the help of human smugglers). They choose their own destinations and are very creative with their survival strategies. Most of the time, we hear from testimonies of saved 'boat people' that risking their lives is deemed worthwhile when crossing the borders, considering what they have been going through in their countries of origin. It has become evident that the securitization and externalization of border controls will not deter people from moving.

It seems more migration will continue to be the trend in the years to come. Forced migration due to civil wars, conflicts, or climate change will continue in the future in the Mediterranean and in West Asia and in other parts of the world, like South America, South Asia, and Africa. At the same time, we are experiencing the resurgence of nationalism and right-wing extremism

in Europe as an outcome of popular demands and as a reaction to threats to security and sovereignty. As Franck Düvell mentioned during his speech: "Key values of the EU came under pressure, such as liberalism, human rights, solidarity and joint policies, and with these the historical heritage, moral grounding, and finally even the political foundations of the EU. The EU lost its credibility in the international arena when dealing with the migration management crisis and realizes that in order to manage migration, they need Turkey and other partners."[68]

> It seems more migration will continue to be the trend in the years to come.

International migration is only one of the many complex emergencies in our current political environment. It is, however, one that needs to be carefully and comprehensively addressed as its implications affect many areas of people's daily lives. Qualifying the current situation with the word 'international' implies that no single nation or country alone can resolve it. However, it is equally important to note that the concept of international community should not be restricted into a certain pattern of affairs where only state leaders, politicians

and high-level government officials take part. The scope of stakeholders in the international community, especially in the case of international migration, also encompasses citizens and bureaucracy, as well as the private sector. A dedicated cooperation is required to address the issues related with international migration. In the current context, diplomacy proves to be a promising essential tool in achieving such a cooperation, since it facilitates interstate dialogue. Such a dialogue at this level can help the international community to move beyond the logic of externalising the burdens to other parties. Indeed, not shifting but sharing the burden will not only alleviate the pressures on each state, but also provide a platform to come up with more effective actions to help the community of international migrants in need of protection.

International migration is only one of the many complex emergencies in our current political environment.

As the current refugee system does not address many of the issues mentioned above, the UNHCR has released a 'zero draft' of the Global Compact on Refugees, outlining new perspectives towards the global refugee crisis by the end of January 2018. The idea of putting together a draft on the management of migration and refugee flows goes back to September 2016, when the UN General Assembly adopted the New York Declaration for Refugees and Migrants, establishing the baseline of the Comprehensive Refugee Response Framework. Two processes emerged from the Declaration: one is the Global Compact for Safe, Orderly and Regular Migration (GCM)[69] and the other is the Global Compact on Refugees (GCR). As I write the introduction, the GCM meeting is underway at the UN Headquarters whereas the GCR process will take place in Geneva with the participation of the International Organization for Migration (IOM). The GCR aims to transform the way the international community responds to refugee crisis in providing more protection for refugees and more sustained support for the host countries as well as building the self-reliance of refugees and expanding opportunities for resettlement in

Not shifting but sharing the burden will not only alleviate the pressures on each state, but also provide a platform to come up with more effective actions to help the community of international migrants in need of protection.

third countries. It further aims to convene a "global platform" to respond to migration challenges through diplomacy by engaging state actors, regional organizations, and other stakeholders, such as networks of cities and municipalities, civil society organizations, faith-based organizations, public-private partnerships, and academia.[70] Turkey has the potential to play a key role during this transformative process. Both processes are promising to pave the way for a rights-based approach in human flows.[71]

The Secretary General of the United Nations and former UN High Commissioner for Refugees, Mr. Antonio Guterres, praised Turkey on many occasions and its effective humanitarian response towards Syrian refugees.

At his speech, the Deputy Foreign Minister at the time, H.E. Mr. Naci Koru, underlined the growing importance of migration issues in Turkey and the need for concerted action to address the well-being of all people crossing borders. He also stated: "Migrants, refugees or asylum-seekers are, first of all, human beings.

And everyone deserves to be treated as such. By improving conditions for a life in dignity, by reducing inequalities, and by promoting peaceful societies, we can make crossing international borders a matter of informed choice, not desperate necessity."[72] Following humanitarian diplomacy as a major pillar of Turkish foreign policy, this new outlook in Turkish foreign policy also helps us understand Turkey's new interest in playing a role in extending humanitarian assistance across a vast geography, extending from Africa to Asia, as one of the most important global players in the international arena, and in becoming a champion for the rights of oppressed Muslims around the world, as in the case of the Rohingyas and Palestinians.[73] The Secretary General of the United Nations and former UN High Commissioner for Refugees, Mr. Antonio Guterres, praised Turkey on many occasions and its effective humanitarian response towards Syrian refugees as well as those living in other geographies.[74]

This special issue addresses the gaps in the migration literature and provides an account of how the incorporation of international migration in diplomacy can take place in practice. It is evident that recent developments in migration, the Syrian refugee issue, and Turkey's EU membership process, will keep international migration at the heart of foreign policy. Focusing mostly on

the cases of Turkey and the EU from macro, meso and micro perspectives, the articles in this special issue analyze different instances in which diplomacy is interlinked with migration. Surely, the promise of 'Migration Diplomacy' or 'Diplomacy in Migration' necessitates holistic engagement not with the state institutions and bureaucrats only, but with the people as well, whilst moving beyond the populist political discourse and separating the issue of international migration from short-term electoral concerns and immediate gains.

Frank Düvell's article focuses on key challenges of the EU policies that shape foreign policy and diplomacy in the field of international migration. More specifically, he looks at the responses to the 2015/2016 migration and refugee crisis. In order to conceptualize the reasons for forced migration, he suggests that a critical analysis is needed. Giving examples from case studies of his field research during the same time period, he explores secondary and tertiary displacement of refugees before moving to the EU. Indicating the misconceptions in the media and in the general public, he underlines how these recent flows were regarded as a security threat while many of his interlocutors crossing the Aegean belonged to educated and urban middle classes. This was partly attributed to the emergence of Da'esh and a series of attacks in major cities, including

İstanbul, Ankara, Paris, Nice, Brussels and London. Although EU-Turkey relations were largely based on Turkey's accession process during which Turkey had to comply with the EU standards, the migration crisis altered the power relations between the two. He concludes that the biggest challenge for the EU in managing migration and sharing responsibility is sharp political divisions within the member states, which threaten the unity and even undermine the legimitacy of the EU.

Since the neigbouring countries of Syria are hosting the highest number of refugeees despite limited resources, and doing a "public good" for the overall international community, the EU could have used ethical and altruistic values based on human rights instead of solely security-oriented policies.

Başak Kale takes up the concept of burden-sharing and refugee protection as an international "public good". Drawing examples from institutional and legal developments targeting Syrian refugees living in Turkey and the lack of significant international support towards Turkey, she points out the limitations of burden-sharing

and suggests the need to create a better mechanism within the EU. She describes the current situation not as a refugee crisis but the crisis of refugee protection, as the legal framework provided by the 1951 Geneva Convention on Refugees is ambigous in ensuring cooperation for burden-sharing among nation-states and is inefficient for dealing with large flows of people. This is usually coupled with the lack of interest by the international community to work on clear-cut universal principles on burden-sharing for refugees. She further suggests that this 'crisis' can only be eliminated with putting in place a functioning and systematic approach to burden-sharing under global leadership and a supranational framework. Since the neigbouring countries of Syria are hosting the highest number of refugeees despite limited resources, and doing a "public good" for the overall international community, the EU could have used ethical and altruistic values based on human rights instead of solely security-oriented policies.

Underlying the importance of good governance in international migration with the incorporation of international organizations, the international community and all stakeholders for a concerted action, Can Ünver's article elaborates two main international frameworks: the International Convention for the Protection of the

Rights of All Migrant Workers and the Members of their Families from 1990 (IRCMW) and the recently launched process of the Global Compact for Safe, Orderly and Regular Migration (GCM). He argues that in order to address new migration and refugee patterns effectively, there is a growing need for all nation-states- sending, transit and receiving countries- to get more involved in global migration management processes. As the primary concern of nation-states have been preserving national sovereignty in controlling migration movements into their territories, he proposes these two rights-based legal instruments for safeguarding the human rights of all migrants and refugees regardless of their legal status.

Yelda Devlet Karapınar's article showcases how immigration has become "high politics" between the EU and Turkey, first with the EU accession process and then with the Syrian refugee issue. Yet, she argues that these developments fall short of explaining Turkey's restructuring of current immigration policies. Turkey's engagement with regional consultative processes, international platforms, and international organizations working on diverse dimensions of migration have also contributed to its involvement in global discussions related to migration, and encouraged the country to become a significant actor in the international

migration governance. Building on Giddens' concept of structuration, she adopts mainly a constructivist approach by saying that implementation of policies after the 2000s in external affairs, development, economy, security, international cooperation, and humanitarian aid have all had an impact on current migration policy making in Turkey. She ultimately comes up with nine trends which directly and indirectly affect Turkish migration policies: humanitarianization, developmentalization, politicization, diplomatization, regionalization, economization, securitization, externalization, and projectization.

Turkey's engagement with regional consultative processes, international platforms, and international organizations working on diverse dimensions of migration have also contributed to its involvement in global discussions related to migration.

After giving a brief account of changing conceptualizations of the term "diaspora", Şebnem Köşer Akçapar and Damla Bayraktar Aksel argue that the new Turkish diaspora policy was shaped by the acknowledgment of

transnational and permanent Turkish migrant populations in Western Europe and the United States and the re-orientation of Turkish foreign policy after the 2000s. This era, ushering in more diaspora engagement by the state and the recognition of public diplomacy as an important tool in bilateral relations, also led to major policy transformations targeting Turkish immigrants living in different countries. These transformations are analysed under four major headings: ii) institutionalization processes; ii) ideological changes; iii) political (electoral) regulations; iv) other relational factors. Finally, as the Turkish state's institutional and administrative presence abroad become consolidated, it is expected that diaspora members assume a bridging role as they are considered as permanent communities with transnational linkages to the homeland. However, the authors underline that the diversity and fragmentation within the Turkish diaspora indicate that it is not a monolithic and unified entity, and policies targeting the emigrant populations should reflect and respect this diversity.

Based on her fieldwork in three different cities in Turkey and face-to-face interviews with Syrian refugees, Doğuş Şimşek's article scrutinizes the EU-Turkey deal closely in an effort to explore the impact of the Agreement

and whether Turkey can be recognised as a "safe third country" for refugees. Following a brief historical overview of the Syrian mass migration into Turkey, she provides personal accounts of refugees themselves as regards their access to rights, settlement choices, and the different levels of discrimination they feel in society. She concludes that living in limbo and not feeling secure because of temporariness implied in status, many respondents preferred taking costly and perilous journeys to Europe. She concludes with some recommendations for the EU and Turkey to provide an effective protection and integration environment for Syrian refugees.

In her article, Meltem İnce Yenilmez examines the impact of forced migration in the Middle East- mainly Turkey, Lebanon and Jordan- and takes up two protracted cases: Palestinian and Syrian refugees. She looks at the economic, cultural and political dynamics of forced migration in the region and argues that despite the immediate negative effects on labour markets, politics, culture, and security, forced migration has a net benefit on the host countries in the long-term. She further explores the reasons for the lack of regional coping mechanisms with mass refugee flows, including the absence of regional migration management, and proposes that terms such as "crisis" and "guests" could be replaced with more adequate terminology by giving refugees more opportunities and incentives to integrate faster into the host societies.

This era, ushering in more diaspora engagement by the state and the recognition of public diplomacy as an important tool in bilateral relations, also led to major policy transformations targeting Turkish immigrants living in different countries.

Endnotes

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The EU's International Relations and Migration Diplomacy at Times of Crisis: Key Challenges and Priorities

Frank DÜVELL[*]

Abstract

This contribution explores the key challenges of contemporary EU policies that shape and can contribute to explaining the EU's foreign policy and diplomacy in the fields of neighbourhood policy and accession as well as migration policies, and, notably, its responses to the 2015/2016 migration and refugee crisis. It analyses how social unrest, uprisings and wars in the Middle East, Northern Africa and Eastern Europe, the rise of terrorism and Jihadism, the refugee crisis as well as inequality within the EU fuelled the rise of illiberal, anti-EU and anti-immigrant sentiments, resulting in a security crisis, ruptures between EU member states and subsequently a crisis of the European project and thus the post-war European peace project. It argues that stabilising and protecting the EU overrides all other policy considerations. This priority subsequently also informs EU foreign policy vis-à-vis Turkey.

Key Words

EU External Relations, Migration Diplomacy, EU-Turkey Relations, Refugee Crisis, Security Crisis.

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Introduction

This paper explores the key challenges of contemporary EU policies that shape and can contribute to explaining the EU's foreign policy and diplomacy in the field of migration, and notably its international policies in response to the 2015/2016 migration and refugee crisis. These key challenges, I suggest, are the record displacement of around 22 million people in the wider neighbourhood, the underlying manifold ruptures, conflicts ranging from revolutions and counter-revolutions to sectarian conflicts as well as dictatorial governments or other similar problems in the wider neighbourhood of the EU, the threats from Islamist terrorism in the EU and many of its partner countries, the resurgence of nationalism, anti-EU sentiments and extreme politics in the EU, the deepening inequality within and between member states which fuels these radical trends, and finally some international isolation and lack of responsibility sharing with respect to the refugee crisis. This complex set of external and internal challenges

has merged into a crisis of values, unleashed forces of self-destruction, undermined the internal cohesion and subsequently also the external power of the EU, and even affected the post-war European peace order, all of which have subsequently informed its foreign policy.

Complex set of external and internal challenges has merged into a crisis of values, unleashed forces of self-destruction, undermined the internal cohesion and subsequently also the external power of the EU.

The article is based on research, dissemination and subsequent discussions of the ESRC-funded project MedMiG - Unravelling the Mediterranean Migration Crisis, conducted from September 2015 to September 2016.[1] Whilst the actual research focussed on the dynamics of the migrations in 2015 much of the subsequent interests like conference invitations and media queries focussed on the increasingly hostile responses by some parts of the European constituencies and several governments and the EU's struggles to come to terms with and develop an adequate response to the crisis that would be in line with her values.

The Refugee and Migration Crisis and International Relations

By 2015, a record number of people in the neighbourhood of the EU, around 22 million, were displaced; this is around a third of the total number of displaced persons globally, around 65.3 million, and as many as by the end of the Second World War. Of this number, 12.4 million were newly displaced in 2015.[2] Until late 2017, the submission date of this article, this number has remained stable. Around two thirds of the displaced persons are internally displaced within their own countries whilst a third, about seven million, fled to other countries, like Turkey, Lebanon, Jordan, and Russia. A small proportion, 6 % of those in the EU neighbourhood, fled to the EU. In total, around 1 million people, mostly refugees, arrived by sea in 2015. In addition, in 2015, around 300,000 arrived overland, mostly from the Balkan countries, or by plane. This continued at a lower level in 2016, when by June another 300,000 arrived, and in 2017 by October with the arrival of around 150,000.[3] From 2011 to the summer of 2017, the total number of asylum applications in the EU had reached around 4.7 million.[4] It is important to note that 11.7 million displaced persons are Syrians and another approximately 2.5 million are

Ukrainians, in sum 22 %. In this sense, Russia, by supporting Syria's President Assad and armed separatists in Eastern Ukraine and by intervening and sending troops into fighting, is both directly and indirectly responsible for generating large-scale displacement.

By 2015, a record number of people in the neighbourhood of the EU, around 22 million, were displaced.

However, apart from the facts and in order to move on, the analysis and debate often involve some convenient conceptualisations which need to be critically interrogated. For instance, whilst conventionally we talk about the primary root causes of displacement and migration referring to determinants like violence, persecution or economic hardship in the countries of origin, like Syria, Afghanistan, Eritrea or Ukraine, we find in our project a significant proportion of people from these countries who had already fled to Iran, Turkey, Sudan or Libya, resided there for considerable periods of time but felt compelled to move on. In some cases, people have been even living in two or more different countries, like Iran and Turkey or Burkina Faso and Libya before moving on. The drivers of this type of secondary or - in the case that people had already resided in a second country- even tertiary movements are conceptualised as secondary root causes. These are described by our respondents as lack of a stable status, lack of access to asylum, lack of economic opportunities and generally unviable living conditions, discrimination or crime. Because these conditions determine migration to Turkey, the EU or other destination countries, they are as powerful as the primary root causes. This in return may complicate foreign and international aid policy with respect to addressing forced displacement: it is no longer sufficient to address only the primary root causes. Instead, the EU recognises that addressing policy deficiencies and sending more aid to the main first countries of reception, such as Turkey, Iran and other countries, are important in order to diminish the various drivers of migration.

The European response was to some extent based on partly orchestrated misperceptions which nevertheless generated a threat perception.

Second, we need to interrogate the scope of the phenomenon of refugee arrivals in the EU. On the one hand,

the EU has received almost 5 million refugees, adding to the several million refugees accepted in previous years and decades and adding to its immigrant population of 54.4 million. This demonstrates that the EU hosts a significant proportion of the global refugee population and suggests that some perceptions held in Turkey with regard to burden-sharing need to be put in perspective. In absolute terms the magnitude of displacements, the large number of arrivals in 2015/16 appears huge and the images of tattered masses arriving at small ports and beaches or sometimes overrunning border controls looked literally overwhelming and this was the perception generated by the media. However, here lies a problem and we need to put things into perspective. The absolute level of displacement is similar to the situation after WWII, however, Europe's population was significantly smaller then, also then Europe lay in ruins whereas now it is the most affluent region of the world. Likewise, there are fewer arrivals than during some previous migrations, such as that of ethnic Germans to Germany (over four million) or resettlement from Indochina (2.5 million), and it is not dissimilar to the refugee influx from the Yugoslavian conflict to Germany (700,000-800,000). Indeed, the actual number of refugee arrivals in 2015/16 is equivalent to only 0.3 % of the EU population. Our research findings also

suggest that the arrivals are not tattered masses but rather well-educated urban middle-classes. Up to two thirds of our sample of 500 interviews who took the Aegean route belonged to urban middle-classes. This implies that the European response was to some extent based on partly orchestrated misperceptions which nevertheless generated a threat perception.

Finally, migration not only relates countries to one another but therefore also frequently compels states to talk to one another over migration issues.[5] Thus, in the case of migration, it is peoples' determination, or in sociological terms human agency, which determines international relations. Migration thereby also impacts on and partly determines the power relations between states.[6] For instance, in the case of the Mediterranean refugee crisis, one supranational state, the EU, becomes more vulnerable and more dependent on collaboration with other states - in this case Turkey and to a lesser extent Libya but also Macedonia - and thus weaker counterparts, like Turkey and Libya, potentially gain some leverage and thus relative power. Previously, Turkey-EU relations were almost solely shaped by the accession process, which meant that Turkey had to comply with EU standards- though this was also inspired by national interests with respect to reforming legislations and institutions. Meanwhile, the refugee

crisis added another element to the list of determinants of the power-balance between Turkey and the EU and subsequently reconfigured relations. This became most apparent over the revival of the EU- Turkey Action Plan in October 2015 and the institutionalist EU-Turkey Statement in March 2016, trading effective controls of sea borders, return of irregular immigrants and organised resettlement to the benefit of the EU for funding and visa liberalisation to the benefit of Turkish citizens.[7] Further to this, the role of Russia as a country that contributes to large-scale displacement and the subsequent impact this has on the stability of other countries merits more attention than the issue currently receives.

However, so far the EU-Turkey Statement or 'deal' as often denoted has not been implemented as agreed. Neither has visa liberalisation been granted, mostly for reasons related to the EU's usual conditions, nor were refugees in any significant numbers returned or resettled. Only the all-important control of migration was intensified, which stopped the flow.[8] However, in the meantime, the EU and its member states won valuable time, set up a reception and detention system in Greece, closed the Balkan route that served as a main attraction for people in Turkey, and increased border control capacities in the Aegean Sea.

The Terrorist Threat and Security Crisis

Almost simultaneously to the refugee crisis, we witnessed the emergence of the so-called Islamic State (IS) or Daesh in the Middle East and later North Africa.

Almost simultaneously to the refugee crisis, we witnessed the emergence of the so-called Islamic State (IS) or Daesh in the Middle East and later North Africa, a series of terrorist attacks in Turkey, France and Belgium, as well as some large-scale crimes in Germany which added to the partly real, partly perceived threats to the people of Europe. Notably, the atrocities of IS/Daesh, like the beheading of captivates from 2014 and the strategic use of 'visual imagery and visual media in contemporary warfare'[9] and the enslavement and sexual exploitation of Yezidi women, caught the imaginations of and horrified the European people and generally the international community.[10] Such atrocities and the offensives of IS/Daesh in Mosul in 2014, Ramadi in spring 2015 and in summer 2015 in the region east of Aleppo[11] were important factors contributing to the displacement of people and thereby fuelling the European refugee crisis. Finally, a significant number of

foreign jihadi fighters including many from European countries and the dangers associated with their potential return rang the alarm bells.[12] The subsequent terrorist attacks in Paris in November 2015, repeatedly in Ankara and İstanbul and later in Brussels in March 2016, and in Berlin in December 2016 not only extended IS/Daesh terror towards Europe but they were considered 'an evil attack against us all'.[13] Some sources including the European Council also related these atrocities to large-scale irregular and largely unrecorded and uncontrolled immigration and suggested security implications.[14] This migration-security nexus was further accelerated by a wave of theft and sexual crimes committed on 2016 New Year's Eve in Cologne, Hamburg and elsewhere.[15]

However, these threat perceptions too need to be put into perspective. It is well documented that i) the number of terrorists is actually extremely small, and ii) that until late 2015 terrorists were usually either EU residents and/or EU-born.[16] This implied that these terrorists had not been radicalised abroad importing their ideas but they were radicalised in the EU. Thus, this type of terrorism, even though it has a transnational dimension because it takes its inspiration and ideology from abroad, still largely is a domestic European problem. However, the November 2015 and December 2016

terrorist attacks also included several attackers who were radicalised and had been trained abroad, and then entered the EU disguised as refugees to commit such attacks.[17] Other similar radicals were arrested in Germany. This added a type of 'imported' terrorist threat to the EU. As a consequence, domestic security became another major challenge for the EU.

> The European Council, in its 2014 conclusions, declared one of its key priorities as 'guarantee[ing] a genuine area of security for European citizens [and] putting into force an effective EU counter terrorism policy'.

All of these developments gave rise to perceptions of some loss of control, insecurity and threats related to international migration. This then resulted in exceptional politics such as detaining families and children in closed camps where they were left malnourished, leading to conditions last seen in the 1940s, the erection of fences last seen during the Cold War, and deploying the army and navy against refugees. Exceptional politics are considered a key criterion by securitisation theory;[18] therefore, these politics can be interpreted as

further securitisation of international migration. On the policy level, the European Council, in its 2014 conclusions, declared one of its key priorities as 'guarantee[ing] a genuine area of security for European citizens [and] putting into force an effective EU counter terrorism policy'. And because the security of EU citizens is the key priority, this also informs its international relations and diplomacy in the field of migration.[19] Indeed, from the very beginning of common EU home affairs, policies of security and migration have been thought of in conjunction, as demonstrated by the 1976 Trevi group.[20]

A Neighbourhood in Flames

The refugee crisis as well as the terrorism threat are related to a wider crisis of stability and security. It appears that half the neighbourhood of the EU is in trouble whilst some of the other half fuels or causes trouble. In 2010/11, initially largely pro-democratic revolts coined as the 'Arab spring' hit countries in Northern Africa, the Middle East and the Gulf region. These had very different results[21] and either led nowhere, as in Bahrain and Kuwait, resulted in some concessions, as in Algeria and Morocco, forced regime change and some democratisation, as in Tunisia, led to regime change but a

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fall back to authoritarian ruling as in Egypt, or ended in violent conflict as in Syria where the government's backlash turned into civil war[22] and in Libya where the collapse of the old regime gave rise to inter-factional violence.[23] It also led to a deepening of the sectarian Sunni-Shi'a divide across the entire region.[24] From 2013 onwards, the so-called Islamic State (IS) launched large-scale attacks in Iraq and later also expanded its operations into Syria and even to Libya in 2014/2015.[25] Several of these developments were further aggravated by the influx of radical Muslims or Jihadists from Europe to other parts of the world.[26] Furthermore, the role of the Transatlantic countries is rather critically discussed as with respect to intervention in Libya and lack of intervention in Syria.[27] In 2014, we witnessed the EuroMaidan revolt in Ukraine that swept away the old regime, did not result in solid reforms but triggered a counter-revolution and subsequently Russian military intervention.[28] And in April 2016, we briefly saw the frozen Armenia/Azerbaijan conflict turning hot again.

Apart from this, violent conflicts continue in Somalia, Mali and Nigeria, and political oppression is reported from Eritrea, Gambia (which ended in 2016), and elsewhere.[29] In addition, ethnic minorities and refugees are discriminated or specifically targeted, like Palestinians in Lebanon, Yezidis by IS/Daesh in Iraq, Tatars in Crimea, Christians in Pakistan, Afghan refugees in Iran and Eritrean refugees in Israel. In Syria, the West decided not to intervene, not to enforce a no-fly zone or send troops, hoping that the conflict would burn out as suggested by the US foreign policy expert Richard Haass.[30]

Meanwhile, Russia pushed itself onto the international arena once again, fuelling rather than easing troubles. Russia has long backed the Assad regime and when the global north did not intervene in the civil war, Russia seized the emerging opportunity and directly engaged militarily;[31] thereby re-establishing Russia as a key regional player thanks to 'diplomacy on Syria' and thus taking on the Transatlantic allies.[32] In Ukraine too Russia took advantage of the weakening of the Ukrainian state and pro-Russian insurgents, and annexed Crimea, backed militias and deployed its arms and (mostly unmarked) troops in two Eastern provinces. It has occasionally been claimed, by NATO representatives for example, that Russia's diplomacy in support of Assad also aims at creating refugee flows that would then destabilise the EU.[33] Indeed, whilst it is 'the West' which is conventionally blamed for its interventions, Russia must also be criticized due to her interventions in Afghanistan, Moldova, Chechnya, Georgia, and more recently in Ukraine and Syria, as this is indeed directly or indirectly causing or even contributing significantly to contemporary global displacements. It is further claimed that Russia also intervenes in EU affairs, appeases Greece, threatens the Baltic countries, supports pro-Russian politics in Moldova and Bulgaria, provokes the UK, Sweden and others by violations of airspaces, and funds extreme right and/or Euro-sceptic political parties.[34]

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Other international actors, like Saudi Arabia and Iran, brought themselves into play by exploiting the Sunni-Shia divide and backing opposing forces in Syria and Yemen, which increased geopolitical tensions in the region. From an EU perspective, developments in Turkey have been another cause

for concern, like the erosion of human rights and democracy, and the resurgence of violence in South East Anatolia.[35] In particular, the backlash to the July 2016 military *coup* attempt, the subsequent state of emergency and the purge of public civilian and military structure caused significant consternation on the side of the EU.[36]

Within a few years, the short and relatively unstable- as it now turns out- post-Cold War order fell apart and gave way to a rather volatile constellation of a multipolar order, violent modes of interaction and the rise of non-state actors.[37] Addressing and containing such external threats not only represents an extensive agenda but is also of outmost importance to the EU. As stated in the Council of EU, '…the neighbourhood is a strategic priority and a *fundamental interest* for the EU… to develop an area of shared *stability, security and prosperity*'.[38] This clearly points out that the EU's migration diplomacy must be analysed from the perspective of these principal aims.

The Resurgence of Nationalism and Right-Wing Extremism

As a response to refugee flows, the initially welcoming response in several countries was successively side-lined by a more hostile backlash and extreme politics. Denmark and Sweden, and later Austria, Germany and France reintroduced border controls.[39] Bulgaria, Hungary, and Macedonia set up fences and barbed wire.[40] Various governments sent their armies, NATO vessels were deployed,[41] Macedonia positioned tanks at the border and rubber bullets and tear gas were shot at refugees. In Greece, right-wing mobs attacked refugees, like on Chios, and burned down facilities of humanitarian NGOs whilst occasionally anonymous armed and masked thugs attacked refugee boats out at sea. In Germany, PEGIDA, the movement of patriots against the Islamisation of Europe, mustered cohorts of supporters whilst hundreds of arson attacks on refugee centres were committed. And finally, in Poland a nationalist government was voted into power, as previously in Hungary, in Denmark and Slovakia, support for extreme right-wing political parties gained momentum. Over the past years, in 12 out of 20 European countries the extreme right has made significant gains (Austria, Bulgaria, Denmark, Finland, France, Germany, Hungary, Poland, Slovakia, Sweden, Switzerland, and UK) whilst in five they lost votes (Italy, Belgium, Greece, Netherlands, and Romania).[42] Indeed, by May 2015, 46 % of Europeans expressed a lack of trust in the EU whilst 40 % voiced trust.

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Moreover, 38 % said immigration is the main concern for Europe, up from 24 % in 2014 (Germany 55%, Denmark 50%, Sweden 58%, Czech Republic 44%, Italy 43%, Austria 37% and Greece only 27%); this is still a minority, though this was before the refugee crisis.[43] Meanwhile, 56 % were (very) negative about immigration from outside the EU (Czech Republic 81%, Greece 78%, Slovakia 77%, Italy and Hungary 70%, Austria 60%, France 58%, Poland 53%). This proportion is highest amongst people identifying themselves as 'working class' (60%) and lowest but still high amongst middle and higher classes.[44] About a quarter to a third of the population tends to hold authoritarian views,[45] these are more likely to be male (notably in the middle aged group) and workers lacking secondary education, as analysis in, for instance, Austria shows.[46] Even conventional social democrat or Christian conservative governments, like in France, Germany, Austria and elsewhere chose to compromise and moved right. All in all, we saw

the rise of xenophobe and anti-European, inhumane, protectionist and nationalist policies. Freedom House summarises developments as a 'rise of illiberal nationalism in Europe', notably in Eastern Europe.[47] These processes contain elements that have powers of self-destruction.[48] Therefore, containing these forces is another key objective for the EU and achieving this will demand compromise on all fronts.

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The Rise of Inequality

Finally, deepening inequality in Europe underpins the rise of protectionism, nationalism and extremism. Indeed, the EU is a hugely unequal union. In Bulgaria, Romania, Croatia, Latvia, Poland and Hungary, the Actual Individual Consumption per capita (AIC) is only half the level of Germany. Seventeen member states rank below the average AIC, including all southern

and eastern member states. Significant social inequality is also found within the member states and since the 1970s this has massively increased. The richest ten % of the households hold 50 % of all wealth; this gap is widest in southern and eastern countries.[49] A quarter to a third of the people are stuck in precarious, low-paid jobs mostly in the service sector.[50] 25 % of the EU population is worried about the economy (40% Greece, 37% Spain, 36% Sweden, 26% Hungary, 20% Poland), 24 % about unemployment (Italy, Spain and Greece 32%, Sweden 27%, Belgium, Denmark and Slovenia 26%) and nine % about inflation (Croatia 15%, Poland 14%).[51] Media footage implies that the call for migration restrictions or anti-EU rhetoric is often justified with concerns over job security and pressure on the welfare state.[52] Meanwhile, voting behaviour analysis often finds lower educated middle-aged working men are supposedly affected by precarity, and are holding extreme views.[53] Fear for and actually decreasing living standards and thus rising inequality all diminish enthusiasm for and thus loyalty with conventional political parties as well as the European integration project. Meanwhile, conventional social democrat or conservative governments do little to address these root causes. And whilst migration is blamed for the deterioration of peoples' living

Deepening inequality in Europe underpins the rise of protectionism, nationalism and extremism.

conditions, it is rather national governments and their result of neo-liberal agendas which create these. In any case, a World Economic Forum publication illustrates that current levels of inequality are nearing the levels of the 1910s and 1930s - which were times of political extremism - and warns that 'inequality is one of the key challenges of our time'.[54] Notably the recent rise of right-wing Europhobic political parties (*Front National* in France, *AfD* in Germany, and *Law and Justice* in Poland) turned policies addressing inequalities into another key policy goal;[55] for instance, only from September 2015 onwards, a 'European Pillar of Social Right' was invented.

A Discreet Crisis of Diplomacy and Foreign Policy

Finally, another discreet crisis of foreign policy has emerged. The EU-Russia partnership is ruined for the foreseeable future, the European Neighbourhood Policy's (ENP) goal to create a 'ring of friends' partly failed, Russia never did actually join 'this ring

of friends'. Instead, Russia suggested a kind of alternative model, a 'Greater Europe' from Brest to Vladivostok, which challenged and in effect would have broken up the historical US-Europe axis.[56] Even the relations of the EU with the candidate country Turkey turned sour[57] and other countries largely abandoned the region and contributed little to relieve the refugee crisis.[58]

The international community, with the US leading the way, did not accept much responsibility for the refugee situation, apart from the usual and usually insufficient contributions to the UNHCR. The main exceptions were Brazil, which issued 8,000 humanitarian visa to Syrians by May 2016,[59] Canada which, from 2015, when a new government was voted into power, began resettling 25,000 only Syrian refugees, and Malaysia which, from the end of 2015 began accepting 3,000.[60] But apart from this Turkey, Lebanon, Jordan, Germany and the EU were *de facto* abandoned by the international community, but it seems also fair to say that the EU did not make sufficient efforts to bring this topic to the attention of the international community. The 2016 UN refugee summit came years too late and did not bring about any concrete agreement for burden sharing.[61] As a consequence, the refugee crisis, even though of historical proportions, had become a regional and European

problem but the EU was overwhelmed and under this stress subsequently got entrenched in internal controversies.

The international community, with the US leading the way, did not accept much responsibility for the refugee situation, apart from the usual and usually insufficient contributions to the UNHCR.

Within the EU, old alliances weakened and new coalitions emerged, often with a distinct illiberal agenda. Most notably, in 2015, Merkel attempted to build a coalition of the willing to address the refugee crisis in a better managed and also more humane fashion. When this initiative stalled, Germany aimed at setting a precedence case by announcing it would not enforce the Dublin II Convention on sending back refugees to the first safe EU country but instead to accept large numbers of refugees, hoping that other member states would follow.[62] In parallel, the EU commission designed a fairly comprehensive mix of liberal and repressive measures, ranging from addressing root causes, sending support to Turkey to address secondary root causes, deploying NATO and Frontex to improve border controls, establishing

so-called 'Hotspots' to better regulate the influx, and arranging resettlement and relocation to counter irregular movements. However, the change of government in Poland, a key partner in this effort, and the decision of France - in the light of Front National gains - not to accept any significant number of refugees contributed significantly to the failure of both these initiatives. Also the change of government in Denmark under participation of the extreme Danish Peoples Party and then the decision of Sweden to abandon its open border policy further contributed to this. Here, domestic politics changed well-established international relations. German-French and German-Polish relations broke up. Instead, new alliances emerged, Germany and Greece became partners again over the refugee crisis, the Visegrad group resurfaced and an Austrian-led Balkan group emerged. Indeed, small states which would conventionally be considered powerless turned out to have significant power to determine EU policy; this challenges older assumptions held in the International Relations literature.[63] Smaller states turned previous power relations upside down so that it was them, not the big states, who dictated policy. Finally, the EU Council under President Tusk in 2016 side-lined the EU Commission and gained initiative in pushing though a tough response to the refugee influx. Generally, these new

coalitions were rather coalitions of the unwilling, consolidating a Euro-sceptic, nationalist and illiberal bloc. This also impacted the shape of EU foreign policy with respect to international migration and refugee policy as well as policy towards Turkey.

The Key Challenge for EU Diplomacy

As a result, we now face a toxic mix of a refugee crisis, the resurgence of tensions between the EU, NATO and Russia, deepening inequality, and rising political extremism. These developments triggered conflicting ideas within and between member states, and between the EU Commission, the EU Parliament (or at least some factions) and the EU Council, on how to best address these challenges, such as over open borders versus fences or over resettlement versus containing the problem in the region. Key values of the EU came under pressure, such as liberalism, human rights, asylum, internal solidarity, international responsibility and joint policies. This subsequently divided the EU member states into more or less liberal camps. Finally, the historical heritage, moral grounding, and with this even the political foundations of the EU were jeopardised. By the end of 2015, the individual crisis of refugees, reception and borders had merged and all

culminated into a crisis of the stability of the EU.[64] For instance, Roettgen, a senior German foreign policy maker (CDU member and chairman of the Bundestag's Committee on Foreign Affairs), argued that the refugee crisis "has shaken Europe to its foundations" and thus threatens its integrity. He went on to suggest that "either we unite as European, or Europe will be irrelevant on the world stage" expressing concerns over the future of the EU's power in international relations.[65] Commissioner Avramopoulos suggested that Schengen, "the backbone [of] what we are as a European Union", has been threatened but must be "save[d]".[66] And the EU Commission President Juncker also stated 'when crisis came, it put our very foundation to the test', the refugee crisis, like others, was 'a threat that was systemic' and he argued that this 'situation demands bold measures'.[67]

We now face a toxic mix of a refugee crisis, the resurgence of tensions between the EU, NATO and Russia, deepening inequality, and rising political extremism.

As one key conclusion of this article, it seems that this perception of urgency and crisis shaped the subsequent EU

The crisis of the EU shifted the priorities of policy and diplomacy within and beyond the EU.

policy response. In a liberalist fashion the configuration of interest groups within member states shaped national preferences, which were negotiated in an institutionalist fashion between member states, which brought about the joined EU policy responses.[68] My second key conclusion is that the crisis of the EU shifted the priorities of policy and diplomacy within and beyond the EU. The 'bold measures', as Junker calls them- closure of borders, sending refugees back to Turkey, containing refugees in the region, delaying visa free travel and thus preventing potentially more migration from Turkey- were all justified with the higher interest of securing the 'foundations' of the EU. The prime concerns are thus no longer human rights or democracy or good relations with Turkey but maintaining the EU's integrity, power, and even the European peace order. Refugees are not resettled or relocated for the benefit of the respective individuals or other countries against the will of member states to avoid their further alienation, as this would only further undermine the union. Likewise, visa liberalisation for, and thus more mobility or migration from, Turkey

is not pushed through as it would further alienate certain electorates and member states; this is not possible to be implemented against the will of some hostile governments since this might further divide the union. Thus, realist thinking concerned with the survival of the supra-national state prevails over

Refugees are not resettled or relocated for the benefit of the respective individuals or other countries against the will of member states to avoid their further alienation, as this would only further undermine the union.

economic considerations, international relations or other goals.

Due to the structure of the EU as a union of sovereign states, the opposition, even if a minority of states, has the power to determine the politics of the EU as a whole[69] and in a defensive realist fashion, other states do not impose their will on these.[70] It seems that all policies aimed at addressing the individual crisis turned into means to this end and that diplomacy towards Turkey was undertaken in light of this overarching challenge. In any case, I argue that the EU as a whole cannot be blamed for this policy but rather the individual member states and the respective political parties and electorates.

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The Limits of an International Burden-sharing Approach: The Syrian Refugee Protection Crisis and Its Consequences on Turkey's Refugee Policy

Başak KALE*

Abstract

This article analyses the consequences of the Syrian refugee protection crisis on the development of an effective international burden-sharing approach. It argues that despite the proven necessity of developing effective burden-sharing mechanisms at the EU and international levels, the Syrian refugee protection crisis has shown that limited progress has been achieved both at the international and the regional levels. This article brings these discussions under a systematic framework to show how the Syrian refugee crisis can provide an opportunity and also a challenge for the development of an effective and durable international burden-sharing approach. The primary objective of this research is to review Turkey's experience with the Syrian refugees. The lack of commitment for international burden-sharing puts refugee-receiving countries under immense financial, political and social pressures, which have direct consequences on the humanitarian assistance that refugees can receive. Taking one such refugee hosting country, Turkey, as an example, this research investigates responses given to refugee protection at an international level.

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Key Words

Syrian Refugee Protection Crisis, Syrian War, Refugees, Burden-Sharing, Turkey and Refugees, Refugee Policy.

Introduction

This article analyses the consequences of the Syrian refugee protection crisis[1] on the limits of an effective and durable burden-sharing[2] regime. The 1951 Convention for the Status of Refugees (the 1951 Convention) was developed to protect the individuals applying for refugee status. Under the Convention the right to asylum is considered mainly for individual applications, thus leaving legally binding rules for the signatory states in mass influx situations somewhat unclear. This ambiguity has been a major obstacle in mass movements for the effective protection of refugees in their host countries.

Despite the proven necessity of developing effective burden-sharing mechanisms since the development of the 1951 Convention, the Syrian refugee protection crisis starting

from 2011 has shown that limited progress has been achieved both at the international and the regional levels. The lack of commitment for burden-sharing puts refugee-receiving countries under immense financial, political and social pressures, which have direct consequences on the humanitarian assistance that refugees can receive. One of the receiving countries of such influx refugee movements is Turkey. This article aims to bring these discussions under a systematic analysis and show how the Syrian refugee crisis can provide an opportunity for the development of an effective and durable international burden-sharing regime both at the regional and global level, as well as highlighting the current limitations for developing such an effective system.

> The lack of commitment for burden-sharing puts refugee-receiving countries under immense financial, political and social pressures.

In that respect, the primary objective of this article is to review the importance of refugee burden-sharing and refugee protection as an international public good. Looking at the theory of public good, the first section of this article aims to put forward an approach on burden-sharing for refugee protection under international refugee law and the discussion of "public good" theory. The second section provides an overview of the legal developments on the Syrian crisis in Turkey. The final section investigates the limits of burden-sharing, specifically focusing on Syrian refugees and Turkey. Taking the Syrian refugees as the main focus of discussion, this article presents the need to establish effective burden-sharing mechanisms within the EU. The Syrian civil war and the refugee protection crisis demonstrates that without the existence of a systematic approach to refugee burden-sharing under a global leadership and a global institutional framework promoting a universal perspective, it will be difficult to achieve effective, long-term and durable solutions. This research assesses whether a comprehensive approach to refugee burden-sharing through financial tools, policy coordination or resettlement mechanisms is possible or not.

Burden-sharing for Refugee Protection under International Refugee Law

The main international legal document that outlines the legal framework regarding the status of refugees and the obligations of the states on refugees

is the 1951 UN Convention Relating to the Status of Refugees and the 1967 Additional Protocol. Other international human rights conventions and legal instruments complement the refugee protection provided by these two fundamental legal documents. Although the 1951 Convention formed the main basis of refugee protection, it was not the first international legal instrument to underline the right to seek asylum. After World War II, there was a strong willingness by the international community to support fundamental rights and freedoms universally.

> After World War II, there was a strong willingness by the international community to support fundamental rights and freedoms universally.

This willingness was reflected in the adoption of the Universal Declaration of Human Rights (UDHR).[3] The Declaration was proclaimed by the United Nations General Assembly without any geographical or regional specifications in Paris on December 10th, 1948. In addition to the acceptance of international and universal protection of human rights, this milestone declaration has also underlined certain rights, which would later be focused on or emphasized more specifically in other UN legal documents, convention and declarations. Article 14.1 of the UDHR clarified that "everyone has the right to seek and to enjoy in other countries asylum from persecution." Inclusion of the right of asylum in a declaration with a universal scope set the basis for prospective international legal developments.[4]

Following the UDHR, the 1951 Convention universally described who would be considered as a refugee with a definition provided in Article 1. According to this article "a person owing a well-founded fear of persecution based on his/her race, religion, nationality, and political opinion or membership of a particular social group residing outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it."[5] The Convention with this definition did not restrain the application of the refugee definition within a strict geographical or regional setting. Instead, Article 1 tried to provide a definition applicable universally within a specific time frame: "events happening before 1 January 1951." This time limitation was later

recognized as unpractical and was lifted with the 1967 Protocol.

> Despite the aim to provide a general refugee definition, the 1951 Convention reflected the characteristics of the already emerging Cold War context.

Despite the aim to provide a general refugee definition, the 1951 Convention reflected the characteristics of the already emerging Cold War context. Expecting refugees coming especially from the Communist bloc, the Convention provided the signatory states the preference to accept refugees coming from Europe or outside Europe. This geographical limitation was utilized by some signatory countries such as Turkey, but not by all of them. The underlying justification of such a limitation was clear: the refugees and asylum seekers were expected to flee persecution from countries with the Communist regime. As the Convention was signed in the Cold War context, the justification made by Turkey was considered reasonable. With the end of the Cold War the political instabilities of its neighbourhood proved that Turkey was prone to mass refugee movements from non-European states. The crisis experienced after the

end of the Cold War, such as Iraq in 1991, motivated Turkey to keep this geographical limitation. As in the case of Iraqi refugees, the international burden-sharing proved to be minimal, therefore making Turkey not to reconsider lifting the geographical limitation. Without a successful result, the UNHCR, the EU and selected INGOs continue to encourage Turkey to lift it.

> The crisis experienced after the end of the Cold War, such as Iraq in 1991, motivated Turkey to keep this geographical limitation.

The international legal framework established by the 1951 Convention and the 1967 Protocol supported by the international human rights legislation set the basis for a global refugee protection regime. While the rights of the refugees are defined in the Convention, the obligations of the signatory states are also defined clearly. In that respect, the Convention outlined the obligations of the signatory states after granting refugee status. The obligations included providing rights to refugees including non-discrimination based on race, religion or country of origin, continuity of residence, wage-

earning employment, self-employment, acquisition or movable and immovable property, access to courts, right of association, housing, public education, social security, administrative assistance, freedom of movement, and naturalization. The obligations of the states party to the 1951 Convention are extensive, such as providing rights to the refugees not less than other aliens within their territories. These rights should be almost to the level of citizenship, which meant significant commitment from the contracting states. Acknowledging the difficulty to provide such a high level of commitment from the individual states, the Convention in its Preamble called for cooperation and solidarity among the signatory states.[6]

> The obligations of the states party to the 1951 Convention are extensive, such as providing rights to the refugees not less than other aliens within their territories.

The Convention did not have a specific article explaining the context or extent of the international cooperation and solidarity for refugee burden-sharing among states. However, as a general "good-will" principle, the Convention set out the importance of burden-sharing in its Preamble. The last three paragraphs of the Preamble underline the importance of international cooperation among signatory member states and their coordination with the UNHCR. The Preamble underlined that "considering that the grant of asylum may place unduly heavy burdens on certain countries, and that a satisfactory solution of a problem of which the United Nations has recognized the international scope and nature cannot therefore be achieved without international co-operation."[7] It is clear that the states that prepared the Convention recognized that a satisfactory result for the refugee protection would bring burden on certain refugee hosting countries. It was clear that without solidarity and a strong international cooperation among the international community, a "satisfactory solution" would not be possible to achieve. In addition, the Preamble also expressed "the wish that all States, recognizing the social and humanitarian nature of the problem of refugees, will do everything within their power to prevent this problem from becoming a cause of tension between States."[8] This paragraph was elaborating that in case of a lack of solidarity or international cooperation, the unbalanced burden on one or more states would create tensions within the international community.

> The period following the beginning of the Syrian civil war has proved the foresight of the initial preparatory states' vision on the lack of solidarity bringing tensions on the refugee hosting or receiving states.

The period following the beginning of the Syrian civil war has proved the foresight of the initial preparatory states' vision on the lack of solidarity bringing tensions on the refugee hosting or receiving states. In this case, the lack of solidarity brought tensions especially to the Middle East and Europe. The 1951 Convention recognized the importance of burden-sharing on refugee protection and the possible dangers to international peace and stability of its lack of existence. It will be difficult to assess the exact reasons why a clear provision on burden-sharing was not included in the main text of the Convention, but it is possible to assume that after WWII even the acceptance of the 1951 Convention as a liberal text in providing universal rights to refugees was a significant achievement. Therefore, adding obligatory articles into the Convention on burden-sharing might have been difficult. Later on, the UNHCR tried to emphasize the importance of refugee burden-sharing among states through its various statements, documents and activities. Despite these efforts, there has not been a strong willingness by the international community since 1951 to establish clear-cut rules, norms or principles on burden-sharing, specifically on asylum and refugee issues.

Burden-sharing as a concept was first used in economics and followed by security and military studies. It was utilized for migration and refugee studies by very few scholars until recently. In economics, burden-sharing is explained by the "public good" concept. Samuelson defined it stating that collective consumer goods "are goods which all benefit jointly; consumption of these goods by one individual does not reduce the consumption of the other."[9] Two main characteristics of public goods have later been distinguished by John Head as "indivisibility" and "non-exclusion."[10] In that respect, "public good" is a good that is available without discrimination and individuals within a community cannot be excluded from its usage. Similarly, usage by one individual does not reduce its availability to others.[11] In a non-economic sense, "public good" can range from air to street lighting or national security. In that respect, individuals can benefit from the public good without being exposed to certain restrictions of its usage. Similar to

individuals, states can also benefit from global public goods or "collective goods"[12] such as international security or stability, if they are members of an international organization.

Burden-sharing as a concept was first used in economics and followed by security and military studies.

The usage of "public good" in military and security studies became apparent with the model presented by Olson and Zeckhauser in their attempt to explain the functioning of NATO and the disproportionate contribution of the USA to this organization. They argue that almost all kinds of organizations provide public or collective goods while an organization can be useful when a group of individuals or states have some common objectives or collective goals. Common objective is accepted as a common good as long as everyone who is a member of this organization can benefit from the achievement of this common goal. According to their model, defense is characterized as a public good as it fulfills two requirements of its definition: non-excludability and non-rivalry. Since the benefits of any action taken by the organization are common and do not exclude any of the members, the

members will be less willing to provide the necessary resources to achieve these goals. Similarly, it is not possible to talk about the diminishing impact on other members just because one of the members benefits from the public good. Even though their model focuses on NATO, it is argued that this model can be applicable to the UN or any other international organization.[13]

Understanding the production of the public good is important in understanding why and how some states will be more willing to contribute to the production of certain public goods. It is assumed that there is a tendency for some "larger" members in an organization to place a higher value on the public good and bear a disproportionate share of the burden. This will be usually not strictly related to moral or political terms but rather based on respective national interests.[14] That also explains the "free rider" problem in these kinds of alliances. Free riders are those individuals who benefit from a public good without contributing (or contributing to a lesser extent) to the cost of production of this public good.[15] Mare argues that the bigger the group there will be a greater potential for free riding. If the group is smaller then the identification of the free rider will be easier.[16] This free rider problem is located at the heart of the burden-sharing issue. Within NATO the US and other large countries provide more

effort and financial resources and other smaller countries benefit as free riders and can exploit the larger states.[17] This is called "exploitation of the big by the small".[18]

> Understanding the production of the public good is important in understanding why and how some states will be more willing to contribute to the production of certain public goods.

Free riders have been an important aspect of burden-sharing at different policy areas including economics, environment, security and more recently in refugee studies. With respect to migration studies, the issue of burden-sharing has gained importance initially in 1970s when legal scholars aimed at promoting global sharing to assign refugees worldwide by matching refugee preferences with host countries ranked with an index of wealth and population density.[19] This system could have been operational when asylum applications were small during the Cold War period. However, the end of the Cold War significantly increased the number of refugees after the 1990s. Especially with the ethnic conflicts and internal wars in Yugoslavia, Bosnia, Kosovo and Haiti, mass refuge movements increased and influenced individual state responses.

> Mass movements of the 1990s brought worldwide restrictions on asylum, which had reflected on developing tools for refugee burden-sharing among states.

Mass movements of the 1990s brought worldwide restrictions on asylum, which had reflected on developing tools for refugee burden-sharing among states. While burden-sharing mechanisms with collective actions on security and the environment brought positive outcomes for finding enduring solutions to international crisis rather than unilateral actions, in the refugee policy area this success has been very limited.[20] Suhrke argues that most states will have to deal with refugee issues at one time. In that respect, it will be in their benefit to develop common responses. Jointly held responses will be due to moral duty as well as an obligation under international law creating certainty, better protection, and assistance.[21] In other words, organized sharing means more predictable responses, greater international order, and lower transaction costs during a refugee emergency, which can be obtained through organized international order.[22] However, the practical implications do not always reflect this straightforward logic, as states occasionally opt for

unilateral action in order to avoid costs and choose restrictions on asylum rather than entering into cooperative arrangements.[23]

> The complexity of burden-sharing on refugee issues comes from the fact that refugees as a social phenomenon have a long-term impact on the host societies.

The complexity of burden-sharing on refugee issues comes from the fact that refugees as a social phenomenon have a long-term impact on the host societies. This might lead to some of the states avoiding taking further responsibility in providing protection and aiming for other states to contribute to the refugee protection scheme at a higher rate. This might lead to unilateral action taking precedence over collective action while benefiting free riders. Overall, the benefits of collective actions in mass influx situations on refugee protection standards or international peace and stability is clear. This makes refugee burden-sharing a net public good at a global scale. States' decisions on choosing collective action over unilateral are usually shaped by their calculation of private costs with the threats resulting from mass influx situations. The next section investigates the characteristics of the Syrian refugee protection crisis in one of these particular mass influx cases, Turkey.

Turkey, Refugee Protection and the Syrian Refugees

The civil war in Syria has led to the displacement of nearly half of the Syrian population, creating more than 5 million refugees, 6.3 million internally displaced persons, and 13.5 million in need in Syria.[24] Most of the Syrian refugees stayed within the region in the neighbouring countries such as Turkey, Lebanon, Jordan, Egypt and Iraq. It is also estimated that around 380,000 people, including civilians, have been killed in this civil war.[25] The UN Office for the Coordination of Humanitarian Affairs estimates that half of the Syrian population who remained in the country is in need of humanitarian assistance and protection.[26] The scale of the destruction, the number of people affected in this civil war, and the spill-over affects make the Syrian civil war a concern of almost every country in the region.

> Most of the Syrian refugees stayed within the region in the neighbouring countries such as Turkey, Lebanon, Jordan, Egypt and Iraq.

Since the beginning of the Syrian civil war in 2011, Turkey has adopted an "open door policy" for the Syrian refugees. This was the direct result of Turkey's new neoliberal approach to its foreign policy that utilized foreign policy activism, trade, humanitarian aid, and soft power capabilities. The foreign policy approach of the former Minister of Foreign Affairs, Ahmet Davutoğlu, aimed at enhancing collaboration and cooperation with the neighbouring countries through various mechanisms including utilizing Turkey's soft power capabilities.[27] A neo-liberal approach to trade and economic relations promoting a liberal visa policy with Turkey's neighbors aimed at achieving increased economic, political and social interactions. This liberal visa policy, on the other hand, was contradicting with the EU's approach of strict border controls and the implementation of the Schengen negative list by an accession country. However, as Turkey's EU accession was perceived to be a long-term objective, divergence from accession goals on visa policy was seen possible or even dismissible.[28] In the short-term, a more pragmatic approach of promoting visa liberalization with neighbouring countries was adopted. Reciprocal visa abolishment with various countries including Syria became a common procedure.

The open door policy was also necessary due to Turkey's international commitments naturally arising from the 1951 Convention. As stated in the previous section, Turkey has kept a geographical limitation on the application of the 1951 Convention, which means that refugees coming from outside Europe are considered as "conditional refugees" according to Turkey's new Law on Foreigners and International Protection (LFIP).[29] Turkey implements the 1951 Convention in a way that non-European refugees' applications are processed, but if refugee status is granted they are resettled to third countries.

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The UNHCR and to a certain extent the IOM are involved in the resettlement of non-European refugees. Various partner countries with specific annual quotas accept refugees each year from Turkey. The main refugee accepting countries traditionally have been the USA, Canada, Australia, the UK, Sweden, France, Germany and the Netherlands.[30] Since the

announcement of the ban for Muslim refugees from seven different countries by the Trump Administration, the refugee resettlement scheme has been put into jeopardy.[31] The future of the resettlement scheme for non-European refugees will be seriously challenged if the Trump Administration promotes similar courses of action with respect to other countries in the Middle East including Turkey.[32]

In the beginning of 2018, the number of Syrians increased to approximately 3.5 million in Turkey.

Although Syrians can be considered as non-European refugees or "conditional refugees" according to the new Turkish law, the Turkish government decided not to open the asylum route for the Syrians. Assuming that the crisis in Syria would be resolved immediately, the Turkish government did not necessarily feel the urge to have a long-term plan on Syrians crossing the Turkish border. The first group of Syrians, who were approximately 250 in number, crossed the Turkish border in 2011.[33] The Turkish government declared that they were prepared to host the small groups crossing the borders, thinking that the Assad regime

would fall. As the numbers crossing the borders gradually increased, the first refugee camps were established and their operation was given over to the Disaster and Emergency Management Presidency (AFAD).

In these initial stages of the Syrian conflict the Turkish government did not have a priority to seek for international burden-sharing.[34] First of all, Turkey assumed Syrians would be in Turkey temporarily and seeking international assistance and cooperation would not be essential. Secondly, financial or other types of international assistance would require sharing sensitive information or opening camps to international organizations. Taking into consideration these two main reasons, Turkey aimed to respond to this crisis unilaterally.

In the beginning of 2018, the number of Syrians increased to approximately 3.5 million in Turkey. This number includes 3,485,644 Syrians registered by the Turkish Directorate General of Migration Management (DGMM).[35] There are also approximately 350,000 non-Syrian asylum seekers and refugees living in Turkey.[36] The DGMM declares that there were 66,167 asylum applications in 2016.[37] Adding to these numbers, there are also a number of pre-registered Syrians waiting for approval of their registry. Their numbers are not officially declared.

Syrians and non-Syrian refugees added together make up approximately 4 million asylum seekers and refugees in Turkey. This makes Turkey the number one refugee hosting country in the world. When the numbers of Syrians increased dramatically, the numbers of refugee camps - which are referred to as "temporary accommodation centers" by the Turkish government - increased accordingly.[38] Despite this increase in the number of camps, only 8% of the Syrians are accommodated in them. The rest of the refugees (92%) are living in cities or urban areas. Camp and urban refugees make up the Syrian population in need of protection in Turkey.[39] The needs of the urban refugees are dramatically different than refugees accommodated in the camps.[40]

Turkey's policy towards the Syrian refugees either accommodated in the camps or in the cities is based on Turkey's traditional conceptualization of refugees as "temporary guests."[41] This conceptualization resulted in an ambiguous legal status for the Syrians. As explained above, non-European asylum seekers can only be given "conditional refugee" status. In the case of Syrians, Turkey neither allowed them to apply for refugee status nor allowed them the possibility to stay in the country permanently and integrate into Turkish society.[42] The Turkish government's expectations on the temporariness of the crisis was

reflected in the assumed possible return of the Syrians. On the other hand, soon enough the escalated conflict turned into a civil war with ethnic and religious components that meant the "guest" rhetoric was no longer applicable for the aggravated humanitarian situation.

> The Turkish government's expectations on the temporariness of the crisis was reflected in the assumed possible return of the Syrians.

From 2012 onward, without a clear legal basis, Syrians were considered by the Turkish authorities to be under the "temporary protection status". This status was not defined legally, as the Law on Foreigners and International Protection (LFIP) was still in the process of preparation and acceptance by the Turkish Grand National Assembly. The legal specifications of the "temporary protection" status were defined by Article 91 of the LFIP. Article 91 clarified that the application and the particularities of this status would be defined by a specific regulation.[43] Temporary protection status was included in the new law due to the influence of the EU *acquis*. This status was developed by the EU member states in 2001 after the crisis in Bosnia and Kosovo in the 1990s.[44] Turkey

also hosted refugees from Bosnia and Kosovo and the temporary protection was utilized to host these refugees both in Turkey and the EU member states. Following these earlier practices, Syrian refugees were also considered to be temporarily protected persons under this status. The legal framework was developed with the acceptance of the Temporary Protection Regulation in 2014.[45] Under this status, Syrians are allowed to stay in Turkey and they are not returned back to Syria. However, they are not allowed to apply for asylum. This creates resettlement or voluntary repatriation as the only durable solution options.[46]

From 2012 onward, without a clear legal basis, Syrians were considered by the Turkish authorities to be under the "temporary protection status".

The escalation of the war in Syria from 2014 onward further increased the number of uprooted populations from Syria. In addition, not being able to work or have a livelihood in the host countries caused Syrians living in the neighbouring countries to search for better opportunities in Western European countries. In the summer of 2015, thousands of Syrians and also other irregular migrants aimed at crossing the land and sea borders to reach the EU territories. Immediately, Europe became overwhelmed with these mass population movements and irregular borders crossings. According to the EU's border agency FRONTEX, more than 700,000 refugees and irregular migrants crossed the land and sea borders of the EU in 2015.[47] The high number of irregular arrivals signified nearly a three-fold increase over the previous year. This caused the member states to react with panic and despair, with some closing their borders and others demanding an end to the free movement of persons in the Schengen system.

During this mass flow, Turkey has been criticized for not managing its borders effectively and becoming a "highway" for transit passage of refugees and irregular migrants to the EU. This claim needs to be assessed very carefully to see whether or not it is a reasonable criticism to specifically pinpoint Turkey for its inability to control its land and sea borders. Essentially, Turkey did not become a "highway" for irregular crossings, but mostly acted as a "dam" that was overburdened, overloaded and flooded towards the EU.[48] Without a significant international support or burden-sharing, Turkey was hosting more than 2.5 million Syrians in 2015. Without having an established long-term asylum and refugee policy, it was

complicated and challenging for Turkey to develop a structured and institutional approach to handle the needs of the refugees while safeguarding their rights and livelihoods. Although the new law was developed with the influence of the EU accession process with a surprisingly open-minded and liberal approach since 2008, the arrival of more than 2 million refugees in the course of less than 3 years had a direct influence on the development of Turkey's migration, refugee and integration policies.[49] It is safe to assume that the Syrian war and the mass arrival of Syrian refugees have transformed the development of Turkey's refugee and migration policies. It is not an easy task for any country to handle a mass influx situation in such a limited time frame. The next section looks at the impact of international burden-sharing on Turkey's asylum and refugee policies.

It is not an easy task for any country to handle a mass influx situation in such a limited time frame.

The Limits of an International Burden-sharing Approach

Turkey's initial approach to international burden-sharing was rather critical and distant. The escalation of the Syrian conflict brought complicated political, social and security challenges to Turkey. In addition to these challenges, the financial impact of hosting refugees was also mounting. After realizing that the promoted "no fly zone" would not be established by the international community, Turkey gradually recognized the need for international support.[50] Turkey's former experience in mass influx situations, especially with Iraq, was misleading, because in the Iraqi case, hundreds of thousands of Iraqi Kurdish refugees were able to return to their country after the establishment of a no-fly zone. This was also observed in the case of Kosovar refugees in the 1990s. Not being able to get the international support for a no-fly zone, the Turkish government developed an uneasy relationship with the international community.[51]

The implications of the Syrian civil war on international security and stability became more visible for the international community especially after 2015. The world was able to see the consequences of instability and insurgence in Syria through the rise of fundamentalist movements, escalated ethnic divisions, and mass human displacements.[52] The spillover effect of ISIS activities intensified the international security concerns while hundreds and thousands of people were uplifted from their homelands.

The international community's late response to the Syrian civil war resulted in the spread of ISIS and other fundamentalist movements around Syria and Iraq. Without the existence of a comprehensive solution to the civil war or having an effective containment policy towards fundamentalist organizations, the forced displacement of the Syrians continued both within and outside Syria. The mass movement of Syrians in the region and in the neighbouring counties developed into a refugee protection crisis.

The implications of the Syrian civil war on international security and stability became more visible for the international community especially after 2015.

While the civil war was intensifying, more Syrians were crossing international borders. Syrians who were already living in the neighbouring countries had two important sources of frustration: (i) seeing that the civil war in Syria was deepening and a prospective return to their home country would not be possible in the near future; (ii) the rights provided in the host countries were not sufficient enough to provide an expected livelihood. Two countries

hosting the highest number of Syrian refugees other than Turkey, Jordan and Lebanon, are not even signatories to the 1951 Convention. As explained in the previous section, while Turkey is a signatory state to the said Convention, the geographic limitation does not provide the necessary legal conditions for settling in the country and receiving the refugee status. Despite the advocacy of the UNHCR for durable solutions for refugees in the long-term, which can be listed as integration, return, and voluntary repatriation, the first two options of return and integration did not look viable for the Syrian refugees in Jordan, Lebanon or Turkey. Therefore, resettlement appeared to be the only option available for the Syrian refugees. However, the resettlement numbers are usually very low globally. When compared to the magnitude of the resettlement needs from the region, the resettlement numbers cannot be regarded as sufficient. In 2015, 52,583 Syrians were resettled in total from the region with the support of the UNHCR.[53] Although this number is relatively high compared to the previous years, it is still representing a small fraction of the total refugees hosted in the region.

Lebanon, Jordan, Turkey, Egypt and Iraq are providing a "public good" for the international community by hosting the majority of Syrian refugees. This public good entails providing

safety and shelter for approximately 5 million registered Syrians.[54] If Syria's neighbors did not host these refugees, then they would have to flee further distances, causing global and international consequences. In the Syrian refugee case, the common public good, which is supporting international peace, stability and security, provided by these host countries is an important contribution to the international community. A public good approach in security studies highlights that large countries provide more effort and financial resources while other smaller countries benefit as free riders and exploit the larger states ("exploitation of the big by the small").[55] The Syrian case, however, specifically shows the opposite. Syria's neighbouring countries, especially Jordan and Lebanon, have limited resources to host these refugees on such a large scale. As the civil war escalated the refugee crisis worsened, and deepened the social, economic, and political problems of the host countries.[56] When the refugee camps became inadequate and the numbers outside camps increased, "the lack of adequate assistance policies towards them aggravated a range of social problems…the initially generous welcome has worn thin, public opinion toward refugees is becoming increasingly negative."[57] Especially in the urban areas, the sudden increase in the population generated a competition over public services both by the locals and the refugees.[58] Considering the serious challenges faced by the host communities, the UN's Regional Refugee and Resilience Plan for 2015-2016 recognized that local communities also deserve assistance. However, so far the UN's pledges under different programs has fallen seriously under the desired amount.[59] In this case, it is clear that Syria's neighbouring countries are carrying the financial, political, social and economic burden while most of the international community has been acting as the free-riders.

Lebanon, Jordan, Turkey, Egypt and Iraq are providing a "public good" for the international community by hosting the majority of Syrian refugees.

In the host countries, the lack of long-term durable solutions or productive refugee livelihoods, limited financial resources, the challenges brought to the host countries' economic, political, social policies or administrative structures, mounting infrastructure problems, and rising security concerns have brought difficulties not only to the host countries but also to the refugees themselves. This lack of prospective

long-term solutions opened the way for the Syrian refugees to look for alternative options including leaving their host countries to reach the EU member states.[60] The summer of 2015 was specifically critical for the mass number of irregular arrivals to Europe.[61] The majority of the arrivals were Syrians, followed by other nationalities such as Afghanis, Somalis, Iraqis, and nationals from sub-Saharan African countries.[62]

The number of the mixed migrants was the main challenge for most of the EU member states. The European states labeled this increased number of arrivals as a "refugee crisis," calling out for strengthening border patrolling and better responses to humanitarian needs. It was clear that until 2015 the European states did not recognize the scope and consequences of the humanitarian crisis resulting from the Syrian civil war. After 2015, the EU member states specifically felt threatened and frightened by security concerns. They were, however, too late to produce an efficient, rapid and effective response to this humanitarian crisis. Soon afterwards, the humanitarian crisis evolved into a political crisis deeply affecting the foundations of the European integration.[63]

The EU has been trying to develop over the decades a system of refugee and asylum policies that would support an even burden-sharing mechanism among the member states. This was a need which became apparent especially after the launch of the common market and the abolishment of internal borders.[64] The 1990s brought events showing that the EU had to develop common responses to common international crisis on foreign policy, security as well as internal security matters - including migration and refugee policies. The Balkan crisis in the 1990s demonstrated that the European continent is no longer immune from a mass arrival of refugees. Although the Schengen Agreement and the Dublin Convention of the 1990s did not aim at the harmonization of migration and asylum policies within the Union, they constituted the basis of an intergovernmental cooperation leading towards gradual externalization of certain aspect of these policies.

It was clear that until 2015 the European states did not recognize the scope and consequences of the humanitarian crisis resulting from the Syrian civil war.

Intergovernmental cooperation on migration and asylum issues over the years turned into a cooperation

promoted within the Union. From the Maastricht Treaty to the Amsterdam Treaty, in a couple of years, the need for stronger cooperation became evident. The Amsterdam Treaty aimed at simplifying certain procedures falling under the Justice and Home Affairs (JHA) area and communitarization of some of its parts. In 1999 the EU started working on the creation of a Common European Asylum System (CEAS) to improve the legislative framework on protection matters. There were a couple of critical points in the development of a common asylum system including development of legislative measures to harmonize common minimum standards for asylum,[65] strengthening of financial solidarity, and finding a common EU response to mass influx of displaced persons, which set the basic principles of a common policy. In order to coordinate financial solidarity, the European Refugee Fund (ERF) was established in 2000. The ERF was designed with the aim of facilitating the sharing of financial costs for the reception, integration, and voluntary repatriation of refugees amongst the member states. Following the development of the ERF, other types of fiscal redistribution mechanisms were later developed, such as the European Integration Fund and the European Return Fund, which were all replaced by the Asylum, Migration and Integration Fund (AMIF) in 2014. All these funds and fiscal mechanisms were aiming at an equal fiscal redistribution of the financial burden in order to give some relief to the member states, which need to host unequal numbers of asylum seekers and refugees within the Union.

Looking at the developments at the EU level starting from the 1990s, it was possible to observe within the EU (i) policy harmonization tools with the development of the legislative framework, (ii) financial tools for fiscal redistribution and (iii) physical burden-sharing with the redistribution of asylum seekers and refugees. These burden-sharing tools and mechanisms were created primarily to respond to the needs of member states followed by the needs of refugees. At the core of the burden-sharing of the EU lies the issue of solidarity among the member states. This solidarity has to be achieved with the redistribution of the burden and responsibility among members with relation to their GDP, population and size of territory. In that respect, if the public goods theory was applied to EU's burden-sharing principles, one would have to expect that the bigger, the richer and more populous member states would host more refugees. In reality, this was not the case and the practice of the EU proved that the smaller countries bear more responsibility than the larger countries. Thielemann and Dewan presented

in their study that a disproportionate asylum and refugee burden is borne by smaller states.[66] The data on "average accepted refugee protection burden" shows that countries such as Denmark, the Netherlands or Sweden shoulder relatively more burden than France, Germany, the UK or Italy.[67]

This problem of the EU's burden-sharing presented itself very clearly in the summer of 2015 when refugees and irregular migrants started to arrive in mass numbers. The member states clearly demonstrated a lack of solidarity and could not come up with an effective response to the mass movement. The southern and eastern member states with land and sea borders exposed to the movement were overwhelmed with the arrivals. Human smuggling and deaths at sea also became an everyday fact.[68] While the EU had difficulty in coming together to act in solidarity, German Chancellor Angela Merkel took the initiative and decided to tackle the issue at its transit route, which was Turkey.

Chancellor Merkel visited Turkey on 16 October 2015 just before the 1 November general elections to offer an Action Plan to limit the irregular border crossings in exchange for visa liberalization to Turks. The Plan also aimed at a revitalization of Turkey-EU relations by promising to open several accession negotiation chapters

that had been previously blocked. This was a strategic and pragmatic EU approach embraced enthusiastically by the Turkish government. The proposed Action Plan aimed to contribute initially 1 billion Euros, later increased to 3 billion Euros under different funding schemes to support Turkey's efforts. It was later mentioned that the financial support would be increased another 3 billion Euros. In August, before Merkel's visit, a new unit under the coordination of the Prime Ministry was established to advise then Prime Minister Davutoğlu on issues regarding migration and humanitarian aid.[69] The details of this collaboration and cooperation were clarified on 18 March 2016 with the EU-Turkey Statement (EU-Turkey Deal).[70]

The Deal was criticized immediately for being too pragmatic, unethical, and overly strategic. This was mainly because there were concerns about the moral and legal basis of the agreement. Thus, it has been argued that the deal be put into practice with a "genuine spirit of cooperation whereby the welfare of the refugees comes first".[71] Another discussion point was on the issue of burden-sharing. It was not clear if the EU was putting forward effective burden-sharing mechanisms that would not simply shift further burden on countries that were already handling more than their share in this crisis. It later became clear that

burden shifting would make refugees pay the price, with overburdened states not being able to provide necessary services to refugees.[72] Although the Plan called for the coordination of responses with "solidarity, togetherness and efficiency",[73] it was critical that its application should not undermine the current status of Turkey-EU relations, changing it into a strategic partnership[74] or simply making Turkey a migrant buffer zone or a border guard of the EU.[75]

Those in favor of this arrangement argued that this deal was a sincere effort by the EU to provide financial and other sorts of assistance to countries handling the needs of the refugees disproportionately. The burden-sharing mechanisms between Turkey and the EU were to be as follows: Providing financial support (sharing money), resettlement through a 1 to 1 approach (sharing people), and policy harmonization (visa liberalization and revitalizing EU accession negotiations). The Deal proposed different "benefits" for Turkey in return for its cooperation.[76] In return for financial support and visa liberalization for Turkish citizens, the Deal targeted Turkey to accept the return of irregular migrants from Greece. The timing of the Deal coincided with the agenda when the Cyprus negotiations were being reopened, which could have potentially revitalized the stalemate

of Turkey-EU relations. With several issues requiring common solutions both for the EU and Turkey, it was possible to argue that the cooperation on border controls to manage irregular migration and assistance to refugees could have led to a win-win situation for both sides at the negotiation table.[77] Despite criticisms on the essence of this statement, during this period both Turkey and EU were able to advance on a fruitful dialog to manage a functional area (asylum policy) and it was possible to see EU-Turkey cooperation at an advanced technical level.[78]

> While keeping moral and ethical issues at the core, the EU could have pushed for higher protection standards for refugees with an altruistic approach.

While keeping moral and ethical issues at the core, the EU could have pushed for higher protection standards for refugees with an altruistic approach. Instead, a more pragmatic approach and a security-based burden-sharing was put forward in this agreement. In order to reduce the security costs for the EU member states, a security oriented protection policy, which aims to contain the flow of refugees and irregular migrants outside the borders of the

EU, was adopted. In addition to the concerns about the number of arriving irregular migrants, the public opinion in most of the member states were turning negative toward mass arrivals. These concerns were aggravated when the war intensified and clashes between different actors caused more security concerns and forced displacements. The clashes between ISIS and PYD forces made more refugees flee the conflict, and Russia's intervention complicated the political and security situation in the region even further.[79] The spillover effects of the Syrian civil war were clearly visible in and around the region. This risk of spillover proved to be a real threat demonstrated by the terrorist incidents that occurred both around the region and in the EU in 2016. Looking at the developments in 2015, it would not be wrong to conclude that containing the civil war in Syria could have had positive consequences for the international community. Especially the developments in the summer of 2015 demonstrated how critical it was to provide an effective protection policy in order to maintain international peace, stability and security. Regional stability has been a very clear public good provided to the international community by the host countries. The challenges faced by the host counties, the rise of fundamentalist movements, and the increased safety concerns of the refugees caused secondary sudden

flights. It was clear that if the host countries were not able to provide safety, rights and livelihoods for the refugees, then these refugees under serious threats would continue to search for better conditions within or around the region.

The spillover effects of the Syrian civil war were clearly visible in and around the region.

When the Syrian case is examined, it is possible to observe that the biggest shortcoming that the EU faced in terms of developing a comprehensive burden-sharing policy was not including "legitimacy" into its public good approach. Legitimacy with an altruistic stance meant the EU with its commitment of promotion of human rights, fundamental freedoms and democracy could have pushed for durable solutions for the Syrian crisis and offered protection to most of the refugees. Setting an example to the world and taking its share of refugee protection could have enhanced the intra-EU burden-sharing mechanisms. This would have strengthened the EU's commitment to the values of democracy, protection and promotion of human rights while setting an

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example for effective global burden-sharing practices. A more ethical and altruistic approach would be beneficial in various ways. First of all, the EU can overcome the criticisms for its externalization of migration and asylum policies. Secondly, addressing the root causes would tackle the likelihood of the spillover effects of ethnic and religious conflicts. Finally, in this way, solidarity within regional or international organizations could be accomplished. Instead the international community and particularly the EU have been hesitant in developing a burden-sharing approach with elements tackling all these points covered above. The EU within itself tried to create a redistribution mechanism for sharing the refugees with quotas.[80] Previously, the quota trading for refugees has been criticized for commoditizing refugee protection.[81] The Syrian refugee protection crisis highlighted that the EU's decades-long efforts to establish a burden-sharing mechanism within

itself have their weaknesses and ethical problems.

> The Syrian refugee protection crisis highlighted that the EU's decades-long efforts to establish a burden-sharing mechanism within itself have their weaknesses and ethical problems.

Conclusion

The Syrian civil war and the refugee protection crisis demonstrate that without the existence of a systematic universalistic approach to refugee burden-sharing, such as one operating through global leadership within a global institutional framework, it will be difficult to achieve effective, long-term and durable solutions. Currently, a comprehensive approach to refugee burden-sharing through financial tools, policy coordination or resettlement mechanisms[82] with a global solidarity spirit both at the global and regional levels is almost non-existent. This comprehensive framework can only be established with an enhanced mechanism of burden-sharing and addressing the root causes of refugee movements through the establishment

of durable solutions for safe return.[83] In that respect, burden-sharing requires countries to address the causes that made the refugees flee in the first place, assisting the countries who are hosting the refugees with financial and technical aid mechanisms, regulating an effective distribution of humanitarian aid, sharing responsibilities by resettling refugees, and addressing the causes of insecurity such as the fight against fundamentalist and terrorist activities while supporting durable solutions. Otherwise, without a provider of a "public good", the movements of the refugees will continue with a high risk of instability spillover in and around the region.

This article aimed at analyzing the importance of refugee burden-sharing and refugee protection as an international public good. Looking at the theory of public good, the first part of this article analyzed the development of this concept in relation to migration and refugee studies. Taking the Syrian refugees as the main focus of discussion, this article presented the need to establish effective burden-sharing mechanisms within the EU. There have been long-term efforts by the Union and its member states to establish an effective and efficient burden-sharing policy that will equip itself to respond effectively to mass refugee movement situations. However, the events of 2015 proved that there are still very serious

obstacles to the achievement of this goal. The increased number of arrivals to the borders of the Union has even challenged the EU's solidarity.

> The response given by the EU to the mass movements of refugees and irregular migrants was the development of the EU-Turkey Deal, which was clearly not perfect.

The response given by the EU to the mass movements of refugees and irregular migrants was the development of the EU-Turkey Deal, which was clearly not perfect. These challenges highlighted once more the importance of developing a global system for refugee burden-sharing based on moral, ethical and altruistic principles in order to achieve and maintain international peace, stability and security. The Syrian civil war showed that Syria's neighbouring countries that host the majority of the Syrian refugees are contributing to international peace, security and stability from the perspective of a public good approach. In this specific case, by focusing on the Syrian refugees, the larger and richer countries have acted as free riders benefiting from the provided "public good" by the refugee hosting countries.

In the last couple of years, Turkey has been acting as a provider of public good without any significant contribution from the EU or elsewhere. So far, financial and physical burden-sharing offered by the international community or by the EU has been quite limited. This absence has supported a negative public opinion in Turkey towards the EU and its member states. The lack of solidarity between the international community and Turkey has also limited the standards of protection that could have been offered to the Syrian refugees hosted by the Turkish state. Hence, a more equitable, effective and efficient refugee burden-sharing is absolutely necessary and critical not only to safeguard international stability and security but also to provide an effective and efficient refugee protection. This article presented these discussions on the establishment of an effective burden-sharing on refugee protection. Looking at the steps that have been taken by the EU and the possible steps that could have been taken, it is important to keep in mind that at the core of refugee protection lays the concept of the protection of human rights and fundamental freedoms. Discussions on refugee protection should be based on this fundamental principle in order to be efficient, effective and durable.

In the last couple of years, Turkey has been acting as a provider of public good without any significant contribution from the EU or elsewhere.

Endnotes

1   This article does not utilize the common usage of the term the "Syrian refugee crisis". Asylum seekers or refugees themselves did not cause the crisis in 2015. I argue that the crisis was a direct result of the inability or ineffectiveness of the states to provide international protection to persons in need of protection. This research therefore adopts the term "refugee protection crisis".

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Migration in International Relations: Towards a Rights-Based Approach with Global Compact?

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Abstract

International migration has climbed up to the top of the global political agenda recently. Globalization and the changing international political climate have given rise to increased migration movements in almost every part of the world. The new migration and refugee patterns now urge all nation-states – sending, transit and receiving countries – to get more involved in global migration management processes. Yet, their primary concern has always been preserving national sovereignty in controlling migration movements to their territories. Although the ratification process is progressing slowly, the International Convention for the Protection of the Rights of All Migrant Workers and the Members of their Families from 1990 (IRCMW) is the most comprehensive and rights-based legal instrument that relaunched norms and standards for safeguarding the human rights of all migrant workers, both regular and undocumented. The recently launched process of the Global Compact for Safe, Orderly and Regular Migration could enhance global concerted action for a rights-based resolution for current problems of international migration.

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Key Words

International Migration- A Pivotal Issue

Until recently, the literature in International Relations ignored the current increase and dynamics of migratory movements in almost every part of the world. These movements have significant consequences on the foreign policies of the participating states, whether they are receiving, transit and sending countries. The foreign policies of nation-states are increasingly being influenced by the current dynamics of migration and they have to reconsider their political positions in line with international developments.

Moving individuals and groups of human beings, who are often perceived as plights for nation-states, is now, more than ever, of concern to governments. Currently, almost all states tend to

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adopt conservative policies regarding the free circulation of people, and use almost every means to keep migrants away from their territories. This type of old-fashioned but extensively practised political behaviour forces the governments of migrant receiving and transit countries to use constraint in legal and administrative policies towards migrants.[1] In this respect, the fundamental human rights of migrants are insufficiently taken into consideration. In fact, they are even deliberately ignored.

> Currently, almost all states tend to adopt conservative policies regarding the free circulation of people.

Although international migration is considered as one of the pivotal issues in contemporary international relations, nation-states still act as if concerns related with migration issues are solely matters of domestic politics and security.[2] Regardless of perspective, discussions on international migration developments have a growing influence on nation-states' policy determinations. The mass influx of migrants and asylum-seekers; the economic impacts of such influxes; security matters and recently also the humanitarian aspects of migration; all play a significant role in the architecture of international

relations in migration-affected countries. Irregular or clandestine migration is arguably the most problematic issue in this regard. It is now widely accepted that cross-border migration has turned into a global problem over the past decades that cannot be adequately addressed only by national policies. From the perspective of the destination countries, especially those with aging populations, labour migration is recognized as necessary, but in many cases, it is still rejected and often made difficult, at least for semi-skilled and unskilled migrants.

> Nation-states still act as if concerns related with migration issues are solely matters of domestic politics and security.

However, nation-states' tendency is still to make decisions regarding migration affairs in their own capacity; to try and tackle by themselves the various types of migration and migrant-related problems, including inclusion and integration. This attitude is nonetheless understandable, since nation-states are ardent on the sustainability of their territorial and societal integrity. Foreigners are generally perceived as a danger to the material and moral assets of the receiving countries. In order to come up with a global approach in

migration management, international legal instruments by international organizations are being formulated and even ratified. However, the ego-centric behaviour of the states with regard to migration management still prevails in the world. On one hand, states do not want to abandon their sovereignty in this area, like in many other areas of state affairs. On the other hand, they depend today more than ever on the global decision-making criteria in migration affairs. One of the current fundamental problems seems to be the reduced capacity and willpower of the states to sustain their traditional style of migration policies without the recognition and wide acceptance of the global governance instruments.

Foreigners are generally perceived as a danger to the material and moral assets of the receiving countries.

In this article, the main issues of migration with a view to multilateral relations are discussed. Furthermore, global patterns of migration governance and how their future attributes could contribute to the solution of migration problems will be explored. International organizations are becoming increasingly active actors with regard to global migration governance. However, their capacity and assertive power in achieving solutions is quite limited. One of the crucial international legal instruments of the United Nations is the "International Convention for the Protection of the Rights of Migrants Workers and the Members of their Families" (ICRMW) from 1990.[3] This UN Convention addressing the rights of migrant workers and their families was the most comprehensive migration-related treaty in international human rights law, but no major Western immigration state has ratified it yet. In this article, the reasons behind states' reluctance towards ratification of the Convention are also reflected. Obviously, nation-states are sensitive about preserving their legitimacy to stay as the determining body regarding human flows into their national territories. As Stephen Castles justifiably states, this competence is indisputable and it is considered as the profound power of national sovereignty.[4] The changing environment, both in global affairs and the inter-state parameters in sending, transit and receiving countries, would anyway influence nation-states' political positions in the medium term. Observers hope that the Global Compact on Safe, Orderly and Regular Migration, the global migration management process since 2016, will be the key element on the way to a resolution of world migration problems.[5]

> Observers hope that the Global Compact on Safe, Orderly and Regular Migration, the global migration management process since 2016, will be the key element on the way to a resolution of world migration problems.

The perspectives for a universally applicable migration management strategy are still far from realization. Nevertheless, the international community realizes the fact that such a binding strategy is today more than necessary, because population movements, be they regular or irregular, voluntary or forced, will exist as a pressing subject similarly in the future as they do today. In the following pages, what part the ICRMW could play in this context, is discussed at length. Finally, the perspectives of the Global Compact on Safe, Orderly and Regular Migration will be presented as a new approach to find viable solutions to tackle global migration problems.

Current Issues of International Migration

As mentioned earlier, the consequences of developments in the size and structure of international migration have increasingly made this issue a major concern to governments everywhere. The perception of sovereignty is the most significant factor within the context of international migration of the nation-states. State borders serve as hindrances to stop 'illegitimate' foreigners from entering state territories and enjoying the same rights as citizens. Non-citizens are excluded from certain liberties and even human rights, which are ingrained in the national laws. Moreover, although one can argue that once relatively tight border controls have been eroded due to human smuggling and trafficking networks, the new wave of terrorism has forced immigration countries to apply even more restrictive measures than ever before. This *state-centric* standpoint is in most cases the main obstacle to global governance in common issues of the international community.[6] Climate matters, environmental issues and international migration all belong to the realm of global concerns, which need concerted action at the international level. Among these subjects, international migration has taken an important place. The globalization process that has in fact neglected human circulation by and large might well represent the needs and demands towards a new migration governance strategy that should incorporate all types of international migration.

Climate matters, environmental issues and international migration all belong to the realm of global concerns, which need concerted action at the international level.

With the progress of globalization, despite restriction policies in the field of migration, the world is experiencing a blurring in the distinction between external and internal security matters. Terrorist attacks in various countries receiving migrants has raised the sensitivity against almost all foreigners, mainly new-comers, who are suspected as potential dangers to security. This intensifies consequently the securitization of migration and prevents a plausible approach to global management of migration, especially with the limited legal instruments that are used with abundant experience and expertise by international organizations. Another subject within the context of international migration is the increase in xenophobic sentiments and racist violence against the members of the immigrant communities of the receiving countries. Economic crisis as well as the changing neo-liberal structures of production foster social rivalries and hostilities between the existing working population and migrants, making the latter scapegoats

in an increasingly tense social climate.[7] Mainstream political parties in the involved democratic countries are primarily interested in gaining more votes in elections to consolidate their political positions and they even resort to the populist political discourses. This, in return, lead to failure in the struggle against populism and racism in those countries. Consequently, the governments show generally little willpower to combat racist attitudes on their territories.[8] This fact definitely embodies the security matters in the receiving countries: It is not only a matter of threat or security against the society and state in the destination countries, but also a big concern for the interests of all migrants and members of transnational communities residing there, and has an immediate impact on their everyday lives. For the source countries, their citizens abroad are also a matter of concern, and such practices may have negative impacts on their bilateral relations with the receiving countries.

The permanent settlement of transnational communities in the immigration countries generates new grounds for policies and administrative measures.

Apart from these facts, the permanent settlement of transnational communities in the immigration countries generates new grounds for policies and administrative measures, and diasporas in the immigration countries have opened up new perspectives in international relations. Diaspora or transnational community policies of both sending and receiving countries are of concern to governments today in their relations with each other, and transnationalism presents new and complex connections between the actors within the migration phenomenon.[9] These connections are mainly of a social, cultural and economic nature with a strong influence on the inter-state relations between the sending and receiving countries.

Undocumented or irregular migration has become the common issue for all receiving countries in recent decades.

Integration and naturalization of the immigrants is another matter of discussion that is highly debated in the receiving countries. Integration is widely understood as a cultural process, which presupposes the immigrant to partly relinquish his own cultural identity and accept the imposed cultural and social lifestyle, values and norms of the host society.[10] To be integrated, the migrant however should enjoy equal opportunities and chances that are presented to every individual in the society.[11] In most cases, this requirement is either ignored or placed not at the top of the social agenda. This approach makes the immigration societies rather vulnerable, because social cohesion is an unreasonable objective without having granted equal rights, and when the sending and receiving countries may be pursuing conflictual trajectories in their relations. Controversial positions in the perceptions of the migration phenomenon in both groups of countries and among the migrants and host societies make the situation complex and almost unmanageable. In this respect, establishing common and widely accepted standards could be the best way to create a climate for enhancing integration. These standards should be treated and implemented within the global criteria of human rights.[12]

Undocumented or irregular migration has become the common issue for all receiving countries in recent decades. The climate of restriction or closed-door policies to regular migration, especially of the unskilled, encourages migratory flows of undocumented migrants to some countries, where they hope for better living conditions for

themselves and their family members. Internal disputes, safety concerns, climate change and especially economic problems are the push factors for the unskilled to move from their home countries. The world witnesses almost every day victims of human trafficking in the Mediterranean Sea, overfilled boats and drowned people from Sub-Saharan Africa and the Middle East.

> The increasing influx of asylum-seekers and difficulties or unwillingness to tackle with the regional crisis that generate new migratory flows, have become major concerns.

On the economic side, in the age of globalization, the markets dictate migration policies and state behaviours to a great extent. The host countries are obviously interested in the economic benefits that immigrants can bring. Labour migrants, especially skilled ones, are most welcome whereas asylum seekers are generally seen as a burden regardless of their skills. Today, the differentiation of migrants, the global increase in the number of asylum seekers, the new group of professional managers from various countries in the global companies, and the new group of trans-migrants, have

all had a major impact on migration policies. As the migration structures are changing rapidly, the responses to these complicated problems need global attention more than before, since volatility and diversification in migration patterns are the major realities today.

The increasing influx of asylum-seekers and difficulties or unwillingness to tackle with the regional crisis that generate new migratory flows, have become major concerns. Generally, receiving countries feel threatened by the asylum-seekers' influx because of the high burdens associated with them and due to security concerns. Current terror acts in almost every part of the world, in which migrant involvement is often presumed, add fuel to the flames. In particular, the ongoing debate on the refugee influx from Africa and the Middle East to Europe has not only raised the question of critical concerns in the asylum and refugee policies in the European Union, it has also highlighted the foreign policy dimension of migration. The conflictual content of the political interrelations between the countries that are inevitably affected by the movement of thousands of refugees do not facilitate any easy solution that is in conformity with the human rights of the migrants. The receiving countries are highly concerned about the burden that the asylum-seekers may cause but concerns about the migrants' human

rights are not prominent on their list of priorities.

> The main actors on migration issues are primarily states, and the migrants or refugees themselves do not play a decisive part even in their own personal destiny.

We see the same attitude in the language used on migration affairs, which is generally conflict oriented. States' security concerns generally dictate migration policies and these policies very seldom aim at solidary cooperation between the actors. The governments of sending and receiving countries have different standpoints in this respect. The sending countries, i.e. the migrant source countries, are profoundly interested in economic gains from the migration phenomenon. Migrants' remittances play a significant role for most of these developing countries and are seen as an opportunity for economic progress, if not a factor in meeting their ever-problematic balance of payments.

The main actors on migration issues are primarily states, and the migrants or refugees themselves do not play a decisive part even in their own personal destiny. As a result, the migrants'

human rights are often neglected and instead, biased national interests such as security, cultural homogeneity and market priorities in the destination countries take precedence in migration policies. Consequently, the long-term desired and propagated idea of a global governance of migration seems to be a distant goal. The Migrant Workers Convention is heavily impacted by this political and almost sacred position. The relatively low number of ratifications of the Convention (51 as of 2017) confirms this state. However, a binding multilateral legal instrument has always proved to be the most appropriate means by which to establish common norms and standards for the protection of migrant populations throughout the whole process of migration. This approach urgently requires, beyond all objections by the state-focused political decision-makers, the global establishment of a migration framework. One such tool is the ICRMW and the other is Global Compact, which will be analysed in the following sections.

The Influence of International Legal Instruments on Migration: The Case of the ICRMW

While migration has always been perceived as a global issue, the

diligence of nation-states to protect their sovereignty in discussing and implementing responses to global migration issues has usually prevented them from engaging dynamically in international concerted action. Nevertheless, international and intergovernmental organizations (United Nations, United Nations High Commissioner for Refugees, International Organization for Migration, Council of Europe, and others) have managed to realize a series of legal instruments that have achieved in one way or another a positive international response. The "Universal Declaration of Human Rights" (1948), the International Labour Organization Conventions No. 97 concerning "Migration for Employment" (1949) and No 143, concerning "Migration in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers" are among the international efforts to create global migration governance tools. Furthermore, the "International Covenant on Economic, Social and Cultural Rights", the "International Covenant on Civil and Political Rights", the "International Convention on the Elimination of All Forms of Racial Discrimination", the "Convention on the Elimination of All Forms of Discrimination against Women" and the "Convention on the Rights of the Child" all deal with human rights, including migrants' rights. Nevertheless, these legal instruments, beyond their unchallenged moral power, present limited competence and applicability since the sanctions in case of violating the rules herein are very limited. State sovereignty as a power parameter remains largely inviolable. Therefore, despite the quality of international legal instruments, the state parties may make reservations or even abstain from consistent implementation of the conventions that they have already ratified.

Relevant treaties accomplished by the United Nations and International Labour Office on migration are indeed appropriate tools to tackle with migration problems globally. However, their appliance cannot be imposed by compulsory means. Sovereignty rights, which influence the politics and societies in the host countries, do not pave the path for a global management of migration, by which national interests could suffer. This is the unaffected political position of the developed receiving countries of migrants today, notwithstanding the fact that, with globalization, many contrary achievements have been already realized. International legal instruments, treaties, conventions, recommendations and protocols as well as the judiciary options and political relations worldwide have had some positive impacts on the route to global

management of migration and asylum. The difficulty at this point is the inception of a rights-based approach instead of the market and nationalistic policies that are dictating (negative)-responses to the existing problems.[13]

> Relevant treaties accomplished by the United Nations and International Labour Office on migration are indeed appropriate tools to tackle with migration problems globally.

The 1990 UN "Convention for the Protection of the Rights of All Migrant Workers and the Members of Their Families (ICRMW)", which ultimately came into force in 2000, is the most comprehensive international legal instrument for migrant workers of both regular or irregular status. This treaty created a worldwide standard in terms of access to fundamental human rights for migrant workers.[14] The *Raison d'être* of the IRCMW is fundamentally to protect the human rights of all migrant workers, whether they are regular or irregular. It reflects, however, the migration perceptions of the 1990s and its most critical provision is the coverage of all migrant workers and their families, i.e. including the irregular migrants. This provision might be, among others, the reason

for the low number of ratifications and especially the reluctance of the important receiving countries to ratify. The Convention consists of nine parts.[15] The introductory part (Part I, Scope and Definitions) is followed by Part II, a general non-discrimination clause; Part III, a catalogue of all rights; Part IV, rights for regular migrant workers; and Part V, specific categories of rights are depicted. In Parts VII, VIII and IX the provisions of application of the Convention (see the Preamble of the Convention in the appendix) are contained. The specified human rights in Part III of the Convention are the following:

> *The right to life (Article 9);*
>
> *The right to not be subjected to inhuman or degrading treatment such as torture (Article 10);*
>
> *The right to freedom of thought, conscience and religion, as well as the right to freedom of opinion and expression (Articles 12–13)*
>
> *The right to not be deprived of property (Article 15)*
>
> *The right to equality with nationals before the courts and tribunals, which implies, among other things, that migrant workers are subject to correct judicial procedures, have access to interpreting services and to the assistance of their consulate, and have the right to not be sentenced to*

disproportionate penalties (Articles 16–20, 23–24)

The prohibition of the confiscation of identity documents (Article 21)

The right to not be subject to collective expulsion and for any individual expulsions to be subject to lawful and correct procedures (Article 22)

The right to equality with nationals with respect to remunerations, working conditions and social security (Articles 25, 27)

The right to take part in trade unions (Article 26)

The right to emergency medical care (Article 28)

The right to education for migrants' children (Article 30)

The right to be respected for cultural identity (Article 31)

The right to transfer earnings (Article 32)

The right to have access to information on their rights (Article 33).

In Part IV further and more fundamental rights for the documented migrants are stipulated. These rights are in terms of access to information (Article 37), membership in trade unions (Article 40, equality of treatment (Articles 43, 45-54-55) the transfer of remittances to home country (Article 47) and expulsion procedures (Article 56).

Migrant workers may be temporarily absent from the country of employment (Article 38), they enjoy the right of freedom of movement, residence and access to employment (Articles 39, 51-53) and shall be enabled to take part at the public life in the country of employment (Article 41). The right to family reunification is also covered in the Article 44 of the Convention. However, this right is highly contradictive like the entitlement of human rights as described in the Convention to the irregular migrant workers. These points, in particular, seem to be the main obstacles to ratification by traditional receiving countries. As of November 2017, 51 state parties have ratified the Convention and 15 states are signatories to the Convention.[16]

Articles 76 and 77 require the constitution of a Committee of 14 independent international experts: "*The Committee on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW), is the body of independent experts that monitors implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families by its State parties.*"[17] CMW as a treaty body functions under the auspices of the Office of the High Commissioner for Human Rights (OHCHR of the UN) and meets twice a year to review the reports of the state parties to the Convention.

> Migration patterns and dynamics have, over the course of the last decades, undergone some essential changes, mostly as a result of neo-liberal globalisation.

The obstacles for ratification, as already mentioned above, mainly the inclusion of the irregular migrant workers under the umbrella of human rights, originate from the fact that the drafting epoch of the Convention (1985-1990) was the pre-globalization period. Migration patterns and dynamics have, over the course of the last decades, undergone some essential changes, mostly as a result of neo-liberal globalisation. The rights-based approach was bound to lose grounds to two main parameters: i) the market-based political positions; ii) the escalation in the number of asylum seekers and refugees.[18] However, the global standards of human rights for migrants, as already underlined in the said Convention cannot be ignored and they constitute the main objectives to fulfil the requirements of a global human rights regime for all migrants.[19] Notwithstanding the fact that the migration perceptions and worldwide applications have other priorities, human rights should not be discussed in a manner as if they were *a necessary evil*. The quality of the norms and standards that are set in the Convention need to be assumed today as more future-oriented than a perspective of yesterday. The rights-based political position is and will remain a current issue for all migrants, including their family members, asylum-seekers and all other relevant groups of international migrants worldwide.

The Future of Migration Governance: *Global Compact on Safe, Orderly and Regular Migration*

On 19 September 2017 a high level meeting was organized with the Heads of States and Governments at the United Nations Headquarters in New York. The world leaders showed their awareness of the urgent measures that needed to be taken for an appropriate migration management regime. The emerging problems, especially with the presence of asylum-seekers in almost every part of the world, as well as the increasing international mobility of persons due to climate change and economic crisis, were the main starting points to launch an international high level meeting to discuss the problems.

In the declaration made after the meeting, modalities for the intergovernmental negotiations of the global compact for safe, orderly and

regular migration were formulated. In the "New York Declaration for Refugees and Migrants", the General Assembly of the United Nations requested to launch "a process of intergovernmental negotiations leading to the adoption of a global compact for safe, orderly and regular migration at an intergovernmental conference to be held in 2018, as well as its decision to work towards the adoption in 2018 of a global compact on refugees, and noting that the two processes are separate, distinct and independent". Furthermore, the General Assembly stated that "the global compact would set out a range of principles, commitments and understandings among Member States regarding international migration in all its dimensions; make an important contribution to global governance and enhance coordination on international migration; present a framework for comprehensive international cooperation on migrants and human mobility; deal with all aspects of international migration, including humanitarian, developmental, human rights-related and other aspects of migration, (…)". As a result, a Special Representative of the Secretary-General for International Migration was suggested to be established. The Resolution was adopted by the General Assembly on 19 September 2016.[20]

> The unprecedented level of human mobility with all its positive and negative aspects will only be mastered by a concerted action with the involvement of all member states.

As a matter of fact, the attempt by the United Nations was able to present new hopes for a global governance of international migration with all its dimensions and aspects. The adoption of the Declaration by 193 member states is a positive indication of support for the obligation to back a human rights-based governance program for migrants and refugees. Again, it is necessary to emphasize that the unprecedented level of human mobility with all its positive and negative aspects will only be mastered by a concerted action with the involvement of all member states.

Conclusion

The IRCMW, the Migrant Workers Convention, which is the most comprehensive rights-based legal instrument until now, can reinforce the global governance of migration together with the wide-reaching concept of the Global Compact. As a more binding treaty, there is a higher chance that the latter could be ratified

by more State parties. We could positively estimate that the Global Compact, when it is accomplished in 2018, could enhance the ratifications of the IRCMW. Migration has always been subsistent since humankind has arisen. We tend to forget most of the time that human civilization owes its economic, cultural and social development to this mobility. Migrants throughout history have contributed to the building of nations, their cultures, and economic development. Ironically, nation-states do not appreciate enough the overwhelming positive impacts of migration and migrants. Their human rights are neglected; even their lives are endangered and they are viewed as unwanted foreigners in many countries. The United Nations, the ILO and, as a UN-related agency, the International Organization for Migration (IOM), are trying to establish appropriate conceptions for migration governance. It is now likely that the Global Compact on Safe, Orderly and Regular Migration will presumably contribute, together with all stakeholders, to a better management of migration, and guide nation-states for a concerted action on a rights-based approach in international migration.

The IRCMW, the Migrant Workers Convention, which is the most comprehensive rights-based legal instrument until now.

Appendix: International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

Adopted by General Assembly resolution 45/158 of 18 December 1990

Preamble

The States Parties to the present Convention,

Taking into account the principles embodied in the basic instruments of the United Nations concerning human rights, in particular the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child,

Taking into account also the principles and standards set forth in the relevant instruments elaborated within the framework of the International Labour Organisation, especially the Convention concerning Migration for Employment (No. 97), the Convention concerning Migrations in Abusive Conditions and the Promotion of

Equality of Opportunity and Treatment of Migrant Workers (No.143), the Recommendation concerning Migration for Employment (No. 86), the Recommendation concerning Migrant Workers (No.151), the Convention concerning Forced or Compulsory Labour (No. 29) and the Convention concerning Abolition of Forced Labour (No. 105), Reaffirming the importance of the principles contained in the Convention against Discrimination in Education of the United Nations Educational, Scientific and Cultural Organization,

Recalling the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Declaration of the Fourth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, the Code of Conduct for Law Enforcement Officials, and the Slavery Conventions,

Recalling that one of the objectives of the International Labour Organisation, as stated in its Constitution, is the protection of the interests of workers when employed in countries other than their own, and bearing in mind the expertise and experience of that organization in matters related to migrant workers and members of their families,

Recognizing the importance of the work done in connection with migrant workers and members of their families in various organs of the United Nations, in particular in the Commission on Human Rights and the Commission for Social Development, and in the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization and the World Health Organization, as well as in other international organizations,

Recognizing also the progress made by certain States on a regional or bilateral basis towards the protection of the rights of migrant workers and members of their families, as well as the importance and usefulness of bilateral and multilateral agreements in this field,

Realizing the importance and extent of the migration phenomenon, which involves millions of people and affects a large number of States in the international community,

Aware of the impact of the flows of migrant workers on States and people concerned, and desiring to establish norms which may contribute to the harmonization of the attitudes of States through the acceptance of basic principles concerning the treatment of migrant workers and members of their families,

Considering the situation of vulnerability in which migrant

workers and members of their families frequently-find themselves owing, among other things, to their absence from their State of origin and to the difficulties they may encounter arising from their presence in the State of employment,

Convinced that the rights of migrant workers and members of their families have not been sufficiently recognized everywhere and therefore require appropriate international protection,

Taking into account the fact that migration is often the cause of serious problems for the members of the families of migrant workers as well as for the workers themselves, in particular because of the scattering of the family,

Bearing in mind that the human problems involved in migration are even more serious in the case of irregular migration and convinced therefore that appropriate action should be encouraged in order to prevent and eliminate clandestine movements and trafficking in migrant workers, while at the same time assuring the protection of their fundamental human rights,

Considering that workers who are non-documented or in an irregular situation are frequently employed under less favourable conditions of work than other workers and that certain employers find this an inducement to seek such labour in order to reap the benefits of unfair competition,

Considering also that recourse to the employment of migrant workers who are in an irregular situation will be discouraged if the fundamental human rights of all migrant workers are more widely recognized and, moreover, that granting certain additional rights to migrant workers and members of their families in a regular situation will encourage all migrants and employers to respect and comply with the laws and procedures established by the States concerned,

Convinced, therefore, of the need to bring about the international protection of the rights of all migrant workers and members of their families, reaffirming and establishing basic norms in a comprehensive convention which could be applied universally,

Have agreed as follows: (…)

Source: http://www.ohchr.org/EN/Professional Interest/Pages/CMW.aspx) (last visited 15 May 2017).

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   A)   *The declaration regarding Article 15: The restrictions by the related Turkish laws regarding acquisition of immovable property by the foreigners are preserved.*

   B)   *The reservation regarding Article 40: The Turkish Law on Trade Unions allows only the Turkish citizens to form trade unions in Turkey."*

   C)   *The declaration regarding Article 45: The stipulations of the paragraphs 2, 3 and 4 of the Article 45 will be implemented in accordance with the provisions of the Turkish Constitution and the related Laws.*

   D)   *The declaration regarding Article 46: The implementation of the Article 46 will be made in accordance with the national laws.*

   E)   *The declaration regarding Articles 76 and 77: Turkey will recognize the competence of the Committee on the Protection of the Rights of All Migrant Workers and Members of their Families at a later time.*

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The Comtemporary Lens in International Relations:
Migration and Foreign Policy Nexus in Turkey

Yelda DEVLET KARAPINAR[*]

Abstract

Immigration has gradually become one of the main subjects of high policy debate in Turkey. Such a tendency has manifested itself initially through Turkey– EU relations, where immigration policy making has become one of the key issues of accession talks. The Syrian crisis and a massive influx of Syrians have also acted as a catalyst for consideration of immigration policy as a "hot topic" of the agendas of both foreign and domestic policy. This article aims to uncover the interrelations between immigration policy and Turkish foreign policy and to identify major trends and reorientations in immigration policy making.

Key Words

International Migration, Turkish Foreign Policy, Turkey-European Union Relations, Syrian Crisis.

Introduction

There is a considerable amount of literature written on different forms of migration into and out of Turkey.

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Throughout history, diverse waves and forms of migratory movements have always affected Turkey. The Iranian revolution, political turmoil in the Middle East, the end of the Cold War, the Gulf War, and more recently the Arab uprising and Syrian crisis have all resulted in a large number of people finding refuge in neighbouring countries, including Turkey. This is coupled with Turkey's geo-political position and geo-strategic importance as a transit zone between the East and the West, and ultimately has contributed to Turkey's becoming a *de facto* country of first asylum as well as a destination. Turkey is positioned at a significant juncture within the international migration flows between Asia, Africa and Europe. This connectivity to numerous emigration and immigration countries makes Turkey highly vulnerable to changing trends of migration and requires Turkey to streamline its policy responses accordingly. Given Turkey's vision of becoming a regional power as well as an international actor, this paper aims to address the major trends and reorientations in contemporary Turkish

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immigration policy making and its relation to Turkish foreign policy.

> The politics of Turkish immigration policy has gradually been debated around two main contemporary drivers, namely the EU accession process and the migratory impact of the Syrian crisis.

The politics of Turkish immigration policy has gradually been debated around two main contemporary drivers, namely the EU accession process and the migratory impact of the Syrian crisis. Modernization in Turkey, political reforms driven by the EU accession process, adoption of the *Acquis*, and humanitarian assistance provided for Syrians arriving in Turkey, as well as the recent debate on the co-existence of a humanitarian and development nexus due to the prolonged nature of the Syrian crisis's migratory impact are all valid points; however, I would argue that this would not be enough in explaining Turkey's current re-structuring of its immigration policy. Turkey's engagement with regional consultative processes, international platforms and international organizations working on diverse dimensions of migration

have also contributed to Turkey's involvement in global discussions related to migration and encouraged the country to become an actor of the international migration governance.

The gradually evolving nature of migration studies in the Turkish context makes the field an important area of research also for the discipline of International Relations. This paper therefore aims to uncover the politics of immigration policy making in Turkey via putting the spotlight on the period after the 2000s. Furthermore, I also adopt an outlook in an attempt to underline the multi-policy level structuration of Turkish immigration policy by identifying patterns for contemporary migration trends. Building on Giddens' "concept of structuration",[1] this paper employs a constructivist perspective in the light of the concept of multi-policy level structuration of Turkish immigration policy, which refers to the development, adjustment and implementation of policies in diverse fields such as external affairs, development, security, international cooperation, humanitarian assistance as well as economy- all of which have a direct or indirect impact on immigration policy making in Turkey. Such a perspective also has the potential to carry the contemporary migration management discourse to a further level, which is the governance of migration that

aims to enhance security, economy and rights.[2] The paper is divided into five sections. The first section briefly summarizes the migration and foreign policy nexus in general, followed by the Turkish context in section two. The third section elaborates on the impact of emerging foreign policy concepts on Turkish migration policies after the 2000s, and the fourth section identifies major trends and reorientations in foreign policy in line with the changes in migration policies. The final section concludes by bringing together the main ideas put forward in the paper.

The Missing Lens of International Relations: The Migration and Foreign Policy Nexus

Over the years, the issue of international migration has gradually emerged on the international landscape due to a growing number of persons living outside their countries of origin. This continuing increase has also triggered interest in the social sciences towards diverse thematic areas related to international migration, which was formerly limited across disciplines. Massey and his colleagues further elaborate on this point:

"Social scientists do not approach the study of immigration

from a shared paradigm, but from a variety of competing theoretical viewpoints fragmented across disciplines, regions, and ideologies. As a result, research on the subject tends to be narrow, often inefficient, and characterized by duplication, miscommunication, reinvention and bickering about fundamentals. Only when researchers accept common theories, concept tools, and standards, will knowledge begin to accumulate."[3]

Over the years, the issue of international migration has gradually emerged on the international landscape due to a growing number of persons living outside their countries of origin.

Moreover, as underlined by Brettell and Hollifield, a considerable gap exists between the "social scientists who take a top-down "macro" approach, focusing on immigration policy or market forces from those whose approach is bottom- up "micro", emphasizing the experiences of the individual migrant or the immigrant family".[4] This limited coverage of international

migration with its linkages to diverse disciplines is also reflected in the study of international relations. The issue itself has been marginalized in international relations with, as Weiner points out, certain questions often being overlooked:[5] How do states' actions shape population movements? Under which circumstances do such movements lead to conflict and/or to cooperation? What do governments do in their domestic policies to adjust, influence and control such population flows? Building on these questions, it is legitimate to investigate the root causes for the limited coverage of migration studies by the discipline of international relations. The most common explanation of this marginalization lies behind the recent acknowledgement of international migration moving from the realm of *low* politics to *high* politics. Although the political science literature related to migration and international relations is quite limited, there are a number of scholars who have been directing their research interests to this emerging field of study.[6]

Hollifield[7] puts forward three lines of inquiry for scholars of immigration within political science. Those include the role of the nation-state in controlling migration and borders; the impact of migration on international relations including institutions, sovereignty and national security; and finally incorporation, which calls for identity, citizenship, ethical as well as normative issues. Mitchell[8] explains the late coverage of the study of international migration by political science and international relations scholarship based on three main relationships. The first revolves around the assumption that international relations help to shape international migration with the potential importance of state action to the dynamic process of migration policy making. The second asserts that migration may influence and serve the goals of national foreign policies, which would carry this transnational phenomenon from its traditional sector of low politics to the realm of high politics. And the third emphasizes that "domestic" immigration laws and policies may have an unavoidable international political projection.

The realist paradigm being the dominant approach during the Cold War period avoided having the topic of migration become mainstreamed due to the limited effect of migration on balance of power.

In other words, the realist paradigm being the dominant approach during the Cold War period avoided having

the topic of migration become mainstreamed due to the limited effect of migration on balance of power, the East-West struggle or the structure of the international system other than the refugees themselves.[9] Yet, it is important to mention the growing importance of migration in international politics particularly considering the securitization of migration following the terrorist attacks of 11 September 2001 as well as externalization of the issue via EU level migration policy making. The next section represents an effort to contribute to bridging the gap between international relations and migration studies from the global to the Turkish context.

The Foreign Policy and Migration Nexus in the Turkish Context

Building on the conceptual discussions related to interrelations among foreign policy, security, power and migration, Turkey, with its multi-faceted migratory flows offers a valuable environment for observing the political implications of those conceptual frameworks. Tolay proposes understanding Turkey's impact in the region through different flows of capital, goods, people and ideas. Tolay further asserts that "the more dense, multiform, and multidirectional those flows are, the more central and

indispensable Turkey becomes in its neighbourhood."[10]

Today, migration and its impact on Turkey's foreign relations hold a multi-actor nature. Non-state actors such as international organizations, non-governmental organizations and even the private sector are also gradually engaged in foreign policy implications of immigration policies in Turkey. Moreover, Turkey considers migration as an important foreign policy issue where both migration and foreign policy concerns have become converged.[11] The last two decades, especially after the 2000s, are crucial in reading the essentials of contemporary Turkish foreign policy given the increasing role played by diverse thematic areas such as economics, trade, security, and human rights, as well as the movement of people in Turkey's international relations. We also witness the rising of cultural and Islamic values coupled with humane and democratic ones. It is important to assess the impact of this new rising trend on migration policy making in Turkey. Within this framework, it becomes crucial to ask a couple of questions, such as: What is the meaning of migration policy in Turkey?

Today, migration and its impact on Turkey's foreign relations hold a multi-actor nature.

What are the contemporary drivers and the dynamics behind contemporary immigration policy making in Turkey? What role does migration play within the framework of foreign policy making? Where does immigration policy stand in Turkish foreign policy today? The following section will try to answer these questions in detail.

Evolution of the Turkish Foreign Policy and Migration Nexus in the Post Cold War Era

Distribution of power is considered to be the main defining feature of international relations in the realist way of thinking. Such a distribution with its major consequences manifested itself as the "bipolarity"[12] during the Cold War between the United States and the Soviet Union. The dissolution of the Soviet Union and communist order accelerated the spreading of capitalism all over the globe and the transformation of the world order into a unipolar one. As Markina states, there were no clearly defined enemies anymore.[13] With the end of the Cold War, there has been an increasing attention on developmental differences. Globalization is a contemporary phenomenon gradually experienced all around the world. However, countries experience different levels of globalization due to their different levels of development. The conjectural dynamics of the post Cold War era, the 9/11 terrorist attacks, and recently the conflict and fragility experienced in diverse regional contexts have all called for re-visiting the concept of polarity in the contemporary structure of the international system.

Contemporary polarity discussions following the dissolution of the Soviet Union have played an active role in the evolution of Turkish Foreign Policy as of the 1990s. Turkey, with its strategic geopolitical position, had to reassess its geostrategic role in the post-Cold War era. Following the demise of the USSR, Turkish foreign policy preserved its traditional security-oriented nature, which had been developed since the early Republican era as well as throughout the Cold War period, building on its threat perceptions. As underlined by Tür and Han, those threat perceptions included a mistrust of Western allies. Even though Turkey has positioned herself with the Western bloc, the foreign policy anxiety driven by suspicions about the division of Turkish territory by the West as well as the threat perception of being surrounded by enemies have all contributed in a mainstreaming of security issues within Turkish foreign policy making processes.[14] Moreover, they emphasize that, although the Soviet demise was the sign of an end

to the perception of a threat from the Soviet Union, it was immediately filled in by "new" actors of Iraq, Iran and Syria as well as by instabilities in the Balkans, the Caucasus and the Middle East as the considered threats to Turkey's national security.[15] All these events have also resulted in not only a questioning of Turkey by its Western partners from a security point of view, but have also securitized Turkey's relations with the West.[16] When we recall the regional dynamics of that era, we see historical changes including the invasion of Kuwait by Iraq in 1990, the First Gulf War in 1991, and the oppression and atrocities targeted by the Saddam regime towards Iraqi Kurds. These all acted as catalysts for Turkey's "new" threat perceptions that revolved around Kurdish separatism and empowerment of the PKK by the above mentioned new threat actors during the 1990s.[17]

Contemporary polarity discussions following the dissolution of the Soviet Union have played an active role in the evolution of Turkish Foreign Policy as of the 1990s.

As Rubin underlined, Turkey has become a more visible and active

international player after the 1990s.[18] In 1991, the Gulf War allowed Turkey to play a central role in the Middle East. Crisis in the Balkans, particularly Bosnia and Kosovo, made Turkey an influential actor in the Balkans and South-eastern Europe. Furthermore, the emergence of the newly independent states of Turkic origin brought up some potential for foreign policy making outside the scope of its traditional practices in the Caucasus and Central Asia. Developmental differences and ethnic conflicts among the newly independent states required Turkey to adjust its traditional foreign policy in line with the new challenges as well as opportunities. Traditional Turkish foreign policy had revolved around mainstream issues such as European Union membership, Turkish-Greek relations, and Cyprus.[19] However, this new foreign policy adjustment also brought up a debate among policymakers and the Turkish public related to a new strategy, identity and set of goals.

Turkey has become a more visible and active international player after the 1990s.

Having mentioned Turkey's gradually emerging foreign policy adjustments around the issues of mainstream

identity, strategy, as well as a new set of goals, it was Turgut Özal's approach of an assertive foreign policy as of 1989, which acted as a catalyst for structuration of the "new foreign policy".[20] Within this scope, that vision of the era with its open market economy and international cooperation driven nature was in need of new areas for self-assertion. The collapse of the Soviet Union followed by the establishment of the independent Turkic states in Central Asia called for a potential role to be played by Turkey in terms of its common cultural heritage, which was streamlined around the mainstream identity of "Turkishness". Within the same time period, Turkey's self identification as a Eurasian country was also applauded by its Western allies, given their hesitations about a filling of the "power gap" in Central Asia by Iran. Therefore, Turkey's emergence as a potential actor in Central Asia and its close engagement with the West had a relieving impact on her transatlantic partners, who promoted the idea of "Turkey as a new model," fuelled by its "secular and democratic political structure and its free market economy".[21]

Besides the economy driven early migratory flows, the Ahıska Turks made a request to then Prime Minister Süleyman Demirel during his visit to the Central Asian Turkic Republics and Azerbaijan in 1967, that they be accepted by Turkey.[22] Upon the enactment of the Law for the Acceptance into Turkey and Resettlement of Ahıska Turks, No. 3835 in 1992,[23] in total 500 families, 150 in 1992 and 350 in 1993, were accepted by Turkey. The majority of these came from Kazakhstan, Kyrgyzstan, the Russian Federation, Uzbekistan and Azerbaijan.[24] The common identity of *Turkishness* could be seen as the motivating factor for immediate acceptance of the Ahıska Turks by Turkey in 1992 coupled with a legislative framework on settlement.

Having mentioned Turkey's gradually emerging foreign policy adjustments around the issues of mainstream identity, strategy, as well as a new set of goals, it was Turgut Özal's approach of an assertive foreign policy as of 1989, which acted as a catalyst for structuration of the "new foreign policy".

During the 1990s, Turkey also opened its borders to 467,489 Iraqi people and provided humanitarian assistance to them after the Gulf Crisis.[25] Turkey, having previously accepted 51,542[26] Iraqi people after the Halabja chemical attack in Northern Iraq in 1988 as well as a mass inflow of people of Turkish decent from Bulgaria as of 1989,[27] had

started to question how to respond to the emerging new influx from Iraq. Building on these challenges, President Turgut Özal proposed the establishing of a security zone within the territory of Iraq under international guarantorship, where the Iraqi people could be accommodated. Upon agreement by the US and a majority of the Western states, a no-fly zone, located at the Northern Iraq and Turkish border, was established to protect humanitarian operations and settlement of Kurdish refugees.[28]

> While it took some time for Turkey to adjust her position within the conjuncture of the post-Cold War period, the end of the 1990s brought forth an historical shift in terms of mainstream threat perceptions.

Within this scope, the 1990s were mainly the period for Turkey to witness an escalation of conflicts and wars in neighbouring countries, with a direct impact on mass migratory movements towards Turkey, initially from Iraq and then from Bosnia, from which there were 20,000 Bosnians between 1992-1995 and 17,746 Kosovars in 1999 who sought asylum in Turkey.[29] Given this migratory snapshot, one can say

that the 1990s acted as the baseline for the contemporary nexus between migration and Turkish foreign policy from Central Asia to the Balkans as well as the Middle East. Concepts such as "activism" and "multi-dimensionalism," which were employed in Turkish foreign policy during the 1990s, have also prepared a legitimate platform for the structuration of the parameters of the Turkish foreign policy and migration nexus of the 2000s.[30]

While it took some time for Turkey to adjust her position within the conjuncture of the post-Cold War period, the end of the 1990s brought forth an historical shift in terms of mainstream threat perceptions. Those perceptions also called for a de-securitization of Turkish foreign policy.[31] The traditional Turkish foreign policy was structured on two main building blocks: while the *status quo* aimed at preserving the established order within the existing borders, *westernization* focused on Western oriented foreign policy structuration.[32] The traditional actors of foreign policy making were in particular considered to be the products of a higher structure with an isolated nature from all other political areas.[33] As of the 1990s, however, a streamlining of Turkish foreign policy at the international and regional levels has constituted its main axis. It has also been a period with an increasing number and

diversity of actors affecting the world order; developments in information and communication technologies; as well as systemic changes that have all contributed to self-adjustments of Turkish foreign policy. The concept of regional power has also gradually been used with reference to Turkish foreign policy. Kut underscores the existence of confusion over Turkey's role in the post- Cold War at the time, exciting but blurred debates among politicians and the public in terms of whether Turkey could fulfil its newly emerging roles.[34]

> There have been many discussions and studies on assessing Turkey's soft power and regional power potential, and many of them seem to agree that Turkey's ambition and intention is in becoming a regional power.

The first decade of the post-Cold War period could be divided into two clusters: The first half focused on discussions that revolved around uncertainties, objectives, threats and opportunities. It was a period in which the role of NATO was questioned at both national and international scales. Furthermore, the impact on Turkey

of a potential degradation in NATO's importance at the global scale was also debated. The second half of this first decade acted as an era where differences between Turkey's foreign policy rhetoric and practice became visible. The early 2000s witnessed the establishment of the *Justice and Development Party* (AKP). Under the AKP, Turkey, with its geopolitical stance, economic growth, population and military power has begun to explore its potential to transform those strengths into different foreign policy instruments in several thematic areas, from security to migration. There have been many discussions and studies on assessing Turkey's soft power and regional power potential,[35] and many of them seem to agree that Turkey's ambition and intention is in becoming a regional power.

As mentioned above, as of the 2000s, an important phase in Turkish foreign policy has been witnessed, particularly following the establishment of the AKP in 2001, and coupled with the development and enhancement of concepts in Turkish foreign policy making such as pro-active diplomacy, multi-dimensional foreign policy, and Turkey's power as being soft, smart and regional.[36] These contemporary changes in Turkish foreign policy actually have their roots from the early 1980s with President Turgut Özal, who tried to embrace Turkey's Ottoman

heritage into an active diplomacy and foreign policy strategy with its neighbours. The late President Özal, with his vision to reassess and segregate domestic and foreign policy decisions, took radical steps forward in his era.[37] Some of these radical steps included "economic reform plans, European community membership initiatives, his definition of "trade" in return for American aid, relations with Greece, immediate recognition of the post-Soviet Republics, and his opening for cultural freedom for Kurds".[38]

Given these transformations in Turkey between the 1980s and 1990s, it can be argued that they prepared the legitimate platform for the structuration of the parameters of the Turkish foreign policy in the 2000s. After coming to power in 2002, the AKP acted as a catalyst for an amalgamation of previously developed concepts to offer contemporary new frameworks of Turkish foreign policy. Walker asserts that "as a result of its Islamic roots and Muslim outlook, the AKP has focused on the unifying character of the Ottoman Empire and the Muslim values inherited by the Turkish Republic".[39] Such a vision sought for opportunities to enhance Turkey's multi-lateral and multi-sectoral affairs with its neighbours. Here, it is critical to emphasize the mainstream identity perception and discourse adopted during the 2000s by the AKP, which has revolved around the

notion of Muslimhood in conjunction with Turkishness.

It was only after the 2000s that the Middle East re-emerged on Turkey's horizon as a region where concepts of foreign policy, such as soft power, trading state, and role model, could be exercised. Within this scope, the "strategic depth" theoretical framework developed by Ahmet Davutoğlu, former Prime Minister of the 62nd Government of the Turkish Republic, became one of the key building blocks for Turkish foreign policy in the early 2000s. In his book entitled *Strategic Depth: Turkey's International Position,* published in 2001, Davutoğlu suggests that geostrategic location and historical depth act as determining factors in assessing the significance of a nation at the international level and asserts that Turkey will become a "central power" via integrating its historical and strategic depth within its geography.[40] Moreover, Turkey's active engagement with the EU via alignment to the *acquis*, the reform process, and a membership perspective, were key defining factors of the "Europeanizing" of foreign policy over this first decade of the 2000s.[41] As underlined by Tür and Han, the utilization of foreign policy tools experienced a considerable change through this Europeanizing of foreign policy, as diplomacy, dialogue, multilateralism and institutionalization gradually replaced the mainstream

foreign policy discourse that was dominated by actual or potential use of force.[42] It was also emphasized that Turkey's changing foreign policy conceptions towards the Middle East from 2002 to 2011 could best be understood through a "role theory analysis",[43] which was described as follows:

> "Role theory analyses the cultural/ideational, geostrategic, political and economical determinants of a country's foreign policy, through eliciting state elites' cognitive filters and perceptions. Many studies analyse Turkish foreign policy with reference to state identity, culture, geographic location, economic material factors and strategic/military considerations, as well as state elites' political preferences, but only a limited number of these studies implicitly refer to role theory."[44]

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In their study, Özdamar and colleagues employ role theory analyses and identify eleven Turkish foreign policy conceptions, six of which were considered to be more prominent before the Arab uprisings. Those conceptions included; "mediator", "defender of regional peace and stability", "regional subsystem collaborator", "good neighbour", "bridge across civilizations" and "trading state". However, the authors underscore their observation of a solid decline in some of those concepts, particularly "mediator", "defender of regional peace and stability", "regional subsystem collaborator", and "good neighbour," observing that those were gradually replaced by new conceptions such as "central/pivotal country", "active independent country", "developer" (i.e. assisting developing countries), "protector of the oppressed" and "model/example country".[45]

Turkey's efficiency in dealing with the economic crisis, considerable growth in international trade, reaching an agreement with the EU on a date for negotiations in 2004, acknowledgement of the PKK as a terrorist organization by the EU[46] and the US,[47] were some of the events and developments that marked this period. However, we may consider 2010 as a turning point at which the baseline of Turkish foreign policy started to move in a different direction. Walker puts forth the argument of Turkey's new location as

being at the core rather than in the periphery:

> This new strategic outlook is not merely national but regional, and it shifts Turkey's self-perception of being on the periphery to an understanding that the country is at the very centre of important historical developments.[48]

Building on its new vision in foreign policy making as well as the contemporary developments at both the global and regional scales, Turkey would need to follow a multi-directional foreign policy while situating itself in the core and producing its own foreign policy tools for different thematic areas.

Building on its new vision in foreign policy making as well as the contemporary developments at both the global and regional scales, Turkey would need to follow a multi-directional foreign policy while situating itself in the core and producing its own foreign policy tools for different thematic areas. So, what is the essence of this snapshot of Turkish foreign policy as of the 2000s in terms of the country's

migration policymaking processes? Can we draw a solid framework of analysis in terms of the foreign policy and migration nexus in the light of those emerging conceptions? If so, what would be the actual and potential implications of those diverse and dynamic foreign policy conceptions on Turkish migration policy of the 21st century? These questions provide the basis of the following section.

The Impact of the Emerging Foreign Policy Concepts of the 2000s on Turkish Migration Policy

Turkey is one of those countries that have been affected by diverse forms of migratory movements throughout its history. The Turkish migration policy context has witnessed a gradual shift from a nation building process to an era of migration management and governance. The diversity in migratory movements has also required the country to develop diverse policy responses to the emerging needs of the national agenda. Since the establishment of the Turkish Republic, the period until the 1950s could be categorized as Turkey's nation building process. The 1960s' development agenda was dominated by the emigration of Turkish nationals as "guest workers" to Western Europe, particularly to Germany. Emigration of

Turkey is one of those countries that have been affected by diverse forms of migratory movements throughout its history.

Turkish nationals as migrant workers to Europe was considered to be a crucial tool for development in terms of remittances, experience sharing, and skills development. The "temporary recruitment" of Turkish nationals in Europe, however, went beyond its temporary scope, with approximately six million Turkish nationals eventually living abroad. In line with the shift in Turkey's foreign policy paradigms, those nationals have been gradually considered as the agents of Turkey's soft power in the international community rather than being just agents of economic development. Turkish nationals abroad have gradually come to be considered as an important factor of Turkish foreign policy making processes due to their human capital in terms of diaspora networks and lobbying efforts as active agents of soft power. The establishment of the Prime Ministry Presidency for Turks Abroad and Related Communities in 2010 has also acted as an important catalyst for organization of the Turkish diaspora. Besides the traditional migratory flows, diverse forms of immigration have also begun to be debated in the Turkish

national agenda as of the 1980s. Turkey, as a traditional country of emigration as well as a transit country, also became a key destination country following the collapse of the Soviet Union and the conflicts in Middle East.

According to United Nations High Commissioner for Refugees statistics, by the end of 2016, 65.3 million individuals were forcibly displaced by conflict and violence, out of which 22 million persons were refugees.

A wide variety of issues, including the EU accession process; the foreign policy and migration policy nexus; international cooperation on migration management; national security and border management; the Syrian crisis causing more than 3.4 million Syrians seeking temporary protection in the country; national identity; citizenship; labour market needs; unemployment; social cohesion; protection of vulnerable groups and rights of migrants, have all contributed to the contemporary debate on migration policies in Turkey. This gradual increase and diversity in the migratory movements affecting the country has also become an issue of high political consideration for many

European countries, as many of the migrants transiting Turkey carry the ambition to reach the borders of the European Union.

This contemporary change has also witnessed one of the most severe humanitarian crisis fuelled by the mixed migratory flows particularly in the Mediterranean and beyond since the Second World War. According to United Nations High Commissioner for Refugees (UNHCR) statistics, by the end of 2016, 65.3 million individuals were forcibly displaced by conflict and violence, out of which 22 million persons were refugees.[49] Moreover, the last couple of years have been recorded as the deadliest years, with more than 5,600 migrants dying or going missing during migration in 2015, and 7,559 migrant deaths recorded worldwide in 2016.[50] This situation has increased Turkey's strategic importance for its European partners and prepared the basis for foreign policy cooperation in the areas of managing migration. Turkey, building on its efforts to align its normative and operational framework with the EU *acquis*, has been experiencing a historical reform process, with the aim of transforming the normative and institutional framework with a particular focus on human rights and a comprehensive approach to migration management. The drafting of the primary and secondary legislation on migration

and asylum and restructuring the normative and institutional framework on Turkey's asylum and immigration systems have been among the main endeavours of the Turkish authorities.

Within this framework, Turkey has enacted the *Law on Foreigners and International Protection (No: 6458)* published in the Official Gazette on 11 April 2013, No: 28615 and has fully come into force as of 11 April 2014, as the Directorate General on Migration Management (DGMM) took over the relevant roles and responsibilities from the Directorate General of Security.[51] This Law marks a milestone in Turkish migration history. Being a first of its kind primary legislation on migration, it makes substantial changes in the Turkish immigration and asylum system, as well as outlawing the Law on Residence and Travels of Foreigners (No: 5683) in Turkey.

With the enactment of the Law on Foreigners and International Protection in 2013, Turkey witnessed a landmark achievement for the Turkish migration management system through the establishment of the *Directorate General on Migration Management* under the Ministry of the Interior, which then became the leading actor of Turkish migration policy. There were several motivating factors preparing the basis for drafting the *Law on Foreigners and International Protection.* These include:

With the enactment of the Law on Foreigners and International Protection in 2013, Turkey witnessed a landmark achievement for the Turkish migration management system through the establishment of the *Directorate General on Migration Management.*

"Increasing recognition of Turkey's economic power and immigration projections connected to it, growing belief in the ability to control migration and the benefits of such control, lessons learned from EU experiences pertaining to migration management, conditionalities stemming from the EU accession process, increasing awareness on the international human rights standards through the advocacy roles of INGOs and NGOs and finally European Court of Human Rights (ECHR) decisions, which has criticized Turkey for lack of a legislative system to protect migrants' rights."[52]

It is also crucial to mention the current national efforts towards regulating the administrative and legislative policies on migration management. While establishing legislation with a view to harmonise with EU norms, it is important that Turkey not only fulfils its obligations arising from international law concerning asylum and migration but also identifies its objectives and principles, taking into account Turkey's subjective circumstances. Three important developments took place in Turkey's decision-making processes, especially on issues of migration and foreign policy, including "a change in foreign policy outlook, a change in the distribution of power within the Turkish bureaucracy and government, and an increase in the role played by non-state actors".[53]

Another dimension of migration in terms of its usage as a foreign policy tool lies in the increasing number of qualified foreigners, especially international students. Nye elaborates that foreign students affect a state's reputation in addition to enhancing its soft power.[54] Within this scope, it is complementary to highlight the significant number of university students particularly from the Middle East, North Africa and Central Asia studying in Turkey. The country, besides having foreign university students as the agents for enhancement of its soft power, also has the potential to carry Turkish influence beyond its territories through the Yunus Emre Institute and its branches in nearly 60 countries.

Additionally, the Turkish Cooperation and Development Agency has also been actively engaged in the execution of "new" foreign policy concepts. particularly in Middle East, North Africa and Central Asia.

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Today, we are able to speak about emerging migration policy paradigms in Turkey. Migration policy is gradually becoming a foreign policy tool for strengthening Turkey's power position in its region as well as in the international arena, due to its political, financial and cultural dimensions. Migration policy has also gradually become an area of public policy, with its new actors including the Ministry of Interior, the Directorate General on Migration Management and the Prime Ministry, Disaster and Emergency Management Authority in line with their migration management and humanitarian assistance efforts in the country. The Turkish Ministry of Foreign Affairs, Prime Ministry Office of Public Diplomacy, Prime Ministry Presidency of Turks Living

Abroad and Relative Communities, the Prime Ministry Cooperation and Coordination Agency and the Yunus Emre Institute have also been getting engaged in migration policy debates both at the national and international levels. As a result of this multi-sectorial approach to migration policy, coupled with the migratory impact of the Syrian crisis, Turkish public policy making processes have also been witnessing the establishment of migration-related new directorate generals, departments or units under diverse ministeries, such as the Ministry of Foreign Affairs, the Ministry of Labour and Social Security, the Ministry of Health, the Ministry of Family and Social Policies, and the Ministry of National Education, so as to offer better services to migrants with diverse status.

Moreover, the contemporary migration policy provides the basis for multidirectional change as it calls for Turkey's participation, membership and socialization both at national, regional and global levels. Within this scope, the rise of migration through Turkey's open border policy, the EU accession process, as well as mass migratory movements of people due to conflict and fragile states in the Middle East since 2010, all call for multi-policy level structuration of contemporary Turkish immigration policy in terms of international economic relations, humanitarian assistance, diplomatic

relations as well as border and human security. International migration has the potential to be one of the key determinants of the foreign policy agenda from local to global scales. As such, Turkish migration policy has gradually become more politically debated and visible within the scope of two main contemporary drivers that the country has been engaged in, namely *the EU accession process* and *the Syrian crisis*.

The contemporary migration policy provides the basis for multidirectional change as it calls for Turkey's participation, membership and socialization both at national, regional and global levels.

Turkey's modernization, political reforms driven by the EU accession process, EU requests of Turkey to adopt the *Acquis,* and humanitarian assistance provided for Syrians arriving in Turkey might all be considered as valid points in explaining Turkey's positioning over the current structuration of its immigration policy, however they would not be enough. In migration politics, it has become clear that the Turkish authorities have realized that beyond the interest in adopting the

EU *Acquis*, there is also a more actual national interest to modernize Turkey and to reform migration related normative, administrative as well as operational frameworks. This can be considered as a very endogenous factor, which is generally not touched upon by mainstream scholars. So, in addition to the motivations driven by the EU accession process, Turkey has also its own vision and strategic priorities in terms of diverse fields including foreign policy, economy, development, trade and so on. Therefore, this endogenous domestic driver of all recent developments in the migration realm is critical to bear in mind when unpacking the politics of Turkey- EU relations pertaining to migration.

The EU accession process has been a catalyst on migration issues as well as being one of the defining and central issues of Turkey-EU relations in the 2000s. Given the contemporary changes in global politics, international migration has gradually become a structural issue on the global political agenda. Similarly, the migration and foreign policy nexus has shifted from the periphery to the core in Turkey's EU accession talks, in line with recent developments in the EU migration and asylum agenda in the aftermath of the Stockholm Program, that culminated in the EU-Turkey Statement on 18 March 2016. The overall framework of the EU-Turkey deal focused

> The EU accession process has been a catalyst on migration issues as well as being one of the defining and central issues of Turkey-EU relations in the 2000s.

on countering migrant smuggling particularly across the Aegean Sea by returning "all new irregular migrants" crossing from Turkey to the Greek islands after 20 March 2016 back to Turkey.[55] The Directorate General of Migration Management reported a year later that 915 irregular migrants had been readmitted by Turkey since 4 April 2016, the majority of whom were from Pakistan and Syria.[56] The increasing of resettlement of Syrians from Turkey, the acceleration of the visa liberalization process for Turkish nationals, and the securing of financial support for Turkey in terms of sharing the burden were also complementary elements of the EU-Turkey deal. Within this scope, Turkish migration policy has become a highly political area of interest with its potential impact on the EU's security, economy, and external relations as well as domestic politics, coupled with increasing numbers of people on the move. Having said this, the future of Turkey's migration policy will naturally be impacted by relations between the EU and Turkey,

given the inter-connectedness between migration diplomacy and membership diplomacy.[57]

In addition to the EU accession process of the 2000s, the migratory consequences on Turkey of the Syrian crisis have had a direct impact on Turkish migration policy. There is no doubt that the massive influx of Syrians to Turkey has made Turkish migration policy more visible and more debated both at the national and international levels. However, such an increasing visibility of migration issues just around the Syrian crisis carries the possibility of limiting, deepening and politicizing the scope of the migration policy discussion, which could disrupt Turkey's vision of a comprehensive approach to migration management.

> In addition to the EU accession process of the 2000s, the migratory consequences on Turkey of the Syrian crisis have had a direct impact on Turkish migration policy.

The volume and political context of the Syrian crisis has triggered consideration of migration issues at a political level. Syrians' mobility has captured public attention for several

reasons: i) the volume is very high (the highest volume of asylum influx in the world since World War II); ii) it happened at a time when Turkey was trying to redefine its role in the Middle East; iii) internationally the issue is also becoming more visible via Turkey's active role in response, which has been reflected in EU progress reports and UN documents such as regional response and resilience plans; and iv) the EU and the international community are pressuring Turkey to both ensure that refugee crisis from Syria is better governed and that border protection is better managed to curb irregular flows targeting the EU.

While considering the Syrian crisis and migration nexus, it would be beneficial to approach the issue according to two time periods. The first would cover the period up until the Arab uprisings in the Middle East Region, a time that witnessed Turkey's rising power in the region through articulation of its soft power. The second would cover the period of the Arab uprisings and afterwards, during which Turkey tried to revitalize its significance in the region through the Syrian crisis. Building on a series of interviews conducted with representatives of key governmental, non-governmental and international institutions as well as academics, a common vision underlying Turkey's limited foresight in terms of predicting the scope of Syrian crisis can be seen.

It was particularly mentioned that Turkey's foreign policy towards Syria gave birth to an outcome that has had a huge impact at home, resulting in almost 3.5 million Syrians living in Turkey. Therefore, the massive influx of Syrians to Turkey due to the "open border policy" has acted as a laboratory for the recently enacted Law on Foreigners and International Protection No.6458 that came into force on 11 April 2013. Turkey's post-2010 Syria policy also has had a direct influence on the evolution of its migration policy. The following section will summarize some recent trends in Turkey's immigration policy.

Contemporary Trends in Turkish Immigration Policy of the Early 21st Century

Turkey has been affected by diverse forms of migration originating from conflict and fragility happening in different regional settings. Traditionally, those migratory flows of diverse profiles prepared the basis for Turkey's reactive and periodic immigration policies to be enforced. However, when we elaborate on Turkey's contemporary immigration policy vision, we see a proactive, holistic and a multi-policy level structure trying to keep the balance between security and human rights as well as between national interests and the level

of international engagements. Turkey's immigration policy today, therefore, is one that is having gradually more significance in public policy discourse, international relations, as well as foreign policy making processes. The genuine nature of the 2000s is also crucial to bear in mind given the fact that immigration is becoming one of the main subjects of high policy debates. Such a tendency has manifested itself initially through Turkey-EU relations where immigration policy making has become one of the key issues of accession negotiations in line with Chapter 24: Justice, Freedom and Security, and has become more articulated around the discussions pertaining to the Turkey-EU Readmission Agreement and visa liberalization dialogue. The Syrian crisis and subsequent massive influx of Syrians have also acted as a catalyst for high policy level consideration of immigration policy, a "*hot topic*" on the agendas of both foreign and domestic policy. However, such an increasing visibility of immigration issues just around the Syrian crisis has also called for the possibility of limiting, deepening and politicizing the scope of immigration policy discussion, which would interrupt Turkey's declared vision of a comprehensive approach to migration management.

Within this scope, this section aims to unpack the politics of immigration policy making in Turkey via analysing migration policy changes particularly after 2000s. By doing so, it attempts to uncover the interrelation between immigration policy making and Turkish foreign policy in an effort to identify major trends and reorientations. The multi-policy level structuration of Turkish immigration policy as the core pattern also provided the legitimate basis for identification of nine contemporary trends of immigration policy making in Turkey after 2000s. Those include humanitarianization, developmentalization, politicization, diplomatization, regionalization, economization, securitization, externalization and projectization.

Turkey has been affected by diverse forms of migration originating from conflict and fragility happening in different regional settings.

The trends of *humanitarianization* builds its discourse on the traditional approach of Turkey being the "protector of oppressed".[58] The Syrian crisis and its huge impact in terms of mass migration to Turkey have prepared the legitimate basis for the deepening of such a trend in line with the enhanced operational and inter-institutional capacity on migration management in humanitarian emergencies. This

trend has also manifested itself in mainstreaming a human rights approach throughout the primary and secondary legislations on immigration in Turkey.

> The trends of *humanitari-anization* builds its discourse on the traditional approach of Turkey being the "protector of oppressed".

Developmentalization has shaped the discourse on Turkey's contemporary efforts in mainstreaming immigration into development planning. For sure, diverse migratory flows coupled with the massive influx of Syrians with their prolonged stay in the country have all resulted in pushing authorities to structure the required basis to include a migration component into development planning efforts. Consideration of migration as a tool for development is not a new phenomenon for Turkey since it dates back to the 1960s when Turkey, after becoming an emigration country, started to consider Turkish nationals abroad as agents of national development who could contribute to Turkey's social, economic and cultural development. It is also crucial to mention the efforts of the Turkish Cooperation and Coordination Agency (TİKA) in terms of development

assistance, particularly in Africa and Central Asia, which is an indirect manner of contributing to migration management via supporting the livelihoods of potential immigrants in their countries of origin. As elaborated through the study, Turkey has also been one of the countries where national consultations for identifying priorities for the Post 2015 Development Agenda take place. The country report for Turkey has had a considerable focus on the very cross cutting nature of immigration in development planning with diverse sectors such as health, education, employment, conflict and fragility, etc. To complement such a vision, the UN Development Cooperation Strategy 2016- 2020 for Turkey for the first time has had a dedicated pillar addressing migration and international protection, with well defined outcomes to be monitored over the next five years. Within this scope, ownership over the issue of migration by diverse actors such as the UN, NGOs, INGOs, academics as well as the private sector is on the rise. Turkey has also started to take a more active role in international platforms. To give an example, Turkey has been chairing the Global Forum on Migration and Development and, in 2015, the G20, where the nexus of migration and development has been one of the core agenda issues. Last but not least, migration in terms of emigration,

immigration, and internal migration have been mainstreamed into the 10th National Five Year Development Plan for 2014- 2018, which has acted as a catalyst for multi-policy level structuration of immigration policy in Turkey.

The trend of *politicization* reveals that Turkish immigration policy has even become a cross-cutting area where domestic and foreign policy converge. One concrete proof of such a claim justified itself in the public discourses of the political parties that were adopted for their general election campaigns of 2015. The politicization of Turkish immigration policy is not limited to the Syrian crisis. Another level of politicization manifested itself in the opposing views of the ruling AKP and opposition CHP related to the EU-Turkey Readmission Agreement. While the AKP put the spotlight on visa liberalisation dialogue with the EU in their public rhetoric, the CHP focused on the responsibilities and burden that Turkey accepted to undertake by signing the Readmission Agreement. There are recent debates on how the externalization of the EU migration policy is restructured so as to include a wider neighbourhood policy and thus readmission agreements are the main tools of such an approach by the EU. One can say that while the EU tries to externalize its migration policies through readmission agreements,

in the Turkish context Turkish immigration policy gets politicised through externalization of the EU migration policy. This is also another area where domestic and foreign policy converge in Turkey. Moreover, the EU-Turkey Statement has also witnessed increasingly politicised perceptions and application of migration policies as a bargaining tool between parties.

> The trend of *politicization* reveals that Turkish immigration policy has even become a cross-cutting area where domestic and foreign policy converge.

Diplomatization is also a very recent trend, which manifests itself particularly in Turkey's relations with the EU, where migration lies at the core of the negotiations. With ratification of the EU-Turkey Readmission Agreement, migration-driven diplomatic relations are getting more visible and immigration is gradually becoming a subject of high policy debate. In line with Article 110 (1) of the Law on Foreigners and International Protection, the Directorate General on Migration Management is authorised to establish overseas organisations pursuant to the Decree

Law on the Overseas Organisations of Public Institutions and Agencies No: 189 of 13/12/1983.Within this scope, appointment of migration counsellors and migration attachés is foreseen in the main countries of origin for Turkey. Such a vision calls for the diplomatization tendency to be mainstreamed gradually in the medium term. Finally, the EU through the recently announced European Agenda on Migration foresees to assign migration liaison officers to EU Delegations in neighbouring as well as third countries. Such an attempt by the EU would catalyse diplomatic relations pertaining to migration, which would have a direct impact on the deepening of *diplomatization* in Turkey-EU relations.

With ratification of the EU-Turkey Readmission Agreement, migration-driven diplomatic relations are getting more visible and immigration is gradually becoming a subject of high policy debate.

The tendency of *regionalization* is valid for a reading of Turkish immigration policy in line with Turkish interests to be a regional power driven by its cultural and ethnic heritage. Turkey's

efforts at enhancing its power position in its region is an indicator for more emphasis on this trend not only in Turkish foreign policy but also in the Turkish economic context, as well as, in a latent way, in the migration and development context. At a time of power shift in several regions in which Turkey both tries to influence and is itself influenced by many actors, the trend of regionalisation of Turkish immigration policy is complementary to understanding the whole foreign policy debate, which in turn has a direct or indirect impact on the international migration debate.

The tendency of *regionalization* is valid for a reading of Turkish immigration policy in line with Turkish interests to be a regional power driven by its cultural and ethnic heritage.

Discussions over Turkey's economic development have a direct link to the evolution of immigration policy trends in line with the trend of *economization*. Turkey's commercial relations with diverse countries call for enhanced levels of interaction with those countries pertaining to facilitation of transnational mobility to contribute to the development of further economic

relations. Turkey, in addition to its effort for alignment with the EU *Acquis*, also continues to follow a genuine visa policy via lifting of visa requirements with many countries, with a vision of enhancing its economic relations.

> Turkey's commercial relations with diverse countries call for enhanced levels of interaction with those countries pertaining to facilitation of transnational mobility to contribute to the development of further economic relations.

Securitization has always been one of the core pillars of Turkish immigration policy alongside human rights and mutual interests. Furthermore, this mainstream trend of securitization finds its contemporary justifications in Turkey's efforts for better management of its borders and in the institutionalization of an integrated border management approach in line with that of the EU. Moreover, the crime prevention dimension of the issue with a particular focus on combating migrant smuggling and human trafficking also calls for an increased level of security to be one of the core defining factors in Turkey's immigration policy. The requirements of the EU-Turkey Readmission Agreement are also other elements which prepare the legitimate basis for further securitization of immigration policy. As the last point, the effects of the Syrian crisis and the issue of foreign fighters attempting to transit through Turkey require still more attention on the security dimension of migration management.

In line with the increased level of importance dedicated to external dimensions of EU migration policy, Turkey has also been paying more attention to the external dimension of its immigration policy. The requirements of the EU-Turkey Readmission Agreement also put Turkey in a position to negotiate readmission agreements with the countries of origin for the irregular migrants, which directly offers another level of analysis for *externalization* of Turkish immigration policy. There is a genuine interest in understanding the way that European migration policy has been affecting Turkey via its instruments of externalization including the readmission agreement, visa liberalisation dialogue, and integrated border management support. Moreover, Turkey's efforts to convince its Western partners to establish a safe haven in Northern Syria as a response to Syrians' massive influx may also be considered as an attempt at externalization or management via externalization.

> The requirements of the EU-Turkey Readmission Agreement also put Turkey in a position to negotiate readmission agreements with the countries of origin for the irregular migrants, which directly offers another level of analysis for *externalization* of Turkish immigration policy.

A final trend of *projectization* is a critical one given the increasing number and volume of projects developed in the area of migration management by numerous actors, including international organizations, international and local non-governmental organizations, universities, think thanks and even the private sector. As migration is becoming a "*hot topic*", the tendency of projectization of immigration policy making is also becoming more visible. Such a trend also calls for diverse costs and benefits for immigration policy making in the Turkish context. On one hand, one can mention the costs of this trend, which include the short-term nature of projects and risk of instrumentalizing the topic of migration via production of a "*migration projects industry*". On the other hand, the benefits of such a trend could be summarized as a proactive and multi-stakeholder approach

with effective inter-institutional cooperation, result-based planning and implementation, exchange of norms and practices, and enhanced level of international socialization among the parties involved.

Conclusion

This paper aimed to uncover the politics of immigration policy making in Turkey by putting the spotlight particularly on the last two decades. Its attempt to uncover the interrelations between immigration policy making and Turkish foreign policy and to identify major trends and reorientations in immigration policy making aimed to contribute to its originality. This study tried not only to unpack the essence of the mainstreaming of migration into the discipline of international relations, but also to mark the complementary dimension of the politics of immigration policy making in Turkey given the rising importance and acknowledgement of the issue with its cross-cutting nature of diverse disciplines. Moreover, its efforts to understand the migration and foreign policy nexus through the lens of international relations helped to reveal the emerging concepts of contemporary foreign policy and their potential as well as actual impacts on immigration policy making. Without mentioning the historical milestones and key developments pertaining to

the evolution of immigration policy making in Turkey, this study would not have a coherent approach. Therefore, an effort was made to reflect the main highlights through Turkey's history of immigration policy making, which included the impacts of mainstream identity consideration, perceptions of self and other, and their changing nature across time and space. Turkey-EU relations with a particular focus on the impact of the external dimension of EU migration policy on Turkey and the migratory impact of the Syrian crisis served as the two main subjects of analysis.

The multi-policy level structuration of Turkish immigration policy as the core pattern also provided the legitimate basis for identification of nine contemporary trends of immigration policy making in Turkey over the 2000s.

The multi-policy level structuration of Turkish immigration policy was unpacked through the research as the core pattern providing the baseline for development, adjustment and implementation of policies of diverse fields such as external affairs, development, security, international cooperation, humanitarian assistance as well as economy. The multi-policy level structuration of Turkish immigration policy as the core pattern also provided the legitimate basis for identification of nine contemporary trends of immigration policy making in Turkey over the 2000s. Those include humanitarianization, developmentalization, politicization, diplomatization, regionalization, economization, securitization, externalization and projectization. Given the evolving nature of immigration policy making, particularly from humanitarian assistance to development aspects fuelled by the need for synergizing diverse thematic areas, there is a certain added value for underlining the essence of each of the identified trends to contribute to the migration debate in the Turkish context.

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Public Diplomacy through Diaspora Engagement: The Case of Turkey

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Abstract

After more than 50 years of migration history, the recognition of Turkish migrant immigrants as "diaspora" took place only recently, illustrating the changes in the Turkish state's strategies towards embracing these populations. In the early 2000s, the government needed the Turkish diaspora to refurbish the image of Turkey and boost the stale EU membership agenda, and realized that the diaspora could be used as a tool for public diplomacy to exert "soft power". In this article, we argue that the new Turkish diaspora policy was shaped by the recognition of an emerging transnational Turkish diaspora and the re-orientation of Turkish foreign policy after 2002 when the AKP (Justice and Development Party) came to power. We also argue that

the institutionalization process targeting the diaspora went hand in hand with a shift in ideology and political atmosphere as well as other relational factors.

Key Words

Public Diplomacy, State-Led Transnationalism, Migrant Organizations, Diaspora, Turkey.

Introduction

Over the last decade, the concept of diaspora has appeared in the policy making discourse of Turkey, marking the adoption of a new perspective towards almost 6 million Turkish emigrants living in different continents. As the classical global usages of the term attributed a victimized character of migrant populations, it was for some time rather controversial to juxtapose the word 'Turkish' with the concept of 'diaspora' in foreign policy and decision-making circles. Moreover, the term has been previously used in public parlance and academia to signify other ethnic and religious groups (including Armenians, Greeks, Jews, Assyrians, Kurds and even Alevis

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who migrated from Turkey), rather than Sunni Turks, which according to Kirişçi[1] have represented the main determinant ethnic and religious identity by the Turkish state since the early Republican period, despite the official definition of citizenship. However, since the term "diaspora" has undergone major transformations in history, the reluctance of connoting the term diaspora with Turkish immigrants has also gradually disappeared. Etymologically, diaspora was derived from the third century BCE Greek translations of the Torah and used for the first time specially referring to the uprooting and scattering of Jews to denote those archetypal groups maintaining an intact identity despite traumatic dispersion into distant lands.[2] From the 1960s onwards, the classical meaning of "victim" diasporas extended in such a way to include the dispersion of Africans and even the Irish. After the 1980s, diaspora was deployed as a metaphoric designation to describe different categories of international migrants- expatriates, forced migrants, voluntary migrants, ethnic and racial minorities.[3] Other typologies, such as labour, trade and imperial diasporas, were later added to the original prototypical victim diaspora.[4] Between the 1990s and early 2000s, the term was usually discussed within the framework of globalization and accepted as an expression of identity in flux.[5] Although

there is still an ongoing discussion about what constitutes a diaspora, the common characteristics of diaspora in the 21st century are described as follows: voluntary or involuntary dispersion of a group of people into two or more locations, sharing a collective memory of their original homeland, displaying general commitment to the well-being and restoration of the original homeland through dense linkages, and maintaining either group boundary over time or some form of cultural hybridity.[6]

> As transnationals *par excellence*, nation-states and diasporas are also in constant negotiation with each other.

This new understanding of diaspora that has taken over from the older concepts of the term as victims who were forced to move from their homeland and still holding onto a 'myth of return', paved the way for better insights into diaspora engagement through concepts such as "transnationalism from below" and "transnationalism from above".[7] The former refers to the migrant organizations established in the country of residence and the latter underlines the state-centered approaches on diaspora. As transnationals *par excellence*, nation-states and diasporas are also in constant

negotiation with each other.[8] On one hand, diaspora institutions represent "state-led transnationalism"[9] or "long-distance nationalism",[10] since they project domestic policies beyond their borders into diasporas as well as to those who stay at home. On the other hand, diaspora institutions also include migrant organizations which demand higher recognition by nation-states and even stipulate changes in the practices of the home country. The *modus operandi* of such institutions has been re-defined as a result of globalization and de-territorialization, which now extends beyond the reach of any particular nation-state. Consequently, diaspora institutions can be regarded "as an expression of post-national, supranational, or transnational membership".[11]

Today, diaspora(s) have the ability to mobilize a collective identity not only in the receiving country and in the "imagined homeland", but within the social and even virtual space in solidarity with other co-ethnic members living in different countries. Typical diasporas are in constant contact and able to create and re-create their "transnational social spaces".[12] They propagate political mobilization in a host country through unifying factors, such as ethnicity and religion. They join forces around a common goal by using political opportunity structures available to them, i.e.

citizenship and lobbying.[13] They instil intergenerational cultural transmission in order to sustain the continuity of their values within the diaspora and thus prevent incoming generations from becoming 'de-traditionalised' and culturally disconnected from the homeland. They get involved with home country political structures by sending remittances, facilitating investments, making philanthropic donations, establishing professional networks for technology transfer, lobbying for security and foreign policy interests of home countries, and participating in out-of-country voting. Therefore, rather than fixed social groups, diasporas are now recognized as constituency-building projects mobilized by political and social entrepreneurs, including policy makers.[14] Similarly, the old notion of seeing a diaspora as an outflow of human resources, or an exodus of skilled people and part of

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a brain-drain, was replaced with the idea that diasporas can indeed act as a bridge between countries of residence and origin.[15]

> The old notion of seeing a diaspora as an outflow of human resources, or an exodus of skilled people and part of a brain-drain, was replaced with the idea that diasporas can indeed act as a bridge between countries of residence and origin.

Despite an earlier reluctance to use the term diaspora as attributed to Turkish immigrants living abroad, the turn in "state-led transnationalism" and pursuing a policy of active engagement with diasporas explains the increasing popularity of the term not only in the Turkish media but also in academic, business, and bureaucratic circles. Departing from the former perspectives of classifying Turkish skilled migrants as a total loss for the homeland and labour migrants as machines for remittances, Turkey finally realized the potential of its diaspora with strong connections to homeland. This is certainly related with the increasing economic power of the diaspora and the intensifying transnationalism with return migrants, circular migrants, and upcoming generations who are more versed and politically mobilized. It is also related with the rising global trend in which migrant populations are increasingly being re-labelled as diasporas and in which there is growing interest on behalf of nation-states to engage with their diasporas.

After more than 50 years of migration history, the recognition of Turkish migrant populations as diaspora took place only recently, illustrating the changes in the Turkish state's strategies towards embracing these populations. Back in the 1990s, there were already efforts in place to mobilize the Turkish migrant populations, but these endeavours were usually not very successful partly because of the diversity and sharp divisions and partly because of the lack of systematic programs targeting diasporic members. Nevertheless, in the early 2000s, the AKP (Justice and Development Party) government needed a Turkish diaspora to refurbish the image of Turkey and to boost the stale EU membership agenda. It realized that the diaspora could be used in both ways: as a tool for "soft power" and as an instrument to support the government's agenda. In this article, we argue that the new Turkish diaspora policy was shaped by the recognition of an emerging transnational Turkish diaspora in Western Europe and the United States and the re-orientation of Turkish foreign policy after 2002,

when the AKP came to power. The establishment of a new state elite and shift in power has eventually led to the implementation of a new official discourse on modernity and Muslim national identity in Turkey. As a result of this political transition, either new diasporic organizations supporting the government were established in major European cities making certain others obsolete, or new leadership was selected for the long-running migrant organizations and federations. This era, ushering in more diaspora engagement by the state, also represents the process of institutionalization in Turkey in order to coordinate activities with the new migrant organizations. The institutionalization process not only paved the way for Turkey to help out ethnic kin as well as those in need in different parts of the world but also coincided with the new driving force in Turkish foreign policy – the move from being a country in the periphery to being a core country.[16] The new outlook in Turkish foreign policy also allows us to gain a perspective on Turkey's new interest to play a role in extending humanitarian assistance in a vast geography extending from Africa to Asia as one of the most important global players in the international arena and in becoming a champion for the rights of the oppressed Muslims around the world as in the case of the Rohingyas and Palestinians.

> The institutionalization process not only paved the way for Turkey to help out ethnic kin as well as those in need in different parts of the world but also coincided with the new driving force in Turkish foreign policy – the move from being a country in the periphery to being a core country.

The next section will evaluate diaspora engagement by the Turkish state and state-led transnationalism in detail. We argue that an institutionalization process aiming to engage diaspora with the home country went hand in hand with the shift in ideology and political atmosphere as well as other relational factors.

Diaspora Engagement as a Tool for Public Diplomacy

Diplomacy in a traditionalist view is characterized by "official communication between governments, usually behind closed doors"[17] and depicted "as a game where the roles and responsibilities of actors in international relations are clearly delineated".[18] However, this definition remains inadequate in describing the current state of affairs where there is a

"fuzzy world of postmodern traditional relations",[19] involving many actors outside of the institutional limitations of diplomatic activity. These activities go hand in hand with the states' interest in using what is now called as "public diplomacy", in which the states attempt to disseminate references to the nation and their image. In fact, although such efforts to remodel international public relations existed even in the age of monarchies in Europe, the emergence of professional image cultivation across national borders first took place following the First World War. During this period, states started to search for strategies to use "power over opinion", which was "not less essential for political purposes than military and economic power".[20] Today, many countries are in search of effective usages of that tool. Now referred to as "public diplomacy", it aims to shift the activity of diplomacy from an intergovernmental to "government-to-people" relationship, while at the same time incorporating non-state actors into the game.[21] "Public diplomacy" has become a buzzword especially thanks to the accelerated development of information technologies - the new grounds for governments to "win the war on hearts and minds" of their constituencies and of other populations.[22]

Within the past decade, public diplomacy and other related objectives

such as "nation branding" were also introduced and used systematically by the Turkish Ministry of Foreign Affairs and other government offices. According to İbrahim Kalın, the Chief Advisor to the President in Turkey, the use of public diplomacy "as a platform for the implementation of soft power" began mainly with the launching of the Office of Public Diplomacy within the Turkish Prime Ministry in 2010. In a previous article appearing in *Perceptions,* Kalın outlined the main objective of the use of public diplomacy in Turkey as reshaping the pre-existing negative images of Turkey in the international realm and replacing them with a new "Turkish story".[23] This new "Turkish story" reflects the image that the AKP governments have attempted to create since the early 2000s, of Turkey as a "strong country" that could perform as a bridge between "civilizations" in the international platform.[24] This neoliberal "national branding"[25] was epitomized by a number of overlapping framings by AKP representatives from the early 2000s to early 2010s, which shifted from the Kemalist "western" orientation to a more assertively "eastern" and "southern".[26] It was represented by new frames of reference, such as the Turkish state's undertaking of a central position in the Middle East/West Asia (MEWA) region as an illustration of "moderate Islam", its assuming of a coalescing role between the countries

that held the heritage of the Ottoman Empire, or an emphasis on its ability to respond to the pressures and demands of the "western world". Kalın described the cornerstones of the new diplomacy tool as reflecting the transformations in international relations and in the domestic context in relation to a number of aspects: (i) fusing traditional Islamic-Ottoman culture with socio-economic modernization; (ii) citizens' self-positioning from being a "problematic and small footnote in the Euro-centric historical narrative" to being "active agent(s) in the formation of its own history"; (iii) internal transformation and the process of normalization especially regarding taboo subjects related to minorities, democratization and human rights; (iv) approximating locality and globalization.[27] Kalın also argued that aside from a range of state institutions, other actors, such as nongovernmental organizations, aid organizations, universities, and the media were indispensable to Turkey's public diplomacy efforts.[28]

> While the state's involvement in the globalization of domestic issues had already taken place in earlier periods, especially in the United States, it had been practiced rather sporadically and its outreach had been significantly limited.

It is within this perspective that the migrant populations from Turkey living in Europe and elsewhere have been incorporated into the government's attempts, to be used as public diplomacy tools in the international arena. Giving the example of a mass demonstration in France in 2012 by Turkish migrant populations, Ünver suggested that the indirect involvement of the Turkish state in organizing and directing such events was an illustration of its interest in influencing its domestic policy issues through its community living abroad.[29] While the state's involvement in the globalization of domestic issues had already taken place in earlier periods, especially in the United States, it had been practiced rather sporadically and its outreach had been significantly limited. In the succeeding sections, we focus on how Turkey's embracing of its immigrants as "diaspora" overlaps with its public diplomacy efforts in the post-2002 era.

Turkish State's Policies for Diaspora Engagement and State-Led Transnationalism

The period that followed the AKP's coming to power after 2002 has witnessed the acceleration of the state's engagement policies towards citizens living overseas, in an attempt to increase its presence and control

in both the public and private realms. In this section, we expound on the major policy transformations targeting Turkish diaspora in four different arenas that have undergone the most critical changes. These transformations can be analysed under four headings. These are: (i) the institutional setting, which comprises a series of changes in the Ministry of Foreign Affairs and the establishment of the new coordinative mechanisms dealing with Turkish emigrants; (ii) the ideological setting, mainly centred around the exportation of Turkish culture and state religion; (iii) the political (electoral) setting, which was altered after the introduction of external voting from abroad since 2012; and finally (iv) the relational setting between the Turkish state and Turkish emigrant populations, involving both individual and associational relations.[30]

Institutional Setting

The first approach by the Turkish state to reach individual citizens living abroad was a response to the mounting criticisms by migrant populations especially in the European countries about the inadequacy of the consular services and the patronizing attitudes of the state officials. As a result, the Ministry of Foreign Affairs began a reform campaign to increase the number and enhance the quality of services provided by the foreign

missions, and especially by the general consulates. The number of Turkish foreign missions increased from 163 in 2002 to 236 as of 2017, incorporating 135 embassies and 86 consulates as well as permanent delegations and trade offices. This number is expected to increase to 263 in the coming years pending decisions by the Council of Ministers. The consular officials were asked to improve their services to the Turkish citizens living abroad, and to be more responsive and accommodating to their demands.

The first approach by the Turkish state to reach individual citizens living abroad was a response to the mounting criticisms by migrant populations especially in the European countries about the inadequacy of the consular services and the patronizing attitudes of the state officials.

Other than establishing closer ties with the Turkish diaspora through the diplomatic missions abroad, the new institutional setting offered alternative channels to Turkish diasporic members through which they could institutionally interact with the state's other representative bodies abroad.

In 1998, the Advisory Committee for Turkish Citizens Living Abroad and the High Committee for Turkish Citizens Living Abroad, were founded under the Prime Ministry, in order to carry out research and monitor the problems faced by Turkish citizens abroad and communicate them to the Turkish parliament. This was followed by the reorganization and expansion of the responsibilities of the General Directorate of Foreign Relations and Workers Abroad Services established in 2001 under the Ministry of Labour and Social Security. After a long period of preparation, the Presidency on Turks Abroad and Relative Communities (YTB) was founded in 2010 as an institution for further coordination efforts. Although the idea of establishing a separate institution fully-functioning on the issues of Turkish immigrants and Turkic communities had already existed since the 1990s, it was reduced to the role of a state ministry responsible for non-resident citizens. The state ministry was directly tied to the Prime Minister's office without a clear-cut and specific institutional, administrative and financial structure to support any relevant activities. With the motto of "wherever our citizens and kin communities live, we are there", the YTB is placed at the heart of Turkey's policy towards its extra-territorial members, as a coordinator of different institutions' engagements with citizens and civil society organizations abroad, as well as with kin communities and international students living in Turkey. The Presidency's mission statement signalled the government's vision about creating extra-territorial spheres of influence demarcated by varying degrees of connection based on shared civic or ethnic identity.[31] Some state officials often referred to the establishment of such an institution as an important step towards a more comprehensive governing of citizens and dual citizens who are living outside of Turkey's territories. Following the institutional examples of other nation-states with large diasporas, Turkey evidently decided to reinforce ties between the state and its emigrants.

With the motto of "wherever our citizens and kin communities live, we are there", the YTB is placed at the heart of Turkey's policy towards its extra-territorial members.

The co-ordination of citizen affairs in the YTB is organized under four geographical regions, based on the concentration of Turkish diaspora population and distance. The first region is Germanic-speaking communities, which includes Germany, Austria

and Sweden, and the second region encompasses all other European Union countries. The third region is English-speaking overseas countries, which includes the United States, Canada and Australia, and the fourth region is all other remaining countries. In theory, from 2011 to 2015, the four regional coordination mechanisms worked together with the yearly consultation of an advisory committee, operating on policy areas that are exclusive to the countries or regions. However, since Germany holds more than 3 million Turkish origin immigrants out of which 1.5 million are still Turkish citizens and/or dual citizens with eligibility to vote in general and presidential elections, there has been utmost attention given by the institution to the Turkish community living in this country.

> The Yunus Emre Foundation was established in 2007 and its cultural centres founded in many countries in Europe and elsewhere have emerged as a crucial public diplomacy tool.

The YTB currently coordinates the state of affairs between the citizens living abroad and the ministries in Turkey, while at the same time cooperating with foreign missions regarding the activities

and programs organized outside Turkey. The Presidency designates and advocates on certain policy areas to the policy-makers, such as in the case of amendments related to extra-territorial voting rights, which allowed emigrants to vote from abroad. The Presidency uses three mechanisms to implement its strategies: coordination, advocacy, and state-society dialogue. State-society dialogue takes a substantial portion of the YTB's activities and strategies, which is primarily marked by the financial assistance granted to civil society organizations, universities, international organizations, think tanks and research centres since 2011. In 2013, the language used in the definition of priorities for financial assistance shifted from a traditional one (e.g. "improving work and employment", "strengthening family structure", "organizing cultural cooperation and exchange") towards a new discourse focusing on more specific policy areas, such as "fight against discrimination" or "active citizenship".[32] The financial support provided by the YTB extends beyond the host countries of Turkish emigrants, as in the case of funding provided to countries such as Somalia, Bulgaria, and Bosnia and Herzegovina. This broad geography illustrates the Turkish state's interest in bringing the management of non-resident citizens and other ethnic and religious groups with an assumed shared identity under

the same institutional roof.[33] Another institutional sphere that has been formed around the coordinating role of the YTB is reinforced by a number of other institutions working in the areas of cultural promotion, representation of economic interests, humanitarian development and the promotion of Turkey's image through media. Among these institutions, the Yunus Emre Foundation was established in 2007 and its cultural centres founded in many countries in Europe and elsewhere have emerged as a crucial public diplomacy tool. According to Kaya and Tecmen,[34] Yunus Emre cultural centres reflect the Turkish state's attempts to emphasize the importance of cultural interaction and cultural representation in foreign policy and bilateral relations. In countries with a large presence of Turkish migrant communities, the centers were established with an emphasis on how they constitute a "home" for the Turkish citizens, while at the same time adopting a role of "cultural bridges" by promoting Turkish culture.[35]

Ideological Setting

Following the institutional setting, the second issue is the reconstruction of an ideological setting abroad. One of the key elements of the Turkish state's emigrant policies in the 1980s was concentrated on the exportation of culture and ideology in order to strengthen emigrants' sense of belonging towards Turkey. There have been two main instruments with this regard, namely religion and education, around which the institutional configurations were made, through the intervening role of the *Diyanet* İşleri *Başkanlığı* (Presidency of Religious Affairs), the Ministry of Education, and the coordinative mechanism under the *Bakanlıklararası Ortak Kültür Komisyonu* (Interministerial Common Culture Commission). Under the reactive emigrant regime that characterized policy making towards Turkish immigrants in the 1980s until mid-1990s, the establishment of these instruments was the result of the members of the migrant community who had settled since the 1960s, but more importantly as a reaction to the dissident groups that did not comply with the official state ideology, like Kurds supporting the PKK, who found a base of support in Europe,[36] or members of "oppositional Islam" like followers of Kaplan.[37] However, the *Diyanet*'s presence has shifted from a mostly reactive perspective of controlling oppositional Islam outside Turkey towards the replication of Turkey as a model of moderate Islam on the international scene with its instruments for engaging its non-resident citizens compliant with its official ideology.

Since the early 2000s, the Turkish state's activities in the area of religion intensified gradually. The *Diyanet* solidified its presence further in many countries where Turkish immigrants predominantly live.[38] One of the earlier initiatives of the recent epoch has been the third *Din* Şurası (Religious Council) in September 2004, which was organized by the *Diyanet* to bring together theologians, politicians and intellectuals who were actively involved with religious services for Turkish citizens living overseas.[39] Bruce argues that the resolutions of this council have been reflected on the activities of the *Diyanet* over recent years, including the increase in the number of religious personnel, the foundation of a bureau to represent the *Diyanet* in relation with the European Union, and initiatives for positioning *Diyanet* federations and foundations overseas as official interlocutors with the national authorities, particularly in Europe.[40] As of 2017, *Diyanet* counsellor offices are based in 15 countries, and attachés from religious affairs hold 21 offices in nine countries around the world, with the majority being positioned in Germany. In addition to these initiatives, the *Diyanet* started new programs to integrate the new generations among the Turkish diaspora. The new programs are comprised of the *Uluslararası* İlahiyat *Programı* (International Theology Program) that aims to

educate young Turkish immigrants in Turkey with the aim of employing them later in countries of settlement and the foundation of the Faculty of Theology in Strasbourg, which could become a centre of attention of the high-level education of Islamic theology for young generations of Turkish diaspora.[41] Furthermore, two Islamic Universities were established in Rotterdam, the Netherlands.

The increasing presence of the *Diyanet* in the Turkish state's diaspora engagement policy corresponded with the shifts from the Kemalist *laicité* towards the reinforcement of state religion during the same period. Based on the analysis of the World Values Survey on religiosity, tolerance and changing social values in Turkey which was carried out between 1981 and 2007, there has been an intensification toward conservatism since the mid-1990s.[42] Turkish society and politics were also coupled with the discourses, strategies and social provisioning policies in order to maintain the state's central position in the regulation of religious affairs.[43] Therefore, the *Diyanet*'s role as the institutional embodiment of monopolizing religion by the state in Turkey and abroad was sustained in the post-2003 period. It also continued to act as a way of creating closer ties between the state and the emigrant communities around the daily practices of religion and to keep their culture

intact while focusing on integration in the host society. While this may alienate some factions of Turkish emigrants like Alevis and non-Muslims, this engagement was deemed particularly important to counter the propaganda by extremist interpretations of religion, and radicalization of the Turkish diaspora and recruitment of terrorist organizations.

Political (Electoral) Setting

The third setting, which has witnessed a sharp change from the earlier periods, is related to the accessibility of non-resident citizens to voting rights. Allowing citizens living outside the territories to vote is a practice that has increasingly become common for many electoral democratic states in recent decades. According to a survey conducted in 2009, 129 out of 198 states were known to allow their emigrants to vote for national elections of the home country although with a range of different forms, giving out different implications for the nature of the relationship between emigrants and the states.[44] Currently three common patterns are adopted by nation-states regarding extra-territorial voting, based on exercise and use of the voting process: (i) vote in home district; (ii) vote abroad for home district; and (iii) vote abroad for direct representation.[45] While many states opt for allowing

emigrants to vote in polling stations abroad or by post, rather than returning to the country of origin in order to vote, only a few permit emigrants to elect their own representation with an exclusive constituency.

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In the Turkish case, from 1987 onwards Turkish immigrants were given the option to cast a vote in the elections only at customs. Therefore, diaspora members were expected to return to the country of origin for voting.[46] Moreover, not all custom posts had ballots providing voting for emigrants, and it was limited with more populous entry gates, namely the land customs in Edirne, and air customs of İstanbul, İzmir, Ankara, Antalya and Adana. This changed in 2008 with amendments made to the Law No. 5749 on Basic Provisions on Elections. The changes in the electoral system resulted in the registration and collection of data on the available extra-territorial voters, which in the past would have been determined by the number of

voters who went to the ballot box at the border gates and airports upon entry to the homeland. Following the first amendment in 2008, a bill was passed in May 2012 that specifically determined the conditions of external electoral participation in diplomatic missions and consular offices where the number of Turkish eligible voters were reported to be at least 2.8 million.[47]

According to the bill, (i) citizens living outside Turkey would be able to vote in national elections and referenda simultaneously with elections in Turkey, (ii) customs voting would continue to be practiced, (iii) they would be able to vote at ballots in diplomatic and consular representations at a pre-designated time, (iv) they would also be able to vote during their stay in Turkey.[48] External electoral participation, i.e. out-of-the-country voting, was practiced in 2014 for the first time during the Presidential elections and later on, during the general elections in 2015 and for the Constitutional referendum in 2017. During the first elections in 2014, electoral turnout remained very low at 18.9% at both customs and consular ballots combined, mainly as a result of the system which allowed citizens to vote only at the appointment time that they obtained through registering on the internet, as well as the lack of clear notification by the government and the consulates. Considering that the

Turkish electoral system is based on the d'Hondt method with a 10% electoral threshold, the extra-territorial voters comprised of 5% of the total number of voters had significant implications for the results of the elections. The current system works through a complex set of calculations, which divides the votes cast outside the country to the number of seats that a political party has already secured in the 85 constituencies in Turkey based on its ratio to the total number of votes by Turkish citizens. Moreover, the results clearly suggested an increasing popularity of Erdoğan among the diaspora in major European countries. During the 2014 Presidential Elections, he received more votes in Germany (68.63%), Australia (56,35%), Austria (80.17%), Belgium (69,85%), Denmark (62,85%), France (66,02%), and the Netherlands (77,95%) than the Turkey average of 51,79%.[49] In the General Elections in November 2015, although turnout was low, out of the 36% of all valid votes, the AKP got almost half of the votes from citizens living abroad while the main opposition party, CHP (Republican People's Party) remained as low as 17%. In fact, the AKP again became the main party in major European countries, including Germany, Austria, France, Holland, Belgium, Denmark, Norway and Romania.[50] In the 2017 Referendum, the AKP gained a landslide victory in Germany, France as

well as in Austria, Belgium, Denmark and the Netherlands.[51]

Relational Setting

Although the history of emigration *en masse* from Turkey to Europe began in the 1960s, legislative frameworks that set the relations between the state and its citizens living outside were introduced much later. Accepting that Turkish immigrants settled in Europe for longer term and they were no longer simply *Gastarbeiters*, a "dual citizenship practice" was hastily announced with an amendment to the Turkish Constitution in 1981. The legal framework for increased involvement in the social and cultural affairs of emigrants was followed by the inclusion of Turkish citizens abroad in the 1982 Constitution, in which Article 62 noted:

Accepting that Turkish immigrants settled in Europe for longer term and they were no longer simply *Gastarbeiters*, a "dual citizenship practice" was hastily announced with an amendment to the Turkish Constitution in 1981.

The Government takes measures to ensure family unity of the Turkish citizens working in foreign countries, to educate their children, to meet their cultural needs and to provide social security, to protect their link to the motherland and to facilitate their coming back.[52]

The 1982 constitution underscored the necessity of taking measures to address the various needs of Turkish citizens living abroad, especially related to social security and cultural rights. At the same time, it led to the creation of an understanding of "*persona grata* living abroad" (*yurtdışında yaşayan 'makbul' vatandaş*). According to the term, the groups of people who are determined as "anarchists and terrorists" are excluded from a relationship with the state despite their Turkish citizenship. Among the groups that have been determined as such were those refugees from Turkey who sought asylum in Western Europe after the military takeover in 1980. They were criticized as making "biased and purposeful propaganda" against Turkey and therefore constituted a constant problem for the Turkish state.[53] This was definitely not surprising considering the political situation at the time. Those who were referred to as *persona grata*, on the other hand, were able to keep their Turkish citizenship. This process was even facilitated by the state regardless of their newly-acquired

citizenship in countries of settlement. This clause has been kept as its original following the Referendum in 2017.

> The parliamentary investigative commission of 2003 emphasized that citizens living abroad should have access to more rights by naturalizing in their countries of residence.

The early 1990s were marked by a number of incentives facilitating the administrative, cultural and social engagement of emigrants with Turkey who would give up their citizenship. In 1995 an amendment was made to the Turkish Citizenship Law, providing privileged non-citizen status. Known as the "pink card", which was later replaced with the "blue card" in 2009, it granted rights to those who gave up Turkish nationality: residing, acquiring property, being eligible for inheritance, operating businesses, and working in Turkey like any other citizen of Turkey. Following a parliamentary investigation report in 1996 that suggested the existence of "distance" between the consular missions in Europe and the Turkish citizens living abroad, a state ministry was founded to represent non-resident citizens, followed by a consultative committee

established of migrant representatives.[54] However, this committee was criticized by migrant organizations established by Turkish diaspora, for not effectively representing themselves. The parliamentary investigative commission of 2003 emphasized that citizens living abroad should have access to more rights by naturalizing in their countries of residence, but at the same time they should maintain close ties with the state of origin. The report further suggested a number of issues that aimed to restructure the state-diaspora ties:

i) Keeping in mind of their permanency abroad at present, our citizens abroad should be promoted to acquire host country citizenship;

ii) Ties with our citizens and the next generations should be protected and improved;

iii) Our citizens should become bridges of good relations and friendship between host countries and our country;

iv) Especially citizens living in the EU countries should realize their rights acquired by the EU and other international jurisprudence, defend them in every platform and be informed about them. Initiatives should be made so that the EU entitles the same rights

that it provides other candidate state citizens to our citizens;

v) Citizens should be protected against xenophobia, discrimination and acts of violence;

vi) Every individual who is tied to the Turkish Republic by citizenship and has not participated in terrorism is very important and valuable to our state regardless of their settlement country. The Republic of Turkey should stand together with them by all means. Our citizens should be informed about this issue with the help of embassies, consulates, all related entities and the media circulated via brochures, booklets, and documents. This issue should be properly addressed and made public through the websites of relevant institutions;

vii) It should be among the privileges of our country to see that our citizens abroad benefit from the rights that will protect their cultural identities at the highest level.[55]

The parliamentary report drew the lines of an anticipated diaspora regime, which determined emigrants' relationship with both Turkey and the countries where they reside. As active citizens in both geographies, the citizens of Turkey were expected to become intervening actors on behalf of Turkey when necessary and build bridges between the societies/states that they live in and the Turkish society/state.[56] Yet, the report codified the nature of the relationship with the Turkish state and the host states differently than before. It put emphasis on the diaspora's right to claim social, political and cultural benefits in host countries, while the relations with the Turkish state remain within the boundaries of allegiance to homeland, where the state assured the protection of its citizens' rights not solely within its own jurisprudence, but also promised guarantees in legal and socio-cultural terms outside of its borders. Even though the transformation in the policymaking on the diaspora has been embedded in change in understanding of the citizenship regime, the dual designation of belonging and expectations from the diaspora endured. In line with this new understanding, the Turkish state would watch out for its citizens no matter where they live while Turkish emigrants should continue to demand for their rights in countries of settlement. To attract more supporters in the diaspora, Turkish officials also assumed the role of a "big brother", protecting its citizens as well as co-ethnics with a fervent nationalist discourse calling them to resist all forms of assimilation, and to fight against Islamophobia and eventual loss of religious identity. In his official visits to Europe, President Erdoğan asked the members of the emigrant populations

to be loyal to Turkey while enjoying citizenship rights in host countries and criticized Europe's migration policies as assimilationist. In 2008, during his address to the Turkish community in Köln right after a hate crime that took place in Ludwigshafen resulted in the tragic death of 9 Turkish immigrants, Erdoğan underlined the main themes in state-led transnationalism:

Even though the transformation in the policymaking on the diaspora has been embedded in change in understanding of the citizenship regime, the dual designation of belonging and expectations from the diaspora endured.

"Assimilation is a crime against humanity. But you also need to understand that you cannot and should not see yourselves as temporary anymore in today's Germany and Europe. It is telling that despite the large number of (our people), basic problems persist. Of course, our children will learn Turkish. This is your right to transfer language and values to upcoming generations. Yet, if you learn the language of the country that you live in and several more, this would put you in an advantageous position in every field. With 3 million living in Germany alone, the Turkish community has the potential to be effective and to be a determining factor in German politics today. Why can't we have mayors in Europe, more representatives in political parties in Europe and in the European Parliament? Why shouldn't [Europe] take our opinion in devising social policies? Despite being a handful, some [diaspora] communities are quite influential thanks to their lobbying efforts. Why don't we do the same to protect our own interests?"[57]

In the latest general elections in Germany in September 2017, after facing a series of political problems with German Chancellor Angela Merkel, President Erdoğan also warned Turkish immigrants living in Germany to vote carefully for the benefit of the Turkish state and community. While his supporters, such as the *Allianz Deutscher Demokraten* (*Alliance of German Democrats*) (AD-D), a political party established mainly by Turkish and other Muslim immigrants, especially used slogans with Erdoğan's picture saying "be united with Turkey's friends", his move also received strong criticism in Germany as intervening in the domestic affairs of another sovereign state.[58]

Diaspora Members as Symbolic Ambassadors: Who is In, Who is Out?

As explained earlier, the parliamentary report of 2003 enunciated that Turkish citizens who had good ties with the home state were expected to become "bridges of good relations" between countries of residence and origin. In other words, since they are more permanent than diplomatic representatives who come and go, they were given the duty of symbolic ambassadors of Turkey. In fact, since the 1960s Turkey adopted various practices of naming groups of emigrants, changing from *gurbetçi/yurtdışı işçi* (guest worker/worker abroad) to *yurtdışı vatandaşlar* (citizens living abroad). This departure in terminology indicated not only the permanence of Turkish citizens abroad but also was critical in the implementation of policies that were specifically built for the Turkish diaspora. The shift that began partly in the 1990s and was consolidated during the early 2000s, has been distinguishable from that of earlier periods, as it harbours a state-driven re-imagination of the nation, and an attempt "to extend the boundaries of the nation beyond the territorial limits of the state".[59] With the transformations in the national narrative towards the diaspora, the use of *yurtdışı vatandaşlar* has taken over in

the institutional language, such as its appending to the advisory committees created on 24 December 2010.

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According to Şahin-Mencütek and Erdoğan,[60] the framing of a "strong country" was also adopted in the institution-building and citizenship-related policies under the new diaspora engagement regime, as in the case of the adoption of the bill that extended voting rights for all non-resident citizens. Based on the migrant composition and political opportunity structures available in host countries, however, Turkey's engagement with its diasporic communities in Western Europe and North America differed to a great extent. In Germany, there is a large Turkish immigrant population, around 3 million, of which 1.383,040 have only Turkish citizenship and almost 250.000 have dual citizenship. Yet, these emigrants from Turkey are very heterogeneous, belonging to different ethnic and religious

affiliations. In addition to ethno-cultural heterogeneity, the socio-economic background and political inclination of the Turkish diaspora in Germany has changed over time. The earlier migrant workers which started to head for Germany in the 1960s came from rural backgrounds while the later immigrants in the 1980s and 1990s were more urban, more educated and political dissidents. Therefore, other than already "hostile" migrant organizations from the viewpoint of the Turkish state, like the Kurdish associations, the lobbying potential in Germany by Turkish migrant organizations was quite limited before because of a lack of lobbying experience and human capital, differences in opinion, and their focus on securing equal treatment.[61]

Based on the migrant composition and political opportunity structures available in host countries, however, Turkey's engagement with its diasporic communities in Western Europe and North America differed to a great extent.

Despite the Turkish state's interest in reifying a somewhat homogeneous "Turkish diaspora" in Europe and in the United States, the diversity endures among the migrant populations. Together with the rising politicization in Turkey and elsewhere over the past years, this diversification leads to the emergence of a variety of "voices" that are not always compatible with the state perspective. Nevertheless, the mechanisms that had been explained above in order to secure a grassroots support among some of the migrant groups seem to have given their results. In Germany and the Netherlands especially, the Union of European Turkish Democrats (UETD) is at the moment attempting to centralize its position as a lobbying organization by being politically active through rallying events and working closely with the Turkish government. Very often, the strategies that are used by this organization, as well as its close institutional ties with the Justice and Development Party attracts criticisms from the other migrant organizations in Europe. In the United States, the different profile of Turkish diaspora-quite skilled and professional with higher average income than many immigrants- is seen both as an advantage and disadvantage. These highly-skilled, highly educated and "Kemalist" actors among the Turkish diaspora in the US continue to lobby for Turkey despite their distance from the governing party and criticism

against their conservative outlook. Yet, new actors in the US diaspora, who represent the shift from the traditional state approach towards the Kemalist elite, have also emerged recently with closer ties to the government.[62] The *Diyanet* Center of America (also known as the Turkish American Community Centre) has been running actively since 2008 by *Diyanet* officials from Turkey out of a giant mosque complex built in Maryland in 2013. This non-profit organization is offering Koran courses and community-building activities for the more observant living in the US, which was quite unheard of in the 1980s and in the 1990s for less skilled Turkish immigrants living in Paterson, New Jersey and in Rochester, New York. Another actor is the Turkish American Cultural Society (TACS) which is working closely with the YTB, nad which funds Turkish migrant organizations in the US. Nevertheless, not all diasporic groups were included within the framework of representation as symbolic ambassadors. Since the failed *coup* attempt in Turkey in July 2016, there has been an ongoing effort to put an end to the activities of Gülenists (FETÖ) and their organizations in Europe and in America, such as the American Turkish Friendship Association (ATFA) and the Rumi Forum in the US. There is also an expectation that the European and American counterparts as well

as the Turkish diaspora living there should support Turkey's efforts to curb the transnational activities of acknowledged terrorist groups operating in and outside the country.

Conclusion

Under successive governments since 2013, Turkey has intensified its engagement policies towards its diaspora to increase its presence and control in both public and private realms. In order to carry out state-led transnationalism and to disseminate the dominant ideology, a number of changes took place at the institutional level, such as creating mechanisms to coordinate efforts more effectively as well as the introduction of external voting from abroad since 2012. As the Turkish state's institutional and administrative presence abroad has become consolidated, it is expected that diaspora members assume a bridging role as they are considered as permanent communities with

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transnational linkages to the homeland. Yet, the diversity and fragmentation within the Turkish diaspora indicate that we cannot talk about a monolithic and unified entity. Therefore, any state policies to engage with this group should take this diversity into consideration. In addition, although we focus in this paper mainly on the state's engagement with emigrants, diaspora engagement is a two-way process, as it also includes the change they bring to the countries of origin through reactions and demands, i.e. transnationalism from below.

It is expected that diaspora members assume a bridging role.

Moreover, Turkey has been experiencing strains with some EU countries and the US since 2017. It is evident that finding a solution to these escalating issues by involving only some diaspora members to act on behalf of Turkish interests could be problematic, especially considering the dual allegiance of citizenship that many of these populations hold with the host countries, as well. Certainly, there is a need to keep diplomatic channels open with the use of skilled Turkish diplomatic corps by implementing diplomatic tools and language, which have always been Turkey's strong suit. This is also important in building a stronger support among all Turkish migrant populations that assist the home country politically and economically while obtaining their earned rights in their countries of residence. The recent high-level official visits to France and Germany as well as TÜSİAD's involvement with its German counterparts are certainly positive developments to secure normalcy in bilateral relations. Surely, the position of Turkey in the global economy, the democratic steps to be taken despite problems faced at home will determine the leverage it enjoys in the international community and the relations that it builds with the emigrant populations who would become "bridges for good relations" between Turkey and the host countries.

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Turkey as a "Safe Third Country"? The Impacts of the EU-Turkey Statement on Syrian Refugees in Turkey

Doğuş ŞİMŞEK[*]

Abstract

Turkey has taken a number of steps including regulations granting approximately three million Syrian refugees with the guarantee of non-refoulement, access to basic humanitarian services, and the right to access education, health services and the labour market. The Turkish government's policy position on the Syrian refugees has gradually begun evolving from 'hospitality' to 'integration'. The Statement between the EU and Turkey has raised concerns about the assumption of Turkey as a "safe third country" to return refugees to, however, one aspect of the agreement, which focuses on the EU's financial support to improve the situation of Syrian refugees in Turkey, is considered as an important positive step towards the integration of Syrians. This paper aims to address the question of whether Turkey can be considered as a "safe third country" for Syrian refugees. Drawing on fieldwork conducted in İstanbul, İzmir
and Gaziantep, this paper focuses on the experiences of Syrian refugees in Turkey to explore whether Turkey can be recognized as a "safe third country" for refugees.

Key Words

Syrian Refugees, EU-Turkey Statement, Integration, Turkey, European Union, Migration Policies.

Introduction

The Syrian migration is one of the largest mass movements of people in world history, and has caused an estimated 11 million Syrians to flee their homes since the outbreak of civil war in March 2011, leaving another 13.1 million in need of humanitarian assistance within the country.[1] According to the United Nations High Commissioner for Refugees (UNHCR), approximately 5,5 million have fled to Turkey, Lebanon, Jordan, Egypt and Iraq, and 6.6 million are internally displaced within Syria.[2]

More than one million Syrians have requested asylum in Europe. While the Syrian refugees[3] have become the world's

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> The Syrian migration is one of the largest mass movements of people in world history, and has caused an estimated 11 million Syrians to flee their homes since the outbreak of civil war in March 2011, leaving another 13.1 million in need of humanitarian assistance within the country.

largest refugee population, Turkey has been hosting the largest share, with more than three million refugees. Since the outbreak of the refugee flows from Syria starting in 2011, the international community has not showed solidarity by sharing the burden with the major countries of asylum. The response of the international community to Syrian migration has mainly focused on limited humanitarian aid, protection of the borders, and resettlement of a tiny fraction of refugees. Research on refugees and asylum seekers in Europe has focused on receiving states' policies for reducing the number of refugees entering the European countries and preventing irregular migration flows.[4] Many asylum seekers and refugees live in uncertainty and experience exclusion in the receiving societies due to these states' policies. As a result, the numbers of campaigns against refugees, asylum seekers and immigrants have rapidly

increased in Europe.[5] Refugees are generally seen as a problem that needs to be solved and European countries introduce new regulations to control and manage the migration flow.[6] Castles argues that the EU member states' policies aiming to reduce the flow of migrants have been unsuccessful, as migrants instead try to go to Europe via irregular ways, thus creating an emerging job market for human smugglers.[7]

> While the Syrian refugees have become the world's largest refugee population, Turkey has been hosting the largest share, with more than three million refugees.

With the mass movement of Syrians from Turkey to Europe since the summer of 2015, the EU's response to Syrian migration has moved towards stopping the flows of refugees and irregular migrants. The number of refugees arriving in Europe and seeking international protection increased from 542,680 in 2014 to 1,255,640 in 2015.[8] After a new wave of refugees arrived in Europe in the summer of 2015, the EU collaborated with Turkey to control and reduce the flow of refugees arriving in Europe.

On 18 March 2016, the EU agreed with Turkey upon a "one in, one out" deal.[9] In exchange, the EU committed to: a) re-energise Turkey's accession process by establishing structured and more frequent high level dialogue with Turkey and opening new negotiation chapters; b) accelerate the lifting of visa requirements for Turkish citizens in the Schengen zone by October 2016; and c) provide an initial three billion Euros to improve the situation of Syrians in Turkey.[10] The agreement has been criticized by academics, civil society actors, and human rights organisations because of the definition of Turkey as a "safe third country". Following a year of implementation of the EU-Turkey Statement of 18 March 2016, the number of refugees crossing to Europe and the loss of lives declined, according to the fifth report on the progress made in the implementation of the EU-Turkey Statement.[11]
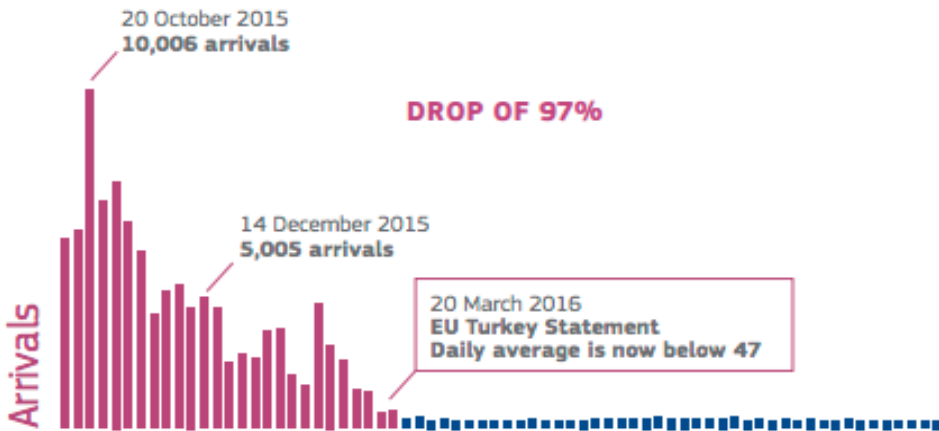
> With the mass movement of Syrians from Turkey to Europe since the summer of 2015, the EU's response to Syrian migration has moved towards stopping the flows of refugees and irregular migrants.

Figure 1: Outcome of the EU-Turkey Statement between 2015 and 2017

Source: European Commission, at https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/eu_turkey_statement_17032017_en.pdf (last visited 5 December 2017).

The European Commission stated that daily crossings have gone down from 10,000 in a single day in October 2015 to an average of around 43 in 2017.[12] Since the deal was put into effect, 1,896 migrants have returned to Turkey; 45,972 migrants crossed over to Greece from Turkey, and just over 3,500 refugees have been resettled from Turkey to the EU.[13] Among those returned, 831 non-Syrians have been returned to their countries of origin; all returned Syrians, in total 212, were pre-registered for temporary protection, with the exception of 16 persons who decided to return voluntarily to Syria; 19 Syrians decided to stay in the accommodation facilities provided by the Turkish authorities, and 177 of them chose to live outside according to a recent report released by the EU.[14]

Even though daily crossings dropped 97 % between 2015 and 2017, the EU-Turkey Statement has been receiving criticism from human rights organizations and rights-based NGOs for regarding Turkey as a "safe third country" and not ensuring the safety of refugees. The EU has five criteria for a country to be considered as a 'safe-third country': i) the life and liberty of asylum claimants and refugees will not be threatened on account of race, religion, nationality, membership of a particular social group or political opinion; ii) there is no risk of serious harm as defined in Directive 2011/95/EU; iii) the principle of *non-refoulement* is respected; iv) the prohibition of removal, in violation of the right to freedom from torture and cruel, inhuman or degrading treatment is respected; and e) the possibility exists to request refugee status and, if found to be a refugee, to be accorded Refugee Convention Protection.[15] The EU has presumed Turkey as a "safe third country" regardless of whether Turkey fits all five of the above criteria. Although, Turkey does not provide "refugee status" to people coming from a non-European country due to the geographical limitation, and does not recognize the rights of refugees mentioned in the Convention, the presumption of Turkey as a "safe-third country" is mainly based on ensuring *non-refoulement* protection and access to fundamental rights.

This article aims to explore the impact of the EU-Turkey Statement and whether Turkey can be recognised as a "safe third country" for refugees, by focusing on the experiences of Syrian refugees in Turkey. This paper consists of three interrelated parts. The first part presents the methods of this research. The second part explores Turkey's response to Syrian migration by providing an historical overview and looking at the legal aspects of Syrian migration. The third part provides insight into the experiences of Syrian refugees in Turkey in relation to access

to rights and their settlement choices. Finally, the conclusion discusses the validity of the EU-Turkey Statement and whether it is responding to the needs of Syrian refugees in Turkey.

Methods of Research

The findings presented here are based on fieldwork[16] carried out in İstanbul, İzmir and Gaziantep from May 2016 to December 2016 as part of a project funded by the Scientific and Technological Research Council of Turkey (TÜBİTAK-BİDEB). The reason for selecting these three cities is as follows: İstanbul has the highest number of Syrians, with 537,829,[17] in conjunction with migrants from Somalia, Russia, Afghanistan, Iraq, Iran, Bangladesh, Uzbekistan, and Moldova amongst others. Gaziantep, bordering Syria, hosts 350,067[18] Syrians and contains many Syrian-run businesses plus many national and international NGOs working with refugees. İzmir, the Aegean province Turkish port city, is the starting point of the movement of refugees to Europe over the last few years. The number of Syrian refugees residing in Izmir is lower than Istanbul and Gaziantep as it has become a transit city for migrants attempting to reach Europe. In order to have a better understanding of the reasons behind the movement of Syrian refugees to Europe and the profile of the refugees on

the move, I preferred to conduct a part of my fieldwork in İzmir. I conducted in-depth interviews with 75 Syrian refugees in total, 25 Syrian refugees in each city, recruited in cafes and other meeting points. The length of stay of participants in Turkey varied; while some had migrated just months earlier, others had been living in İstanbul and/or Gaziantep for up to four years. Once I had made some connections, I used a snowballing approach to identify further interviewees. The participants consisted of males and females, aged from 19 to 54. Most were from very low socio-economic status although a few informants were living in more affluent districts of Istanbul, İzmir and Gaziantep.

> The number of Syrian refugees residing in İzmir is lower than İstanbul and Gaziantep as it has become a transit city for migrants attempting to reach Europe.

During the interviews, I worked closely with an interpreter who translated from Arabic to English. Questions were designed to be open-ended to enable respondents to tell their stories in their own words, and related to their experiences of living in Turkey, including settlement, access to rights,

social networks, and near future plans, in order to understand whether the participants were planning to move to another country. I used qualitative content analysis to identify a set of common themes from the narratives, and then employed a thematic coding system, which helped to create analytical categories. Ethical approval for the project was gained via the university's ethics committee and consent forms were circulated to all participants before starting the interview process.

Turkey's Response to Syrian Refugees: From 'Guests' to 'Citizens'

The first movement of Syrian refugees to Turkey began in 2011. The first group of Syrian refugees crossed into the Hatay region of Turkey in April 2011. As refugees enter the country, they are registered by the Turkish Disaster and Emergency Management Authority (AFAD) and then are settled in refugee camps that have been established by the Turkish government in Adana, Adıyaman, Gaziantep, Hatay, Kahramanmaraş, Kilis, Malatya, Mardin, Osmaniye, and Şanlıurfa.[19] There are 26 refugee camps in Turkey, which are run by AFAD. The services provided to Syrian refugees in the camps cover the basic survival needs including food, health

care and educational activities. By the end of 2012, there were over 170,912 registered refugees in Turkey. In 2013, the influx of refugees from Syria into Turkey reached its highest levels, with nearly 40,000 arrivals on average per month.[20] By the end of 2014, the total number of registered Syrian refugees reached 1,622.839,[21] and 2,503,549[22] towards the end of 2015. According to the UN High Commissioner for Refugees (UNHCR), as of January 2018, there are 3,424.237[23] Syrian refugees registered in Turkey.

The first group of Syrian refugees crossed into the Hatay region of Turkey in April 2011.

At the beginning of the movement from Syria, Turkey adopted an "open door" policy based on religion-oriented hospitality, and Syrian refugees were perceived and welcomed as "guests". However, from a legal perspective, "guest" status implies an unpredictability about their status and, therefore, it is not internationally recognized. Turkey is a party to the 1951 Geneva Convention Related to the Status of Refuges and the 1967 Protocol. Turkey signed and ratified the 1951 Refugee Convention and the 1967 Protocol, though with a geographical limitation, which limits its responsibilities towards only

European refugees. It does not provide a refugee status to people coming from non-European countries, and does not recognize the rights of refugees mentioned in the Convention. In October 2011, the Turkish government introduced a temporary protection regime for Syrians in Turkey, ensuring *non-refoulement* protection and humanitarian assistance. However, there was little information available on the temporary protection regime and it did not refer to access to rights. With the influence of the EU to develop the Turkish asylum law during the Turkey's EU accession process, the Law of Foreigners and International Protection (LFIP) was adopted in April 2013 and fully entered into force in April 2014. With the new law, the status of Syrians was clarified, focusing on subsidiary protection, temporary protection[24] status, and humanitarian assistance.[25] The rights of Syrian nationals in Turkey now include a lawful stay in Turkey until the conflict ends in Syria, and access to health, education, social assistance and the labour markets. With the LFIP, Turkey for the first time included provisions on migrant integration, which is referred to as "harmonization".[26] However, accessing these rights stated in the LFIP can be difficult in practice. For example, according to the work permit regulation, employers have to apply on behalf of Syrians who are registered

and have been in Turkey for more than six months. An employment quota also applies. According to the quota, Syrians cannot exceed 10 % of the employed Turkish citizens in the same workplace. The Ministry of Labour and Social Security data indicate that only 13,298 Syrians were granted a work permit in 2016.[27]

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Although Syrian children's access to education is gradually improving, long-term solutions are needed. Growing concerns about the education of Syrian children led to the release of the Turkish Ministry of Education's Circular, No: 2014/21 on "Education Services for Foreign Nationals" on 23 September 2014. The circular aimed to guide and better frame the application process for all migrant children to have access to education services with specified options for Syrian refugee children.[28] Syrian children can either attend Turkish public schools or attend Temporary Education

Centers (TEC) that are primary and secondary education centers providing education to school-aged Syrian children in Turkey with a partnership between Turkey's Ministry of National Education (MONE), UNICEF and UNHCR.[29] TECs provide education in Arabic, apply a modified Syrian curriculum, and operate both within and outside refugee camps. The curriculum of TECs is managed by the Syrian Interim Government's Ministry of Education in cooperation with the Turkish Ministry of National Education. The number of Syrian children attending TECs are higher than other schooling institutions such as Turkish public schools.[30] However, most Temporary Education Centers (TEC) have now been shut down by the government in order to integrate Syrian children into the Turkish national education system and all Syrian children can have access to formal Turkish schools. According to a new report on Syrian refugees in Turkey, published by the Turkish Parliament's Refugee Rights Commission, there were 976,200 Syrian children in Turkey by November 2017 and while 333,000 of these children continue their education in Turkish public schools, 305,000 of them still receive education at Temporary Education Centers.[31] As stated in the report, a total of 638,000 Syrian children go to school in Turkey, which is equivalent to 62% of the total number of Syrian children in the country. Whilst 95% of these children attend primary school, there is a drop in the number of students attending secondary and high school.

At the beginning of the movement from Syria, Turkey adopted an "open door" policy based on religion-oriented hospitality, and Syrian refugees were perceived and welcomed as "guests".

Even though the government of Turkey has taken important steps to make Turkish public schools legally accessible to Syrian refugee children and to give accreditation to the TECs, Syrian children still face many barriers to attending schools in Turkey.[32] The issue of child labour among Syrians in Turkey is one of the barriers preventing children to attend school. According to a research conducted by Support to Life, a national humanitarian aid organisation based in Turkey, in Hatay and Şanlıurfa, between 70 and 80 % of Syrian children work at least eight hours a day, six days a week.[33]

Regarding access to health services, Syrians under temporary protection have the right to benefit from health services under the control

and responsibility of the Ministry of Health in coordination with AFAD. According to the Circular 2014/4 and Circular 2015/8 published by AFAD, refugees who are not registered with the Directorate General of Migration Management (DGMM) cannot benefit from health services other than emergency services and primary health services (i.e. in case of contagious diseases).[34] In some cases, language barriers with Turkish health care providers constitutes a problem in accessing health services. Yet, translation services and Syrian health personnel also operate in certain neighbourhoods and facilitate the process. The only right that is not stated in the LFIP is housing. There are no public housing opportunities for Syrian refugees in Turkey. Syrians living outside of the camps need to provide for their housing expenses themselves. The vast majority of Syrians live outside the camps and finding affordable housing with their limited finances become one of the main problems that many Syrians experience.

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Although access to these rights are limited in practice, the integration policies are gradually improving. Another important step in the recognition of the Turkish government for the permanent settlement of Syrians was the Turkish President's announcement on 2 July 2016 that Syrians would be granted citizenship.[35] By the end of 2017, almost 40,000 of Syrians with more human and economic capital acquired Turkish citizenship and some more are expected to get it soon.[36]

Experiences of Syrian Refugees in Turkey (2015-2017)

The settlement patterns of Syrian refugees in Turkey have changed with the large numbers of new arrivals. Initially, the early arrivals were settled in the refugee camps closer to the Syrian-Turkish border. A year after their arrival, most Syrian refugees started to leave the camps and settle in border and metropolitan cities, due to the camps being over-crowded and the preference to live with relatives in Turkey. Over time, the number of new arrivals increased so much that the camps could not house them all. Today, about 92% of Syrian refugees in Turkey remain outside of the refugee camps.[37] Those who are not registered with

Turkish authorities also choose to live outside of camps, especially in towns and cities due to the entry barriers to these facilities. In the process of settlement, many Syrians have felt isolated due to the lack of access to information and not being able to speak the receiving society's language.

> Over time, the number of new arrivals increased so much that the camps could not house them all.

The lack of information about their rights and limited access to services, hinders the integration processes. A majority of the respondents in İstanbul stated that they do not know their rights or which services are available for them, as the state does not provide information about how to access services such as healthcare and education. Syrian refugees get help from certain NGOs and local authorities. One 45-year-old Syrian female interviewed in İstanbul highlighted that living in areas where the majority of the population consists of refugees, makes accessing local services easier:

> "The majority of the population in the Fatih district of İstanbul are Syrian refugees - nearly 70 %. The local council circulated

food to us and calls us every three months" (45 years old, female, İstanbul)

The Syrian refuges I interviewed in İstanbul stated that not receiving enough support from the government services make their lives difficult, and that they need to exert more effort to access the services and information. A 49-year-old Syrian male stated his experience of accessing resources. Although Syrian children are now allowed in Turkish schools, he did not have that information at the time. He said that:

> "We need help from the government. I want to send my children to school but the government does not offer education to Syrian children. We do not know what rights we have, where to go if something happens to us, or where to get help. Charities are not useful; they just brought some clothes and provide nothing else." (49 years old, male, İstanbul)

Having established mechanisms to provide support and facilities for Syrian refugees in Turkey is important, and it could be more beneficial to give authority to local representatives to respond to the refugees' needs, and to connect refugees to relevant services by constructing effective communication between local representatives and

Syrian refugees. In both cases, Syrian refugees are making an effort to access information and services provided for them as stated by a Syrian in Gaziantep:

> "The local representatives do not share the information with us about registration and our rights, we need to search and find out ourselves." (37 years old, female, Gaziantep)

One of the main obstacles many Syrians experience is finding affordable housing. Housing is one of the key dimensions for refugee integration. In order to feel included in the society, refugees need to access decent, safe, secure and affordable accommodation. With the increased number of Syrian refugees in urban areas, accommodation is a major struggle for Syrians. It is also reported that rent prices have soared after the arrival of Syrians in certain neighborhoods, which affects both local poor and Syrians alike:

> "I found a flat in the Fatih district for 450 TL four years ago. Now, the landlord wants 1000 TL for the same flat. I have to pay this amount for a one bedroom flat. My Turkish neighbors pay 600 TL for a two- bedroom flat. Syrians pay 1000 TL. They [landlords] do not think; they do not care. We escaped from the war." (25 years old, male, İstanbul)

In order to feel included in the society, refugees need to access decent, safe, secure and affordable accommodation.

In order to find affordable housing, a majority of my respondents stated they receive support from the community:

> "I came to Turkey four years ago. I first stayed in the camp for four days then I escaped and went to Adana. I have an aunt in Adana. Adana was too hot. There are many fights in the camp. I stayed in the camp in Urfa. My uncle said 'go to the camp, I will take you from there'. I came to İstanbul three years ago. My Syrian friend helped me to find an accommodation and job." (33 years old, male, İstanbul)

> "Some friends told us to go to İstanbul; they said that 'there is work in İstanbul, everything is fine there'. They helped us to find an accommodation." (26 years old, female, İstanbul)

As in the case of many refugees, ethnic networks are useful in providing employment among Syrian refugees in Turkey. As Bloch and McKay's research suggests, "where constraints are imposed by lack of legal status, ethnic networks may be the only available

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option, even where they only offer minimal or even no access to resources or information".[38] Muller also states the effective role of ethnic networks in accessing employment.[39] The positive role of ethnic networks in accessing the job market is also supported in the case of Syrian forced migrants in Turkey. Many respondents stated that they benefitted from their friends and relatives in accessing job markets:

> "Syrian and Turkish people in Gaziantep told me that I could find a job in İstanbul easily. I found a job in a restaurant owned by Syrians. I am now working as a manager in the restaurant." (42 years old, male, İstanbul)

> "My employer is Syrian and most of the customers are Syrian. There are a lot of Syrians where I work. It is better to work with Syrian people. They speak Arabic. It makes communication easier." (24 years old, female, İstanbul)

Many Syrian refugees interviewed for this research acknowledge the positive role of ethnic social bonds in finding accommodation and accessing the labour markets in Turkey. However, the ones who do not have social networks experience hardship in finding the employment and if they find a job, they work in difficult conditions and are often exploited, as stated by some respondents in İstanbul:

> "When I first came here, I worked as a tailor, and earned 600 TL. I worked one month. They said that there is no money. They say that you can complain to the police. They know that I cannot get anything because I do not have a work permit here." (25 years old, male, İstanbul)

In many cases, some employers (ab) use the situation for their own interest, as many Syrians have to work in the informal sector without work permits and they have fewer chances than locals do of finding better employment. Therefore, they accept the worst working conditions, with less pay. A 29-year-old Syrian male living in Gaziantep explained his experience of working in Turkey:

> "We all have our traumas; our psychology gets worse here. They [the Turkish government] granted us work permits but it is very difficult to get because employers do not prefer to apply for work permits. All Syrians work in the informal economy and employers use this for their advantage. Most of the employers do not pay the wages of Syrians and tell them go to the police. They [the employers] know that Syrians do not prefer to go to police or complain anywhere because most of the

Syrians are not registered and work illegally, so they benefit from their vulnerable situation. Turkey opens the border for us but it is not enough." (29 years old, male, Gaziantep)

Apart from having limited access to job markets and housing, education is another problem Syrian refugees face. According to Human Rights Watch, many Syrian children are unable to attend school because of the language barrier and lack of Turkish language support for non-native speakers; some of them face bullying and social integration difficulties, lack accurate information on enrolment procedures, economic hardship and temporary education centres are limited in number and not widely available in areas where Syrian refugees live.[40] A respondent living in İstanbul mentioned the difficulty of finding a school that would accept her children. She said that:

"I want my children to get an education while we are in Turkey, but accessing the education is not easy. Even though we are registered and have an ID card, it is hard to find a school accepting Syrian children. I tried to register my children to a school in İstanbul's Fatih district, but the schools did not accept them. The school's directors said that we do not have enough space

for this year, you can ask again next year." (33 years old, female, İstanbul)

As a result of limited access to resources, not having a secure status and uncertainty of future, many Syrians living in Turkey prefer to move to Europe in order to have a better life standard.

Moving to Europe: Challenges and Aspirations of Syrian refugees

Many Syrians interviewed for this research highlighted that they wanted to go to Europe to have a better prospect of life, including access to the labor market, education, and health, having free accommodation and receiving unemployment benefits. Based on hearsay, a 31-year-old Syrian male respondent mentioned the resources to which he might have access if he moves to Germany. He said:

"In Germany, people have a better life. I am saving money to go to Europe. I can find a job there. They will give me house and money every month. I will have a better life in Germany. Here in Turkey, it is very expensive, the money I earn is not enough. I work 12 hours a day." (31 years old, male, İstanbul)

When I ask how he knows that Germany gives money, provides access to job markets and offers affordable housing, he stated that:

> "I have relatives who moved to Germany a year ago. They said that they have all these rights" (31 years old, male, İstanbul).

Social networks of refugees become crucial in deciding which country to go to. Gilbert and Koser argue that when choosing a destination country, asylum seekers take into account the availability of social networks in the country of destination as well as the countries' geographical location, economic situation, and migration policy in relation to access to rights and resources.[41]

Another reason stated by many Syrians for their decision to move to Europe is social exclusion they might face in Turkey, and the perception of Europe - especially of Germany - as the land of opportunities and its welcoming portrayal on social media towards refugees. A respondent mentioned discriminatory attitudes of some local people, which make him consider going to Europe and look for other alternatives:

> "I want to go to Europe but it is very expensive. I want to go to Germany. There is no future for me here. Most Syrian people want to go to Europe because of communication problems and discrimination. If I stay here,

there will be more problems and my life conditions will get worse." (29 years old, male, İstanbul).

When choosing a destination country, asylum seekers take into account the availability of social networks in the country of destination as well as the countries' geographical location, economic situation, and migration policy in relation to access to rights and resources.

Research shows that in an environment where harmony and friendliness are established between refugees and the natives, refugees feel safe and secure.[42] However, in the case of Syrian refugees in Turkey, the natives' sometimes discriminatory behaviours and the refugees' lack of local language competence create barriers in establishing good relationships with the members of the receiving society and leave the refugees with a sense of feeling excluded.

Some Syrians prefer to go to Europe through regular ways such as applying for refugee status through the UNHCR. However, in most cases, the application process through the UNHCR takes too long and they do not want to wait in limbo in the transit country due to fear

of persecution, poverty and uncertainty. The participants mentioned how the regulations make their life difficult in the following ways:

"I came to Gaziantep 10 months ago with my son. I am a lawyer but can't work here. Rent is very expensive here. My husband is in Norway. We will go to Norway. We applied to the UNHCR a year ago but haven't heard anything yet. If the UNHCR does not contact me within a year, I will go to Europe by using the dangerous route". (33 years old, female, Gaziantep)

"We are living in Turkey for four years under temporary protection. We have established our lives in Turkey but we do not know what will happen to us in the near future. We need a safe status; we need to feel safe. If Turkey does not offer us permanent residency, we need to search for other destinations. But if Turkey will grant us permanent residency or citizenship, we will stay in Turkey". (34 years old, male, Gaziantep)

The quotations above show that being in limbo and not having a secure status force Syrians to flee to Europe. Restrictive migration and integration policies do not prevent migrants from moving to other countries. As Portes states, migration policies focusing on

short-term plans become unsuccessful and *force* migrants to choose other directions.[43] In order to go to Europe, many Syrians use irregular ways via human smugglers or individual resources. Their decision to go to Europe using smuggling services is voluntary as mentioned above, since the application process through the UNHCR takes long time. Castles argues that smuggling is an unintended outcome of restrictive migration policies and the lack of access to rights and resources.[44] Even though going to Europe is expensive and dangerous, many Syrians plan to attempt to reach Europe:

"I plan to go to Europe. I will first go to Greece or Sofia. I lost US\$ 1000 to get a passport… My wife is pregnant. I want my child to be raised in peace. I want to go to Europe for my child to have a better life. In order to go to Europe, I have to work and save money. I came to Turkey because Turkey is central to Europe." (35 years old, male, İzmir)

"I have been told that many Syrians come to Aksaray, İstanbul to go to Europe. There are lots of smugglers who are Turks, Moroccans and Syrians in Aksaray. A friend of mine in Syria told me that I could easily

reach smugglers in Aksaray. He knew a Syrian guy who organizes the journey. I came to İstanbul, Aksaray to go to Germany through the smuggling operation. I paid US$ 10,000 to go to Germany." (27 years old, Syrian male, İstanbul)

The respondents above indicate that they are aware that the journey is dangerous; they know the procedure and cost of the journey. It is important to state that not all the Syrians going to Europe have been living in Turkey, as some of them travel from Syria to İzmir in order to directly go to Europe. One 35-year-old Syrian male stated that he directly came to İzmir from Syria with his family. He said the following:

"We came to İzmir from Syria a week ago to go to Europe. We escaped from the ISIS attacks. We could not take all our money because we had to run away. We paid US$ 1,200 per person to go to Greece. We do not know where to go from Greece. It depends on the amount of money we will receive from our relatives in Lebanon. We do not want to die in Syria; we have to escape." (35 years old, male, İzmir)

When I ask the respondent above why they (the family) do not want to live in Turkey and instead chose the dangerous route to go to Europe, he said that:

"We are aware of the conditions and situations of Syrians in Turkey; they are not in good conditions, so we choose to go to Europe. We also do not want to live in Turkey for security reasons because Turkey is a neighbourhood country of Syria and there are continuous terrorist attacks in Turkey" (35 years old, male, İzmir).

This interview took place after the EU-Turkey Statement in which Turkey is recognized as a "safe third country" for Syrian refugees. Even though, the number of migrants crossing to Europe reduced dramatically, the safe environment has not been established for many Syrians in Turkey.

Conclusion

It has been almost two years since the EU-Turkey Statement has started being implemented. However, there are still concerns about the legality of the agreement, especially concerning the EU's assumption of Turkey as a "safe third country". Although, Turkey does not fit all the necessary criteria to be considered as a "safe third country", the presumption of Turkey as a "safe-third country" is mainly based on ensuring *non-refoulement* protection and providing access to fundamental rights. The concerns related to recognizing

Turkey as a "safe third country" highlights the geographical restriction that Turkey maintains the 1951 Geneva Convention and its 1969 Protocol, due to which Syrians are not recognised as refugees. This situation is not only creating barriers to their permanent settlement in Turkey, but it also limits their access to the rights provided to refugees. Respecting the *non-refoulement* principle of international refugee law is not enough, as the other requirements in the Refugee Convention, including access to social assistance, healthcare, labour markets and education also have to be provided for refugees to feel secure. As expressed by human rights organizations, since March 2015, Turkey has virtually sealed its borders with Syria and erected walls near the border areas.[45]

According to the Statement, Turkey needs to ensure access to effective asylum procedures for all persons in need of international protection.[46] There are also claims of unlawful practices which are carried out against the principles of the LFIP in a deportation centre for irregular migrants.[47] Apart from ensuring access to effective asylum procedures, according to the Statement, Turkey also needs to guarantee that the rights of all refugees need to be safeguarded in line with the Refugee Convention.[48] However, the empirical data illustrate that many Syrians have experienced struggles to access the labour market, education, health care and housing that are essential for refugees, and which need to be guaranteed.

The EU should offer humane reception conditions to people who are in need of help, improve the situation of asylum seekers in the Greek islands, transfer them to mainland Greece for their cases to be processed rather than return them to Turkey, and take its fair share of responsibility.

The EU has also received criticism for not providing safe and legal ways for asylum seekers to reach other European countries for family reunification, relocation or humanitarian visas. It is stated that thousands of asylum seekers in Greece are trapped in deplorable and volatile conditions, with many denied access to adequate asylum procedures by human rights and humanitarian aid organisations.[49] The EU should offer humane reception conditions to people who are in need of help, improve the situation of asylum seekers in the Greek islands, transfer them to mainland Greece for their cases to be processed rather than return them to Turkey, and take its fair share of responsibility.

Therefore, the EU-Turkey deal is not working as it does not offer safe and stable living conditions and does not provide effective protection for refugees.

Policy makers need to understand migration as a social process of a long-term nature, and need to establish long-term policies in order to be able to respond to the migrants' needs.

The emphasis of this article is that long term solutions to improve refugees' access to rights are needed for an effective integration process of Syrian refugees in Turkey. As Castles stated, policy makers need to understand migration as a social process of a long-term nature, and need to establish long-term policies in order to be able to respond to the migrants' needs.[50] Even though there has been a considerable decline in the number of irregular crossings to Europe since the Statement was implemented, no progress has been made on the integration of Syrians in Turkey.[51] In order for Turkey to be considered as a "safe third country" in legal terms, a sustainable status should be given to Syrians and other refugees from different countries who have been living in Turkey for years. Rather than giving temporary protection with the absence of a timeframe, access to rights should be guaranteed to Syrian refugees not only on paper but also in practice.

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The Impact of Forced Migration in the Middle East: Syrian and Palestinian Refugees

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Abstract

Forced migration in the Middle East dates back to the mid-20th century. This paper takes up the experiences of Palestinian and Syrian refugees and examines the impact of forced migration on the host countries and the region at large. It explicates the short and long-term economic, cultural and political outcomes of these two refugee flows and concludes that forced migration– although extremely disruptive to all involved initially– has a net benefit on the host countries in the long-run. It also explores the reasons behind the lack of regional coping mechanisms, including regional migration management mechanisms, and proposes that the terms such as "crisis" and "guests" should be avoided when discussing protracted situations because refugees are not able to repatriate to their countries of origin whenever they wish, and may instead become permanent residents of the host country because of the political and economic problems in the home countries.

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Key Words

Migration, Middle East, Refugees, Politics, Culture.

Introduction

For decades, the Middle East has been the scene of forced migrations. As Martin indicates, forced migration itself has many causes and takes on many forms.[1] People leave their homes because of civil wars, political turmoil, and international terrorism, among other things. Forced migration may also take place because of the creation of nation-states. The phenomenon of violent mass displacement has become one of the defining features of the Middle East. Forced migration continued throughout the 20th century, with the displacement of the Palestinians following the wars with Israel in the 1940s and in the 1960s, creating a refugee population that still has not been officially settled decades later, and forcing the populations into generations of "permanent impermanence".[2] Forced migration has continued well into the 21st century, as

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Syria's civil war has created the largest number of refugees since World War II, with over 5 million forced to flee the country and at least 7 million internally displaced.[3] This paper will take up the experiences of the Palestinians and Syrians and examine the impact of their forced migration on the region and beyond.

> The phenomenon of violent mass displacement has become one of the defining features of the Middle East.

Of all the different categories of people, from citizens to foreigners, forced migration has had the greatest impact on how the term "refugee" is considered. Historically, refugees are considered as temporary. Refugees would flee an internal conflict, or would be forcibly removed from the country of origin, but it was expected that they would return home as soon as problems disappear. The history of forced migration has had a big impact on the entire Middle East, on its cultures, and especially on the politics of the region. Each time there is mass scale forced migration, it changes the relationships among the countries, and has a deep impact on the individual countries involved. As a consequence, labour markets are affected not only in the home country of the refugees but also in the host country. Typically, host

countries also benefit as they receive a large influx of new labour force. Perhaps surprisingly, such influxes also improve the institutional and political environment of the host country, as existing institutions and the political system are forced to cope with the influx of refugees. It can take some time for any host country to adjust initially, but in the long run, if managed well, they may reap the benefits of refugee influx. Additionally, the host country's culture is enriched by the increase in diversity that the displaced people bring with them through their own cultures. Furthermore, cross-cultural political relationships are strengthened in the long run as the countries have to learn to work together to handle the major displacement of people.

> Of all the different categories of people, from citizens to foreigners, forced migration has had the greatest impact on how the term "refugee" is considered.

Naturally, these benefits do not come without a price. The migrants themselves suffer some of the worst trauma that people can ever experience. All the countries involved are greatly disrupted politically and socially, and in cases similar to Syria, the whole region can

become unstable. Culturally, the host country will be disrupted as mentioned above, and although increased diversity will make the home country stronger in the long run, not everyone will be happy to see this change, as the country's identity will be in flux. This is especially true as handling the influx of refugees can force countries to question their identity of being traditionally open to all newcomers, as is happening in the European Union countries.[4] Although forced migration may pave the way for strengthening institutions in countries of destination, it should be noted that it is not the will of the people to flee their home countries since they are forced out of their country often by desperate circumstances. Therefore, forced migration has both positive and negative impacts on the host society. Regardless of the impacts, the problem of forced migration needs to be addressed adequately, since the initial costs of managing an increasing number of refugees are much bigger than the eventual benefits accrued.

Labour Markets

It is impossible to have large numbers of people move from one country to various other countries without the labour markets being profoundly affected. As expected, the home country loses out since thousands of workers are forced to flee the country. For the host country, the picture can be more nuanced, and the benefits remain more uncertain, as huge number of workers suddenly flood into their domestic labour market. Such a sudden influx is initially disruptive if not managed properly as these new workers are not instantly absorbed into the new society, and this creates a burden on the existing institutions. This, in turn, can lead host countries to question the wisdom of opening their borders to the refugees. However, the net effect is beneficial to the host countries as the new labour pool ultimately makes the economy stronger.

A prime example of this is what has happened in Turkey following the influx of close to 3.5 million refugees fleeing the Syrian conflict. Although Turkey has spent billions of euros to accommodate them; economically, this inflow of refugees into Turkey has had a net benefit. While the refugees have displaced Turkish workers in some areas, notably in the unskilled, informal, and part-time work sectors, they have also been the catalyst for an increase in formal employment for the Turks, an increase in demand for higher-quality work, which is then filled by the Turkish workers, and an increase in the average wages of the Turkish employees employed in the formal sector. Although the net benefit is overall positive for Turkey, labour market dynamics have shifted. Women in particular have been

negatively impacted by the influx of refugees, as they have been forced out of the informal labour market, and have not seen a corresponding uptick in employment in the formal sector.[5] The Syrian crisis has also created a similar economic distress in Jordan and Lebanon. Jordan and Lebanon have registered a decline in economic growth, increased social tension, insecurity and political instability.[6] From 2011 to 2014, Lebanon registered a growth rate of 1.8%, declining from 9.2% in 2007 to 2010, while Jordan experienced a growth rate of 2.8% in 2011-2014, a decline of 3.0% from its economic growth between 2009 and 2010.[7] One of the main challenges facing Lebanon and Jordan is balancing quality and quantity of employment for its own nationals and Syrian refugees. To safeguard job opportunities for its citizens, Lebanon has implemented procedural legislation that places its nationals in formal jobs, resulting in many Syrians finding jobs in the informal sector. In Turkey, the entry of Syrian nationals into the informal labour market has resulted in a decrease of informal work among the Turkish labour force from 50 % to approximately 30 %.[8]

The Turkish experience highlights the fact that for the host countries to experience the full benefit of a refugee influx, the refugees need to be quickly integrated into the labour market on a formal level, as this will have the effect of giving the refugees the protection of a stable situation.[9] If this does not happen, the refugees will end up in the informal market, which, although it provides some form of employment, is ultimately less beneficial to both the refugees and the economy of the host country. In such circumstances, the refugees have an insecure form of employment, and the host country does not have access to tax revenue that would otherwise be generated by the work of the refugees.

Politics

Political disruption is inevitable when it comes to forced migration. Political upheaval often leads to and results from forced migration. A prime example of this is the political upheaval that led to the forced migration of thousands of Palestinian refugees following the war with Israel in 1948, and the subsequent creation of the state of Israel, which resulted in regional political turmoil in and of itself, and finally, the 1967 war. Many of these refugees are still living in camps or ethnic neighbourhoods where human security continues to be a major problem. One other factor that makes these refugees particularly unique in Lebanon is that most of them are descendants of the original refugees who fled decades before and have not been granted citizenship. As indicated

by Goldberg, the exact number of those stateless today is uncertain, but it is probably a few tens of thousands.[10] As the question of their ultimate fate is still undecided, they exist in a state of "permanent impermanence," as mentioned earlier.[11]

The question of what to do with the Palestinian refugees is one of the main sticking points in the ongoing political dispute between Israel and the Palestinians. Palestinian authorities assert the right of return, saying that the Palestinian refugees should be allowed to return to Israel. Israeli authorities see this as a non-starter, as it would dramatically change the demographics of the country, making the Jewish population a minority. Of course, there is more than one factor that keeps the political dispute between Israel and the Palestinians alive, but the fact that the Palestinian and Israeli authorities have opposing, non-negotiable positions means that it can be argued that the presence of the refugees is doing its part to keep the political situation from being completely settled.[12]

Although the short-term burden on a host country of a new refugee population can be great, the net effect in the long-term is positive. In the short-term, an influx of refugees creates pressure on the host government's resources, services, and labour markets,[13] and a decline in economic growth due to disruptions

in regional trade, diminishing receipts from tourism, worsening confidence of potential investors, and diminishing capital inflows in the region.[14] However, it is not all negative and in some regards, forced migration can have a positive effect on the economic and political fronts. Despite the negative shock in the short-term due to the influx of Syrian refugees in Jordan, Lebanon and Turkey, the high number of refugees may bring about a positive impact on these countries' economy. For example, refugees are additional consumers, boosting demand for necessities in these countries. Therefore, if the host countries can trigger an effective response to refugee influx, for example, supplying the basic needs (i.e. food and shelter) and related services (i.e. transportation, health and education), they could experience a positive economic growth in the long run.[15] If over time, the refugees are properly integrated into the host countries' economies, their contribution will be amplified as they are rendered less dependent on social transfers and thus, become more stable.

The forced migration from Syria has had perhaps the greatest political impact of any forced migration in recent history. Neighbouring countries have accepted many of the millions of displaced, but as the conflict keeps going, countries such as Jordan, Lebanon and Turkey are feeling the

strain. This is particularly true for the host countries that are underdeveloped economically in comparison to other countries in the region. Jordan and Lebanon, in particular, have both expressed concern over the burden being placed on their institutions, with Jordanian officials recently stating that, without additional international aid, they will soon be at the breaking point. Turkey has also received only a limited amount of international aid so far, as promised by the EU under the 1:1 refugee deal.

> The forced migration from Syria has had perhaps the greatest political impact of any forced migration in recent history.

To solve this limited burden-sharing problem, Jordan says that it needs more international aid and this highlights, perhaps non-intuitively, the positive political impact that forced migration can have. Forced migration forces a change in the politics of the host country, as the institutions are forced to adapt to the added strain on them, and the refugee policy is forced to adapt as well. At the regional level, host countries are compelled to reach out to their neighbours and work to share the (hopefully) short-term burden

of hosting the refugees. For example, Syria and Lebanon signed a bilateral agreement before the Syrian conflict for economic and social cooperation, where citizens of both countries were granted the freedom to stay, work and carry out economic activities. However, the Lebanese authorities suspended the right of Syrian refugees to work in the country as of early 2015 due to mounting social unrest and problems with the public service provision. To properly share the burden of forced migration, especially on the scale created by the Syrian conflict, close cooperation is required. Not all the countries in the region are at the same economic level, and thus have different capabilities for hosting refugees. To equitably share the burden, other countries in the region, such as Saudi Arabia and other Gulf countries including the Organization of Islamic Cooperation (OIC) would need to step in. In addition, the countries in the region need to talk and cooperate with each other, and this can lead to ties being forged and strengthened eventually. These ties then can be used in the future to further international cooperation on other regional challenges that may arise.

In the long-term, new ties can be forged between the home country of the forcibly migrated, and the host countries. This can come about as the host countries and the home country work together to settle the conflict that

> Forced migration forces a change in the politics of the host country, as the institutions are forced to adapt to the added strain on them, and the refugee policy is forced to adapt as well.

has resulted in the forced migration, also from the shift in demographics. The conflict in Syria has effectively spread out the Syrian population in the region and beyond. The vast majority of Syrians now live outside Syria, especially in neighbouring countries. Although their ties to their homeland are strained at best, they still exist. In the future, these personal ties will continue to remain, and will create points of commonality between the host countries, and the home countries. For example, when conflict in Syria is eventually settled, Syria, and the countries hosting Syrian refugees, will have to work together to ensure that the ties between them remain strong so that the Syrians abroad can either return to Syria, or at least have easier travel to and from Syria to visit family, and to deal with other personal interests in Syria. In brief, although greatly disruptive in the short-term, forced migration can lead to an improved political situation as existing systems are forced to adapt to the new reality, and to forge new and strengthen

existing political ties among countries, as Lebanon and Jordan attempted to do with Syria through labour agreements in 1993 and 2001 respectively.[16]

Culture

Culturally speaking, forced migration changes everything, especially when it is a large-scale forced displacement. In the Middle East, the countries, except for Israel, have a lot in common culturally, sharing common languages, cultures of hospitality, and a common religion, Islam, despite the sectarian differences. Thus, when Syrian Sunni refugees living along the border, for example, flee to Jordan, it does not create additional cultural problems thanks to common heritage and already existing ethnic ties.

In the long run, cultural diversity makes a country stronger. Although forced migration creates more challenges to nation-states due to its magnitude and spontaneity than regularly managed flows of migration, there is no reason that in the long run, this challenge should not be offset by the benefits that come from increased diversity. Diversity makes a country less insular and more outward focused. It also fosters a culture that is more welcoming of differences; this means that more people from more diverse backgrounds may feel accepted in the country. This will, in turn,

boost the reputation of the country abroad and increase its standing in the international community.

Diversity makes a country less insular and more outward focused.

However, while mixing cultures is good for a country in the long run, in the short run it can prove to be fractious. In Turkey, for example, where the home culture and the migrant cultures are more different than in other parts of the Middle East, the reception has been different as the cultural differences are more profound. Syria and Turkey, although sharing some religious similarities, linguistically and demographically have significant differences. As the social and political pressures have increased due to the continuous flow of refugees, anti-immigrant and anti-Arab sentiments have surfaced more and more within Turkish society.[17] This growing hostility creates a level of social/cultural tension within Turkish society. This is further exacerbated by the fact that the refugees are viewed as guests within the country. It means that they are expected to stay only temporarily and are viewed as outsiders. More recently, hostility targeting the Syrian population is on the rise in Turkey.[18]

Of course, it is assumed that some of the Syrian forced migrants will be integrated into the host country, but the assumption is that the majority of them should return to their home country, ideally through mechanisms created by the closer political ties between the home country and the host country. However, this puts the refugees in a position of being complete outsiders. Just as a personal guest is not viewed as being part of the household they are visiting, the forcibly migrated are not viewed as being full-fledged members of the society of the host country.

However, this does not mean that they do not have a cultural impact on their host countries. They bring with them the culture of their home countries, and they add to the diversity of their host country. Normally the migrants reject the culture of the host country, but their children, if they end up settling in the host country, adopt the culture of the new country. Although this can lead to intra-familial conflict, it does indicate that some cultural mixing is going on. If the families end up migrating back to their home country, they often find that both themselves and their home countries have changed, further adding to the cultural mixing.[19]

At the same time, the processes of cultural adaptation are costly for the receiving end countries both socially and economically. Cultural adaptation

poses a challenge for the native residents of the countries hosting refugees by calling into question issues of cultural identity, and creates tension among populations. Although a big portion of forced migration is taking place in the Middle East, the biggest cultural impact has been felt outside of the region. Millions of refugees have fled the Middle East entirely, migrating to Europe. Traditionally, Europe and the European Union have been open to migrants coming from particular regions. However, as the number of Syrian refugees in the EU has increased, so has opposition to their presence. Several countries in the European Union have taken the dramatic step of closing their borders to refugees, even questioning the Schengen regime by re-imposing strict border controls. Traditionally tolerant countries, like Sweden, have also seen populist social movements arise that oppose the presence of the migrants. Magnusson reported this story as one of shifting attitudes:

> It is the latest sign of the major change in sentiment sweeping across Scandinavia's biggest economy as the Sweden Democrats- a party with neo-Nazi roots- forces itself into the mainstream of Swedish politics…. forcing it [the government] to form a pact with the core opposition parties in

an effort to prevent the Sweden Democrats from disrupting lawmaking. However, voters are signaling they want the group to have a bigger say. Moreover, after Sweden's generous asylum policies led to a surge in refugee flows from war zones in the Middle East, the government's political power has waned. Its budget pact with the opposition fell apart in October and both the coalition and the main opposition parties have since been forced to tighten their stance on immigration.[20]

Unlike in the Middle East, European cultures, broadly speaking, are historically quite different from Middle Eastern cultures and significant proportions of the population in Europe fear the transformative influence that a large number of Muslim migrants will have on Europe. This in turn has led to a serious discussion about what it means to be European, and whether or not European policy towards the Middle East needs to be reformulated.[21]

Security

Adding to the complexity of the situation are the fears regarding security. With all those people displaced, moving from one country to the next, forced migration raises

genuine and serious concerns regarding the security of the host countries. The fear is that, under the guise of being refugees, terrorist organizations and/or criminals will infiltrate the host countries and do harm against them. To have a balance between maintaining an open door to refugees and providing for the security of its people is one of the major challenges for nation-states. Bertossi and Milkop summarize it as follows:

To have a balance between maintaining an open door to refugees and providing for the security of its people is one of the major challenges for nation-states.

One country declares a state of emergency because of the presence of undocumented immigrants in its territorial waters. Another dispatches asylum seekers to offshore islands in foreign jurisdictions before considering their applications. Genetic testing is seen as a proper tool for coping with possible abuses of family reunification laws. To paraphrase Shakespeare, there are serious problems in the "kingdom" of

international migration and migration policies.[22]

Additionally, the host countries only need to look at another country in the Middle East that is experiencing conflict and a large outflow of refugees, Iraq, to see how it could turn ugly. As Lischer puts it when discussing the Iraqi refugee challenge:

As this crisis demonstrates, displacement can expand and intensify violence during a civil war. In addition, refugee flows increase the risk that conflict will spread across international borders. In some cases, refugee militarization can lead to international war and regional destabilization. Even if the displaced Iraqis do not join militant groups, their mere presence will exacerbate political tensions. [23]

Many countries in the region, and beyond, are worried about the forced migrants coming into their territories. Existential questions about national identity aside, neighbouring host countries face the prospect that by opening their borders to refugees, they are opening their borders to the ongoing conflict. However, in the same article Lischer proposes a multi-faceted solution that can reduce the chances of this happening, and that can be applied to the Syrian refugee challenge:

First, provide a massive infusion of humanitarian aid. Second, resist the temptation to build camps to house the displaced. Third, do not return the displaced people home against their will. Fourth, expand and expedite the resettlement process.[24]

> Existential questions about national identity aside, neighbouring host countries face the prospect that by opening their borders to refugees, they are opening their borders to the ongoing conflict.

This latter recommendation is not very feasible at the moment, but it points to the ideal solution to the whole challenge. The outcome that would assuage the concerns of everyone, forced migrants, regional leaders, as well as the average citizens, who are anxious about what the changing demographics of their neighborhoods mean for the identity of their countries, would be peaceful and voluntary repatriation of the refugees. It would not change demographics in Europe, but it would at least put an end to the misperception of a "refugee invasion" of Europe.[25] Politically speaking, this is much more achievable vis-à-vis the Syrian forced migrants, than for the Palestinians, whose lands were confiscated and for whom return

to the homeland has become more difficult. Once the Syrian conflict is over and stability is achieved, there will be no major barrier towards eventual peaceful repatriation. Naturally, this assumes that the sectarian aspects of the Syrian civil war are adequately addressed in any peace treaties, and that there are minimal disputes at the communal level. A peace accord was established in the Balkans even after the tragic Srebrenica genocide, so one can hope that it could happen in Syria as well.

Regional Migration Management Mechanisms

Other than Turkey, the countries in the Middle East are not signatories of the 1951 Geneva Convention on Refugees. Turkey is also still keeping the geographical limitation clause, which theoretically hinders those coming from outside Europe to settle in Turkey as accepted refugees. Yet, with a temporary protection regime introduced in 2014, Turkey also provides shelter and protection while following *non-refoulement* for more than 3.5 million forced migrants coming from diverse nationalities, such as Syrians, Afghans, Iranians, Iraqis and Somalis. The Middle East also shares a culture of hospitality, whereby the forcibly displaced are welcome to seek shelter and aid. However, this

means that in the absence of formal mechanisms to provide support, most policies are *ad-hoc* and can be subject to change.

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Despite the absence of an international legal framework, UN agencies operate in the region. The most well-known of these is the United Nations Relief and Works Agency for Palestinian Refugees in the Near East, known by its acronym UNRWA. This agency's primary task is to provide institutional level support to Palestinian refugees in the camps. Of course, it cannot do everything and thus the refugees are forced to improvise. One of these most dangerous forms of improvisation that they have embarked on is being smuggled out of the Middle East. As Anderson highlights:

> "Before the Syrian civil war began, there were 70,000 Palestinians living in Ain al-Hilweh, which occupies less than one square mile of land. But the devastating conflict has prompted another flood of Syrians and Palestinians living in Syria: The camp's

population is now estimated to have ballooned by another 10,000 people. Given the brutal conditions there, many of its residents are seizing the opportunity to hire people like Zeinab to provide them with passage to Europe. As the influx of refugees seeking asylum in Europe grows, so does the refugee smuggling industry, now said to be a $26 billion per year business. Over 300,000 migrants are reported to have crossed the Mediterranean Sea into Europe, and the number keeps growing".[26]

No doubt that human smuggling is extremely dangerous. Migrants face death along the route, and a very uncertain future in Europe. Often smugglers have simply had their money taken, and then they leave them behind before reaching destination points. Even if they do, they usually await deportation as Palestinians, since many of the destination countries would not take them in. Economically speaking, the Palestinian refugee camps in the Middle East are very underdeveloped.[27] Poverty is one of the most enduring characteristics of these camps and it is one of the strongest motivators for the refugees to take extreme measures to improve their lot in life. Additionally, not only are the living conditions harsh in the Palestinian refugee camps; with

the civil war in nearby Syria, the camps have become a refuge of sorts for Syrian refugees in Lebanon as well. This, in turn, has attracted the attention of the Islamic State and others, effectively bringing the Syrian civil war to the Palestinians.

Poverty is one of the most enduring characteristics of these camps and it is one of the strongest motivators for the refugees to take extreme measures to improve their lot in life.

Regardless of the human tragedies and death toll along the way, many forced migrants have chosen human smuggling, but they have also adopted other means as a survival strategy. One of these methods is taking advantage of religious social networks through conversions.[28] This strategy is neatly illustrated by the experience of the Syrian Christians. Christians, in general, in the Middle East have been hit particularly hard by forced migration. Religious leaders are abducted, sometimes murdered, and across the Middle East, thousands of Christians are fleeing their homes. Syrian Christians are among the tens of thousands of forced migrants

escaping the civil war in Syria. In rebel held areas of Syria, no outward show of Christianity is tolerated. Other refugees have described being forced to pay a heavy tax and/or property. If they resist, they face the prospect of being killed. As Flamini reports:

> "The reality is that the Christian population in the Middle East is shrinking at a faster rate than ever before, through emigration and wholesale killing, as well as a lower birthrate than its Muslim counterpart… Migrants can come back, of course, but rarely do. 63 % of Arab Americans are descendants of Christian immigrants." [29]

In order to escape their dire situations and find a safe refuge, they follow the footsteps of Iranian Christians. That is to say that they usually establish connections with their Christian social networks to escape further to the West.[30]

The fact that no formal migrant management mechanisms have developed in the Middle East is a serious problem for the whole region. As the Syrian forced migrant experience demonstrates, having a culture of hospitality is not enough. Nearby countries will take the brunt of the influx of migrants, and if they are fortunate, like Turkey, they will be economically healthy enough to

be able to handle it. If they are not as robust, like Jordan or Lebanon, they will soon reach the breaking point, and if they do break, it will only add to the already existing instability. This lack of such mechanisms has compelled many of the forcibly displaced to risk abuse and even death to try to reach Europe through human smugglers[31] instead of being able to take advantage of a regional mechanism for safer transport away from the violence. Instead, the forced migrants are left to fend for themselves, and do the best they can to reach safety.

This also demonstrates a failure on the part of the host countries to recognize the value of the migrants. As illustrated in previous sections, the refugees can result in a net benefit to their host countries. Farsighted regional leaders would have looked at history, seen the patterns, and have instituted mechanisms to allow receiving countries to quickly integrate the refugees into the host society. Additional burden-sharing would have allowed host countries to quickly call upon the resources of other regional countries, so that no one country gets overwhelmed. One can hope that the Syrian refugee experience will demonstrate the need for such mechanisms and when the next mass forced migration happens, the region will be better prepared.

Conclusion

While depicted as refugee crisis in the media, the protracted case of both Palestinians and Syrians indicate that it is high time to come up with regional policies that target better management of such forced migration flows. I would argue that "crisis" is the wrong word to denote what is going on when forced migration occurs, though it is understandable why the term is being used as it contains a sense of urgency and call to action.

However, what is needed is to be better prepared in order to handle such issues more effectively and to think of long-term solutions. As Adamson underlines, this could be one of the reasons that regional coping mechanisms were never set up, even though forced migration in the Middle East has been occurring since the early 20th century.[32] The Palestinian refugees have been in a perpetual state of deep distress and misery for the last 60 years. The Syrian conflict has been going on since 2011 with no clear end in sight, and with more and more players getting embroiled in it. Understanding forced migration, as a calamity rather than crisis would mentally prepare policy makers by giving them a sense of the enormity of the challenge. The Merriam-Webster dictionary defines "calamity" as "a state of deep distress or misery caused by major misfortune or loss; an event that

causes great harm and suffering." Use of such a descriptive would make the international community consider the fact that it is not a short-term disaster but a long-term phenomenon that will require long-term solutions and long-term planning; not only to ameliorate the current crisis, but also to prepare for the possibility of more forced migrations in the future.[33]

> While depicted as refugee crisis in the media, the protracted case of both Palestinians and Syrians indicate that it is high time to come up with regional policies that target better management of such forced migration flows.

Additionally, the host countries need to revise the way that they think of the refugees themselves. Instead of thinking along the lines of these people being in their country as transient "guests" and providing the refugees assistance that is designed to provide aid only in the short-term, it would be better to begin to think of them as incentives, and try to fit them, skilled and unskilled alike, into the labor markets, with the recognition of diplomas. One can hope that this shift in thinking will force the regional policy makers to consider the long-term benefits to the host countries having migrants.

Of course, a sudden uncontrolled increase in the number of refugees might be devastating to any host country. Although the greatest cost is born by the forced migrants themselves as they go through deep trauma without a clear idea of when it will end, the host countries in the region face social unease created by the influx of migrants and by limited resources. Politically, it may result in unwanted ethnic tensions as a result of demographic imbalance. Furthermore, by opening their borders, host countries run the risk of inadvertently spreading the conflict if the refugees become militarized or the combatants follow them to the host country.

Nevertheless, forced migration can be turned into a net benefit in the long run for all the stakeholders: host society, home country, and refugees themselves. Economically, it makes the host country more prosperous, culturally, it is enriching, and politically, it makes the system more robust and the institutions more flexible. Internationally, countries in the region are forced to cooperate to not only share the initial burden of created by the forced migration, but to address the underlying factors that created it in the first place. This has the effect of strengthening existing ties while creating new ones. Traditionally, cultural hospitality and religious solidarity have been the mechanism by which the refugees have been aided,

and this has led to an absence of rights-based regional coping mechanisms. The fact that the Palestinian refugee population has been living for several generations with no solutions at sight and the tragedies lived out on a daily basis by the Syrian refugees mainly dispersed in Turkey, Lebanon, and Jordan are indications that the whole region needs to rethink how it addresses forced migration.

Future Study

More research needs to be done on the social attitudes that host countries have towards refugees. How do the citizens of the countries in the region view refugees? Are they considered outsiders despite the fact that they have ethnic ties, share a common culture and speak the same language? What are the attitudes in countries like Jordan and Lebanon, where Palestinian refugees have been there for generations? Do local societies view them as a part of the national fabric? How extensive is the viewpoint that forced migrants in the Middle East are temporary guests? What is the effect of a lack of international protection mechanisms and agreements on the reception of refugees? Additional studies need to be done to see whether proper asylum policies and regional cooperation addressing the issue would redefine how refugees are viewed and treated. Lastly, more quantitative research needs to be carried out to measure how long it will take for host countries to finally reap the benefits of hosting forced migrants.

Forced migration can be turned into a net benefit in the long run for all the stakeholders: host society, home country, and refugees themselves.

Endnotes

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Christopher Hooton, "Japan is Turning Its Abandoned Golf Courses into Solar Power Plants", *The Independent*, 21 July 2015.

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Title of Book Reviews

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