



## THE IMPACT OF THE SYRIAN REFUGEE CRISIS ON TURKEY-EU RELATIONS

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### ABSTRACT

*With regards to the recent developments, the question of “What is the impact of the Syrian refugee crisis on Turkey-EU relations?” will be discussed in relation to the argument that while refugee issue has brought the EU and Turkey closer, the crisis should not be made a part of the unstable negotiation process anymore, since many precious\_refugee lives are put in danger for the sake of national interests and daily politics.*

*Turkey has begun to reform and regulate laws in accordance with the European Union laws as a process of alignment and harmonization. Under the National Action Plan for Adoption of Acquis on Asylum and Migration, the required steps were taken, and a timetable was introduced in line with the EU laws and regulations with regards to the migration and asylum policies. Readmission Agreement (2013), Joint Action Plan (2015) and the EU-Turkey Deal Statement (2016) came into force with the contributions and efforts of Turkey and the EU. As a result of this joint action., Turkey-EU relations were renewed in a more cooperative approach fulfilling partnership and cooperation objectives, after a period of ups and downs within the long history of Turkey’s accession process.*

*Fulfilling the obligations and keeping the promises are very important for both sides because it can pave the way for the improvement of the relations. From the Turkish perspective, the increasing instability in the region and Turkey’s isolation from the EU have made the Turkish public think pessimistically about the relations with the EU.*

*In the study, the issue of how the refugee crisis contributed to the relations with the EU will be analysed together with the approaches of both sides to the crisis. Considering the scope and effectiveness of the crisis, the challenges for both sides will be evaluated. Depending on the recent situation and possible threats, the future of the relations will be analyzed and recommendations will be discussed.*

## Introduction

As of December 2016, the registered number of refugees fleeing from Syria due to the civil war had reached 4,810,710, according to the UNHCR.<sup>1</sup> Majority of the refugees (nearly 3 billion) entered Turkey as the closest country. They also tried to reach a European country to get higher life standards and employment opportunities. Unfortunately, the uncontrolled migration led to the problems of human trafficking, and many refugees have lost their lives in the Aegean Sea while trying to reach Greek Islands in the last few years.

In order to protect the lives of the refugees and manage the unprecedented refugee flow as well as to provide legal channels for the migration process, Turkey and Europe came together and agreed upon a refugee deal in March 2016, which was seen as a new era of re-energising the accession process. In parallel, there was still hope about the future of the relations. However, as a result of the strict governmental procedures under the emergency rule after the failed coup attempt in July 2016, the European Parliament decided to freeze the relations. Erdogan's response was : "I will open gates for migrants to enter Europe if EU blocks membership talks."<sup>2</sup>

The question of "What is the impact of the Syrian refugee crisis on Turkey-EU relations?" with regards to the recent developments will be discussed in this essay. The argument is that while refugee issue has brought the sides closer, the crisis should not be made a part of the unstable negotiation process anymore, since many of precious refugee lives are put in danger for the sake of national interests and daily politics. This should rather be perceived from a broader humanitarian perspective and be considered as a long term problem that needs to be solved with the greater motivation and cooperation of both sides. In that sense, the first part includes a discussion of Turkey-EU relations.

In the second part, the legal framework with regards to the immigration policies in Turkey will be analysed. The third part of the paper will focus on the issue of how the refugee crisis contributed to the relations, and this will be analysed in connection with the responses of both sides to the crisis. Then, considering the scope and effectiveness of the crisis, the challenges for both sides will be evaluated. In the conclusion, depending on the recent situation and challenges, an analysis of the future of the relations and recommendations will be made.

### 1. Turkey-EU Relations: An Overview

There has always been a fluctuating relation between Turkey and the European Union (EU) throughout history. With the aim of integrating itself into the Western liberal democratic world, Turkey first applied for a membership to the European Economic Community (EEC) in 1959. After a series of negotiations and discussions, an association agreement with the EEC took place in 1963. Having been called Ankara Agreement, this was a first major point that contributed to both sides positively. At its first stage, Ankara Agreement was aiming to integrate Turkey into the customs union. Then, as a final goal, Turkey was to be considered a member state. Turkey had the duties like liberalising its economy and strengthening its democracy in order to be a full member of the community. As a part of this initial stage within the Ankara Agreement, Turkey signed a customs union agreement with the EU in 1995 after meeting certain standards and eventually became a member of the customs union.

In 1999, the country was officially recognised as a member state candidate at the Helsinki Summit of the European Council. Once the governing Justice and Development Party (AKP) came into power, more hopes emerged about the accession process because of the party's promising political agenda favoring and prioritizing positive relations with the European Union. In 2003, in its early days of governance, the party devoted itself to lobbying activities in order to accelerate the negotiation process. As Turkey became able to meet the necessary Copenhagen Criteria in 2004 -which was required by the EU for the negotiation process-, accession negotiations were eventually opened in October 3, 2005. Between the years 2005 and 2010, Turkey worked really hard to align its laws and regulations with

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<sup>1</sup> United Nations High Commissioner for Refugees (UNHCR). "UNHCR Syria Regional Refugee Response." *UNHCR Syria Regional Refugee Response*. Web. 08 Dec. 2016. <http://data.unhcr.org/syrianrefugees/regional.php>

<sup>2</sup> "President Erdogan: I Will Open Gates for Migrants to Enter Europe If EU Blocks Membership Talks." *The Independent*. Independent Digital News and Media, Web. 08 Dec. 2016.

meeting the requirements defined by the EU under the *acquis*. In 2012, with the incentives of the EU Commissioner Stefan Füle, a “Positive Agenda” was introduced in order to accelerate the accession process.

However, it can be added that because of the financial crisis within the EU, the accession process has stalled at this period. It was also during this period that the country went into an increasingly authoritarian regime with human rights violations, state oppression and democratic problems. For instance, during Gezi Protests, there have been countrywide incidents in which many had to face arrests, prosecutions, media censorship and many other forms of oppression. It can be argued that this event was one of the major visible ruptures that influenced the relations negatively. However, the refugee flow after 2011 into Turkey and the unprecedented migration of these people would become a new ‘chance’ for the relations after that period. The refugee issue, as an important dynamic that shaped the long road of Turkey’s journey through Europe, will be analysed later in the following paragraphs in a more detailed way,

## **2. The Legal Framework in Transition**

Turkey issued its first settlement law in 1934 which was favouring the immigration of people with ‘Turkish descent and culture’, and it remained a key element for the country’s immigration policies (Eder&Ozkul, 2016). Additionally, Turkey was one of the original drafters and signatories of the Geneva Convention (1957) and its Additional Protocol (1967). It (the country or the protocol?) put a geographical limitation by recognising only Europeans as refugees. Especially after 2000, Turkey began to reform and regulate laws in accordance with the European Union laws as a process of alignment and harmonization. As a major legal step, National Action Plan for Adoption of *Acquis* on Asylum and Migration came into force in 2005. Under this plan, the required steps and a timetable with regards to the migration and asylum policies were introduced in line with the EU laws and regulations.

In 2013, The Law on Foreigners and International Protection<sup>3</sup> was issued with the purpose of creating a modern migration management system. This law regulated the right to asylum which eventually lifted the limitation of ‘Turkish descent and culture’ (Eder&Ozkul, 2016). It also regulated the implementation of the protection processes for those who were seeking asylum. Additionally, 2014 Temporary Protection Directive regulated the issues regarding temporary protection and humanitarian assistance by adding the procedures of issuing biometric identity cards and granting access to social benefits. Lastly, as a new regulation for the labour market, 2016 Regulation on Work Permit for Refugees<sup>4</sup> included detailed regulations about the entry to the labour market. For example, it regulated the labor participation balance which set certain quotas for the employment of refugees in the market.

Despite the new regulations, because of the existence of the strict recognition of people with ‘Turkish descent and culture’ and the geographical limitation, many non-Turkish, non-Muslim and non-European migrants entering Turkey could not gain full refugee status and have not been considered as legal by the Turkish authorities. As Eder and Ozkul mentions, many asylum seekers coming from the Middle East and other non-European territories were not entitled to get full refugee status and could not gain full protection rights including being employed in the formal market. Unfortunately, the implications of the new laws in reality are also narrow and far from being comprehensive and effective.

In the June 2015 report of the Migrant Integration Policy Index (MIPEX)<sup>5</sup>, it has been stated that “Turkey’s legal framework hinders the integration of migrants,” and the country “is failing to integrate migrants amid an increased flow of refugees from Syria.” The report criticizes the problem that there are “**restricted rights and little-to-no-state support**”. With regard to these criticisms, Turkey should further develop much more comprehensive, effective, integrationist policies by redefining and widening the refugee rights as well as increasing the state recognition and support.

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<sup>3</sup> "Law on Foreigners and International Protection." Directorate General of Migration Management, Apr. 2014. Web.

<sup>4</sup> "Refugee Law and Policy: Turkey." Library of Congress, 2016. Web.

<sup>5</sup> "Turkey | Migration Policy Index 2015." Web. 08 Dec. 2016.

### 3. The Refugee Crisis: A New Page?

As a solution to the recent refugee crisis, Readmission Agreement (2013), Joint Action Plan (2015) and the EU-Turkey Deal Statement (2016) came into force with the contributions and efforts of Turkey and the EU. With these steps, it can be argued that Turkey-EU relations were renewed in a more cooperative approach promising partnership and cooperation objectives, after a period of up and downs within the long history of accession process (Bayraklı&Keskin, 2015). Under the framework of Turkey-EU deal as a bilateral response to the migration issue, there are some steps to be taken and objectives to be fulfilled by both sides under three major pillars that would pave the way for a better integration process.

Firstly, the application of Readmission Agreement was aimed to be put into practice. According to the agreement, for every Syrian being returned from the Greek islands to Turkey, another Syrian from Turkey would be resettled in the EU.<sup>6</sup> Secondly, the EU promised to give financial support to be used by the authorities in order to increase the standards of the refugees in Turkey (an initial 3 billion until the end of 2018). Lastly, two sides agreed upon a visa liberalisation roadmap.

According to the roadmap, there are 72 requirements to be met by the Turkish state in order to get a visa-free regime. These principles included document security, migration management, fundamental rights, public order and security as well as the issues regarding the readmission of illegal immigrants.<sup>7</sup> A few of these principles remained up until now. Yet the principle regarding the definition of terrorism and narrowing its scope does not seem to be realized in the short run by Turkey, since the country justifies itself by arguing that there are threats of terrorism from the domestic and international agents (Adam, 2016). Additionally, for many, the existing terrorism law has been used for the prosecution of journalists and academicians.

In terms of refugees, after the first year of its implementation, the readmission programme seems to be working slowly. As of September 2016, only 8,268 people have resettled in Turkey since the launch of the agreement (Adam, 2016). In terms of its implementation, many criticized the deal as well. As a report of the Human Rights Watch<sup>8</sup> reveals, "The agreement rests on the flawed premise that Greece and the EU need not evaluate the individual protection needs of those arriving via the Aegean Sea on the grounds that Turkey is a 'safe third country' or 'safe first country of asylum' However, it was not the case. Turkey still puts the rule of geographical limitation based on the Geneva Convention (giving full refugee status only to Europeans), and the problems of integration regarding the refugees in Turkey was emphasized in the same report which will be evaluated in the following sections.

Furthermore, one can also mention the effectiveness of the failed coup attempt. According to "Save the Children"<sup>9</sup>, the average number of daily arrivals to the Greek Islands has increased from 56 in May to 90 in August, 28. This increase can be explained by the rising administrative disorder in Turkey. There have also been arguments implying that Turkey was blackmailing Europe by using the refugee deal as a mechanism of oppression against the EU's actions.<sup>10</sup>

### 4. Challenges For Europe

Despite few positive approaches about migration, for many EU politicians, receiving more refugees does not seem economically sustainable as, for them, it also posits a risk that might destroy the EU (Gotev, 2015). Some countries such as Germany and Sweden have been following a more welcoming policy towards the refugees, whereas there were others, mainly the member countries in the Eastern Europe, claiming that the immigration would create problems in their domestic structure as well. Although these countries (such as Poland and Hungary) profited from European integration economically and politically in the past, they are likely to hold a negative view about the acceptance of refugees by keeping

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<sup>6</sup>"Implementing the EU-Turkey Agreement – Questions and Answers." *European Commission*. Web. 08 Dec. 2016.

<sup>7</sup>"Turkey's Progress on the Visa Liberalisation Roadmap." *European Commission*. 4 May 2016. Web.

<sup>8</sup>"Q&A: Why the EU-Turkey Migration Deal Is No Blueprint." *Human Rights Watch*., 2016. Web. 08 Dec. 2016.

<sup>9</sup><http://www.savethechildren.org>

<sup>10</sup>"Migrant Crisis: Germany Warns Turkey against 'blackmailing EU'" *BBC News*. BBC, 2016. Web. 08 Dec. 2016.

themselves away from taking the responsibility (Stratan, 2016). Because of this hostile perception, a huge chaos occurred as the refugees had to take other routes to Germany, Austria and Sweden.

The general idea of the countries against migration was that the refugees should be sent away from the European territories based on some reasons. Firstly, the Muslim population is associated with terrorism, and they became the subject of the migration policies' security dimension. According to a survey by the Pew Research Center, the majority of Europeans believe that migration increases the threat of terrorism.<sup>11</sup> Secondly, it can be argued that because of the negative effects of neo-liberalism, it turned out to be a social and economic issue that paved the way for further negative perception (Stratan, 2016). The financial crisis, increasing unemployment and social inequality has led the European community to put the blame on the existence of the migrant population. According to the same survey, just after the bombing attacks in Europe, coupled with the security concerns, European countries have started to link these attacks with the economic concern that refugees would become an economic burden to them and would decrease their own employment opportunities and harm their social benefits.

Based on the concerns about security, labour market, at the end, one also can observe that there is an increasing right wing populism, xenophobia and Islamophobia as well as isolationist, Eurosceptic views (like Brexit campaign) that could create further political and social challenges within Europe (Yeoung 2016). In the end, it can be concluded about the refugees that the securitization of the immigrants, economic concerns and, as a result, the rise of the conservative right seems to shape the domestic policies and European public response in a hostile and unwelcoming way which contradicts with the liberal democratic values of today's Europe.

## **5.Challenges for Turkey**

Turkey deserves more international attention, support and appreciation from the international community as a country which hosts more than 3 billion refugees due to its open door policy. However, there are also domestic challenges affecting refugee crisis. Firstly, Turkey needs to overcome the integration problems of the refugees. These integration problems are mainly caused by language barriers and the lack of education, health and employment. According to the UNHCR, over half of the Syrian refugees in Turkey are children and more than half of them living outside camps had little or no access to schooling (Kirisçi, 2014).

As Kirisci claims, because the legal structure is limiting the employment of the refugees and since the recent labour market provides little opportunity for the refugees in the formal economy, this situation forces many refugees to enter the informal market. Secondly, there exists an identity based discrimination and hostility towards refugees. The idea that these refugees seem to stay longer in the country leads to the rise of anti-immigrant sentiments and xenophobia (Eder&Ozkul, 2016). For example, at the time of ongoing debates on giving citizenship rights to those refugees, Turkey experienced a process similar to the European example of growing nationalist and protectionist tendencies. For instance, at the beginning of July 2016, the hashtag "ulkemdesuriyeliistemiyorum" (I do not want Syrians in my country) became the number one trending topic on Twitter.

As Eder and Ozkul (2016) argues, in the neoliberal context, the Syrian refugees are 'wanted but not welcomed' as, rather than being socially entitled to the host community, they are seen as economic agents for many, providing cheap labour by working for little wages and without social security rights in the informal market. Lastly, the existing political structure of Turkey also challenge the refugees (Eder&Ozkul, 2016).

After the failed coup attempt, the Turkish government imposed an emergency state rule which further created a series of authoritarian measures, prosecutions, pressure on the press affecting the journalists, academicians, politicians in the opposition as well as many other segments of the society. Together with the Kurdish conflict in the Southeast, the failed coup attempt made the government's actions more securitized. There have even been discussions on whether to re-introduce the death penalty that could even affect the country's accession process badly, since it would be against the EU Charter of Human

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<sup>11</sup> "Refugee Crisis: Majority of Europeans Believe Increased Migration Raises Terror Threat, Survey Says." *The Independent*. Independent Digital News and Media, n.d. Web. 08 Dec. 2016.

Rights.<sup>12</sup> In this political turmoil, since the host country is not providing a promising democratic and pluralistic future, the democracy issue comes to the fore as it can create further problems for the refugees.

## **6. Recommendations**

From an optimistic point of view, there are some major steps that both sides can take for the normalization of the relations and solving the significant problem of refugee crisis. First, it is clear that Turkey itself can not solve the refugee crisis alone. There should be more efforts from the European side in order to share the burden. With the aim of resolving the crisis, EU member states should financially and politically support Turkey to improve the existing conditions of refugees in Turkey, especially education and health issues. Secondly, the laws and regulations should further be updated to reach international standards. EU authorities should encourage Turkey to lift the geographical limitation put under the Geneva Convention so that the refugees in Turkey could enjoy wider range of rights by receiving full protection. Thirdly, the EU should keep its promises of financial support and visa liberalisation.

Here, fulfilling the obligations and keeping the promises are very important for both sides because it can pave the way for the improvement of the relations. From the Turkish side, the increasing instability in the region and Turkey's isolation from the EU have caused the Turkish public to think pessimistically about the relations with the EU (Eralp 2014). Many people in Turkey have become more Eurosceptic and lost their beliefs in the country's possible membership in the future.

Decreasing public support even led to discussions about making a "Trexit" referendum which had been explicitly implied by President Erdogan. However, separation and further isolation would not be beneficial to both sides because of their political and economic interdependency. That is to say, they already showed progress towards integration as a result of the Customs Union and the ongoing accession process, and this should not be wasted for the sake of short-term political and economic interests.

## **CONCLUSION**

Despite all the challenges, it can be argued that it is not the end of the relations between Turkey and EU. (Aydintasbas, 2016). From Turkey's side, the recent decision of the European Parliament to freeze the negotiations -although it is not binding- should encourage Turkey to review its regulatory policies. On the other hand, the EU should also be decisive, supportive and influential for a more democratic, inclusive make up of Turkey within the framework of European democratic values.

The refugee issue is likely to remain a key element in Turkey-EU relations. For Turkey, as Adam (2016) underlines, the 'refugee card' seem to stay on the agenda as a leverage over Europe's actions for a long time. However, in order to resolve this significant humanitarian crisis, there is an urgent need to consider the issue of refugees separately from the accession programme as the lives of many innocent people became the matter of continuous bargaining and negotiation.

There needs to be more cooperation, solidarity and comprehensive policy implementation process in which the humanitarian aspect of the crisis would be considered without any other domestic, political and economic motives.

With the moral and ethical obligations of international commitment, it can be concluded that, sharing the burden internationally, securing the full rights of the refugees, improving their conditions and their integration into the hosting societies should be prioritized over the other aspects. In doing so, both Turkey and the EU will be sharing the responsibility of finding a solution.

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<sup>12</sup> "Migrant Crisis: Germany Warns Turkey against 'blackmailing EU'" *BBC News*. BBC, 2016. Web. 08 Dec. 2016.

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