THE POLITICS OF IMMIGRATION POLICY MAKING IN TURKEY

BETWEEN 2002-2015

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ABSTRACT

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Turkey is positioned at a significant spot within the international migration regimes; as very often called in the literature as "on the crossroads" between Asia, Africa and Europe. This connectivity to numerous emigration and immigration countries makes Turkey highly vulnerable to changing trends of international migration and requires Turkey to streamline its migration policy responses accordingly. Given Turkey's evolving position as a regional power as well as an international actor, this study aims to address the major trends and reorientations in the contemporary Turkish immigration policy making and its relation to Turkish foreign policy as well as its soft power. There is a considerable amount of literature written on different forms of migration affecting Turkey generally and on post-Cold War period particularly. The originality of this study is that it aims to unpack the politics of immigration policy making in Turkey via putting the spotlight particularly on 2000s. Furthermore, the attempt to uncover the interrelations between immigration policy making and Turkish foreign policy and to identify major trends and reorientations in immigration policy making aims to contribute to the originality of the study. Unpacking the politics of Turkish immigration policy making that has

gradually been debated and become more visible within the scope of two main contemporary drivers namely; the EU accession process and the Syria Crisis have also complemented the overall objective of this study. Moreover, the study also employs a particular lens in an attempt to understand multi-policy level structuration of Turkish immigration policy via identifying patterns for contemporary trends.

Key words: International Migration, Turkish Foreign Policy, Turkey-the European Union Relations, Syria Crisis, Multi-Policy Level Structuration of Turkish Immigration Policy

ÖZ

2002-2015 ARASINDA TÜRKİYE'DE GÖÇ SİYASA YAPIMININ SİYASETİ

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Sık sık Asya, Afrika ve Avrupa arasında "köprü görevi gören" bir ülke olarak nitelenen Türkiye uluslararası göç rejimlerinde önemli bir konum kazanmıştır. Göç veren ve göç alan birçok ülkeyle arasındaki bu bağlantı Türkiye'yi uluslararası göçün değişen eğilimlerine karşı oldukça hassas bir konuma taşımakta ve Türkiye'nin göç siyasalarını buna uygun biçimde şekillendirmesini gerektirmektedir. Türkiye'nin bölgesel bir güç ve uluslararası bir aktör olarak gelişen konumu dikkate alındığında bu çalışma Türkiye'nin günümüzdeki göç siyasaları oluşturma sürecindeki belli başlı eğilimleri ve yönelimleri ve bu sürecin Türk dış politikası ve hatta yumuşak güç ile olan bağlantısını ele almayı amaçlamaktadır. Literatürde Türkiye'yi genel anlamda etkileyen farklı göç türleri ve özellikle de Soğuk Savaş sonrası dönemi anlatan çok sayıda çalışma vardır. Bu çalışmanın özgünlüğü ise özellikle 2000'li yıllara odaklanarak, Türkiye'de göç siyasaları oluşturma süreçlerinin siyasetini incelemeyi amaçlamasından ileri gelmektedir. Ayrıca, göç siyasaları yapımı ve Türk dış politikası arasındaki karşılıklı ilişkiyi açıklama ve bu sürecin başlıca eğilim ve yönelimlerini saptama çabaları da çalışmanın özgünlüğüne katkıda bulunmayı amaçlamaktadır. Günümüzde iki temel itici güç olan AB katılım süreci ve Suriye Krizi etkisiyle giderek daha çok konuşulan ve daha görünür hale gelen Türkiye'nin göç siyasaları

oluşturma sürecini ayrıştırmak bu çalışmanın genel amacını tamamlar niteliktedir. Ayrıca, bu çalışma çağdaş eğilimleri belirleyerek Türk göç siyasasının çoklu siyasa düzeyinde yapılandırılma biçimini anlamak için özel bir bakış açısından faydalanmaktadır.

Anahtar Kelimeler: Uluslararası Göç, Tük Dış Politikası, Türkiye-Avrupa Birliği İlişkileri, Suriye Krizi, Türkiye Göç Siyasasının Çoklu Siyasa Düzeyinde Yapılandırılması

To my Çağlayan...

ACKNOWLEDGMENTS

TABLE OF CONTENTS

xiii

LIST OF TABLES

TABLES

LIST OF FIGURES

FIGURES

LIST OF ABBREVIATIONS

AKP	Justice and Development Party
ASAM	Association for Solidarity with Asylum Seekers
CHP	Republican People's Party
DGMM	Directorate General on Migration Management
EC	European Council
EU	European Union
EU	European Union
GAMM	The Global Approach to Migration and Mobility
GFMD	Global Forum on Migration and Development
GMG	Global Migration Group
HDP	Peoples' Democratic Party
HRDF	Human Resources Development Foundation
ICMC	International Catholic Migration Commission
ICMPD	International Centre for Migration Policy Development
INGO	International Non-Governmental Organizations
IOM	International Organization for Migration
IOs	International Organizations
JHA	Justice and Home Affairs
LFIP	Law on Foreigners and International Protection
MHP	Nationalist Movement Party
MOD	Ministry of Development
MOFSP	Ministry of Family and Social Policies
MOI	Ministry of Interior
NATO	North Atlantic Treaty Organization
NGO	Non-Governmental Organizations
NPAA	National Programme for the Adoption of the Acquis
RCP	Regional Consultative Processes
UNHCR	Unitesd Nations High Commmissioner for Refugees

CHAPTER I

1. INTRODUCTION

1.1.The Purpose and Relevance of the Study

Promising employment opportunities in industrialized countries; widening of developmental differences between North and South as well as East and West, last but not least natural and man-made disasters could all be listed as the motivating factors for people's decision to migrate in our contemporary world order. Migration is not only the movement of people but also of labour and is strongly interconnected with geo-political and economic concerns as well as historical and cultural interdependencies. Such a vision calls for interdisciplinary approaches to be mainstreamed in our understanding of the contemporary immigration policy making processes.

There is a considerable amount of literature written on different forms of migration affecting Turkey generally and on post-Cold War period particularly. Having mentioned the gradually evolving nature of migration studies in Turkish context, one can say that this contemporary trend of migration policy making and migration management focus more on immigration and less on emigration and internal migration issues. Such a trend makes migration studies an important field of research for the discipline of international relations. The originality of this study is that it aims to unpack the politics of immigration policy making in Turkey via putting the spotlight particularly on 2000s. Furthermore, the attempt to uncover the interrelations between immigration policy making and Turkish foreign policy and to identify major trends and reorientations in immigration policy making aims to contribute to the originality of the study.

Throughout history, diverse waves and forms of migratory movements have always affected Turkey. Traditionally, Turkey has been known as a country of emigration with large number of its citizens migrating to Western Europe, particularly Germany since the 1960s. Today, according to data by Ministry of Foreign Affairs[1], Turkish community living abroad reaches over five million, nearly four million of which consist Turkish nationals and EU nationals with Turkish origin who live in Western Europe. Turkey's political and economic openness since the 1980s has made it a more attractive country of destination. As of 1980s, immigration to Turkey has gradually evolved in the international migration agenda of the country. This development became even more pronounced during the 1990s following the Soviet demise. By the mid 1990s, new immigration areas were emerging in eastern and central Europe with Turkey also providing transit migration routes attractive to potential asylum seekers/refugees from the neighbouring regions. All of these have contributed to Turkey's transformation into a country of emigration and immigration as well as transit migration. As stated by İçduygu and Keyman (2000:385) the Iranian revolution, political turmoil in the Middle East, end of the Cold War, the Gulf War; more recently the Arab uprising as well as Syria Crisis resulting in Syrians' spill over coupled with Turkey's geo-political position and geo-strategic importance as a transit zone between the West, have all contributed to Turkey's becoming into a *de facto* country of first asylum and as well as a destination. According to İçduygu (2009:8), economic, political and security problems emerging in neighbouring countries can be considered as the main drivers for people to migrate to Turkey. Besides the immigration flows from its neighbouring countries, Turkey has also started to attract increasing numbers of immigrants from Western Europe particularly the retired Europeans who call themselves as "sun migrants".

Within this framework, Turkey is positioned at a significant spot within the international migration regimes; as very often called in the literature as "on the crossroads" between Asia, Africa and Europe. This connectivity to numerous

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[1] http://www.mfa.gov.tr/the-expatriate-turkish-citizens.en.mfa (date of access 05.06.2015)

emigration and immigration countries makes Turkey highly vulnerable to changing trends of immigration and requires Turkey to streamline its policy responses accordingly. Given Turkey's evolving position as a regional power as well as an international actor, this study aims to address the major trends and reorientations in the contemporary Turkish immigration policy making and its relation to Turkish foreign policy as well as soft power.

Unpacking the politics of Turkish immigration policy making that has gradually been debated and become more visible within the scope of two main contemporary drivers namely; *the EU accession process* and *the Syria Crisis* have also complemented the overall objective of this study. Modernization of Turkey, political reforms driven by EU accession process, request by EU to adopt the Acquis and humanitarian assistance provided for Syrians spilling over to Turkey are all valid points; however, would not be enough in explaining Turkey's positioning over the current structuring of its immigration policy. Turkey's engagement with regional consultative processes as well as international platforms and international organizations working on diverse dimensions of migration have all contributed to Turkey's involvement in global discussions related to migration and encouraged the country to become an actor of the international migration governance.

Moreover, the study also employs a particular lens in an attempt to understand *multi-policy level structuration of Turkish immigration policy* via identifying patterns for contemporary trends. Building on Giddens' (1984) concept of structuration, this study proposes to employ a constructivist perspective in the light of the concept of *"multi-policy level structuration of Turkish immigration policy"* which refers to development, adjustment and implementation of policies in diverse fields such as external affairs, development, security, international cooperation, humanitarian assistance as well as economy having a direct or indirect impact on and contextual interaction with immigration policy making in Turkey as a cross-cutting field as well as a level of abstraction. Such a vision 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 (Betts, 2010:7)

1.2.Research Questions and Hypotheses

The main research question of this study is whether immigration policy making been applied as a foreign policy tool for strengthening the power position of Turkey in its region as well as in the international arena. If yes, how? If no, why? This study building on its vision asserts that the immigration policy making in Turkey has become more visible and politically debated around the two contemporary issues. Those include Turkey's EU Accession Process, with particular focus on the implications of externalization of EU migration policies on Turkey and the impact of Syria Crisis on Turkey's immigration policy making processes. Having mentioned these emerging contemporary subjects of analysis which have also been verified through the interviews conducted over the field research of this study, the below listed questions were employed for further exploring the main question.

- What are the contemporary drivers and dynamics behind the contemporary (im)migration policy making in Turkey?
- What is new about Turkish foreign policy in the 2000s compared to the traditional Turkish foreign policy?
- What is the essence of Turkish foreign policy of 2000s in terms of migration policy making?
- What are the key parameters of a solid framework of analysis in terms of the foreign policy and migration nexus in the light of the emerging foreign policy conceptions?
- If so, what would be the actual and potential implications of those conceptions on Turkish migration policy of 21st century?
- What are the subjects of analysis for Turkish immigration policy that call for convergence of domestic and foreign policy?
- What is the impact of Turkey-EU relations on immigration policy making in Turkey?

4

- What is the impact of Syria Crisis on immigration policy making in Turkey?

Building on its selection of constructivist framework as the main lens in unpacking the essence of immigration policy making in Turkish context with its multidimensional policy implications due to its multi-policy level structuration, this study employs the following hypotheses;

- **H1:** The immigration policy is a tool for strengthening the power position of Turkey in its region and in the international community from political, financial and cultural dimensions.
- **H2:** External dimension of European migration policy through its instruments of externalization, such as readmission agreement, calls for politicization of Turkish immigration policy at diverse angles from domestic politics to foreign policy.
- **H3:** Syria Crisis although having a broader framework in terms of foreign policy execution offers a valuable case study that not only increases the visibility of immigration issues around the Syria Crisis but also carries the possibility of limiting, deepening and politicizing the scope of immigration policy discussion, which would interrupt Turkey's vision of a comprehensive approach to migration management.
- **H4:** The gradually emerging nature of immigration policy making as a multidisciplinary and multidimensional phenomenon calls for multi-policy level structuration of Turkish immigration policy.

1.3. Methodology and Research Design

As this study focuses on unpacking the politics of immigration policy making in Turkey, constructivist approach has been the basis via its claim that human consciousness plays an important role in our understanding of the world politics. (Onuf, 1989, Wendt, 1992, Kratochwil and Ruggie, 1986, Ruggie, 1998; Zehfuss, 2002). Given its middle ground position between positivist and post-positivist

approaches, constructivism has the ambition to revitalize the impact of ideational and material values in international policy making. Barnett (2005:259) underlines the essence of the concept of structuration in constructivism by referring to the normative structures in shaping the identities and interests of actors as well as the practices and interactions through which the actors also transform those structures. Jackson and Sorensen (2006:163) remind us that the concept of structuration as proposed by Anthony Giddens (1984) in sociology by referring to a less rigid, more dynamic and intersubjective relationship between structure and actors affecting, forming as well as transforming each other.

From the perspective of the constructivist approach, structure exists through the reciprocal interaction between agents (states) and structures (international structure) (Wendt, 1987). This means agents through acts of social will can change structures (Copeland, 2000:190). The emphasis over the significance of "meaning" and "understanding" (Fierke and Jorgensen, 2001) also consists one of the building blocks of the constructivist thinking. Identity and interests are defined and created as a result of the *policy* and structures, which would then facilitate sharing of common values to establish close relations (Wendt, 1992:304). Constructivism owes a lot to the contribution of Alexander Wendt, Nicholas Onuf and Friedrich Kratochwil. Wendt's main topic of discussion revolves around his assumption of changing identities through interaction. In Wendt's conceptualization "rhetorical practice" (Wendt, 1996:57) or "verbal communication" (Wendt, 1999:346-7) are considered to be significant that call for behavioural and identity change. Kratochwil's constructivism particularly focuses on understanding the role of rules and norms in international relations. Moreover, Koslowski and Kratochwill (1994:216) assert that there is a close link between the transformation of political systems and change in actors' practices. For Onuf (1989:36) human beings construct reality through their deeds. These deeds may be speech acts, which could get, through repetition, institutionalised into rules; which may then provide the legitimate basis for meaning of human action.

Within this framework, immigration policy is an area where the mentioned mutually constituted agents and structures emerged and cascaded. Building on its first hypothesis that immigration policy is a tool for strengthening the power position of Turkey in its region and in the international community from political, financial and cultural dimension, this study employs a constructivist lens in reading of Turkey's consideration of identity, ideas, norms and rules in an attempt to define its interests in the area of immigration policy making. Moreover, such an approach has the ambition to unpack social and ideational factors in understanding of Turkey's interest in this field. Building on this point, immigration policy making provides the basis for change in Turkey's identity as it calls for Turkey's participation, membership and socialization at national, regional and international levels. Such a level of socialization (Schimmelfennig, 2000; Grabbe, 2006), prepares the legitimate basis for new policy paradigms, patterns and trends to be taken into account by Turkey in the area of immigration policy making. Additionally, the identity and interest considerations of key actors such as bureaucrats and technocrats of migration field are crucial in formation and structuration of immigration policies besides the economic, social and cultural values. Given this framework, one may say that the way the decision makers see the world becomes determinative in immigration policy making from a constructive reading.

In terms of data gathering, conducting an in-depth review of literature pertaining to evolution of Turkish foreign policy and immigration policy, relations between Turkey and European Union with a particular focus on immigration as well as Turkey's relations with Syria and the impact of Syria Crisis on Turkey in terms of migration policy making provided the knowledge base prior to operationalization of the field research. Additionally, review of the press releases, statements and speeches of the representatives' of governmental institutions as well as the EU, General Assembly Reports of the Turkish Grand National Assembly as well as national and international press reviews related to immigration and foreign policy nexus since 2000 complemented the literature review of this study.

The field research constituted semi-structured forty-seven interviews in Ankara and İstanbul with the representatives of key governmental, non-governmental and international institutions as well as academics, who are involved in immigration policy making and implementation in Turkey. The outcomes of these interviews have been the added value of the study, which constituted the core of the qualitative part. Integration of the outcomes of expert interviews considered being very important and complementary given the constructivist perspective of this study approaches those interviewed as the agents having direct or indirect impact on transformation of the structure, which is the immigration policy of Turkey in this case.

Within this scope, semi-structured question papers facilitated the interviews with the respective officials from Deputy Directorate on Migration, Asylum and Visa as well as the Strategic Research Centre of Ministry of Foreign Affairs, Directorate General on Migration Management of the Ministry of Interior, Directorate General of Security of the Ministry of Interior, Ministry of EU Affairs, Ministry of Labour and Social Security, Ministry of Development, Turkish Cooperation and Coordination Agency and members of the Turkish Grand National Assembly. Besides the governmental officials, representatives of the international organizations such as United Nations (UN), International Organization for Migration (IOM), United Nations High Commissionaire of Refugees (UNHCR), International Centre for Migration Policy Development (ICMPD), the International Catholic Migration Commission (ICMC) and international non-governmental organizations (INGOs) such as Amnesty International, Helsinki Citizens' Assembly, and non-governmental organizations (NGOs) such as Human Resources Development Foundation (HRDF), Association for Solidarity with Asylum Seekers and Migrants (ASAM) and academics who work on diverse angles of migration affecting Turkey from numerous universities have also been interviewed. My ten years of experience with the International Organization for Migration (IOM) Mission to Turkey and professional network both at national and international levels have all acted as a catalyst for structuring of the interviews with

the aforementioned officials. I have managed to conduct forty-seven interviews in Ankara and Istanbul. Before setting up of the interviews, participants' were approached via introductory e-mails sharing the overall scope and objective of the study as well as the semi-structured question papers for them to have an idea on the overall content of the requested interview. Upon consent of the participants, the audio recording of the interviewee was used as the method for collection of the data. While majority of the interviewees shared their consent for their voice to be recorded, over the interviews where the participants declared their reluctance for audio recording, note taking method was used in the interviews. It was clearly underlined that participants' identities would be anonymous and protected. Following the conclusion of interviews, transcription of each interview served for further analysis of discussion topics as shared by each one of the participants.

The interviews coupled with in-depth discussions with bureaucrats, technocrats, academics, representatives of international as well as civil society organizations have all acted as a catalyst for identification of contemporary patterns and trends in immigration policy making in Turkey including; humanitarianization, developmentalization, politicization, diplomatization, regionalization, economization, securitization, externalization and projectization and will be further justified through the following chapters of this study. Moreover outcomes of the interviews bridged the gap in terms of identification of the main focuses of Chapter IV and V, namely readmission agreement and visa liberalisation dialogue between Turkey and EU and Syria Crisis and migration nexus in Turkey for further evaluation of politics of immigration policy making via convergence of domestic and foreign policy.

It is indispensible to mention the very valuable support of the software programme of qualitative data analysis named Atlas.ti that I used for analysis of the data collected from the field research. Following the completion of the transcriptions of the interviews, I got in touch with the administration of the Atlas.ti via sharing of the requested documents proving my student status and then was able to get subscribed for a student account. However, it was not easy at the beginning of the

process to get used to the wide range of analysis methods offered by Atlas.ti. Via attending webinars, watching video tutorials and revising learning resources offered through its website, I tried to motivate myself to use this tool as it was not possible to analyse the volume of data gathered from interviews of 12 pages in average number. Particularly coding of the transcriptions, segregation of quotations to be used as well as identification of interlinkages among the assigned codes have all facilitated to reach out to the overall outcomes of the field research, identification of aforementioned contemporary trends in immigration policy making in Turkey as well as selection of the topics of case studies and adjustments of the initially drafted Chapter II and Chapter III as well as structuration of the content of the Chapter IV and Chapter V.

1.4.Organization of the Study

Following the introduction providing the overall framework, Chapter II will present conceptual framework of this study, which will act as a baseline for elaboration of the following chapters. The chapter will first focus on the essence of migration and foreign policy nexus in the discipline of international relations, which is asserted to be a missing lens. Moreover, global patterns of migration coupled with the international migration management discourse and securitization of migration policy making will also complement the efforts in understanding the mentioned nexus. It will then further elaborate the concept of power in international relations in an attempt to uncover its interrelation with migration studies. In line with its approach from global to local, the second half of Chapter II will be dedicated to understand the foreign policy and migration nexus in Turkish context. In doing so, evolution of such a nexus in Post Cold War era focusing on the traditional aspect of Turkish foreign policy, analysing the Turkish foreign policy of 2000s via a constructivist reading of the impact of emerging foreign policy concepts on migration affairs will complement the aimed conceptual framework of this study.

Having underlined the essentials of foreign policy and migration nexus in Turkish context, Chapter III will put the spotlight on the evolution of Turkish immigration

policy by offering a retrospective evaluation of the key phases and milestones of immigration policy making in Turkey's history. Given this study's aim to focus on 2000s, the following part of this chapter will try to present the main profile of the diversity of migratory movements affecting Turkey by clustering them under two main titles, namely regular and irregular migration to Turkey. The identified key profiles of the migratory movements will then be followed by the main aspects of normative and institutional framework of immigration policy making in Turkey as of 2000s via providing the essentials of key achievements including the main steps taken for alignment with the EU Acquis, the normative and administrative framework offered by the Law on Foreigners and International Protection No.6458, Turkey's Strategy Document and National Action Plan on Irregular Migration as well as the national five year development plans, which gradually mainstream diverse forms of migration. The chapter will be concluded by offering the key highlights of evolving approaches from migration management to migration governance and their implications on Turkish migration affairs.

Chapter IV and Chapter V will offer a qualitative analysis of the outcomes of the field research based on the interviews conducted. Given this study's aim to unpack the politics of immigration policy making in Turkey, reading of the Turkey-EU relations from a migration lens and reading of the impact of Syria Crisis on Turkey from a migration lens have emerged as the two main subjects of analysis for such an attempt. Building on this baseline, Chapter IV will initially try to analyse the evolution of EU migration policy with a particular focus on its external dimension as it is the dimension, which has a direct impact on immigration policy making of Turkey. A retrospective snapshot of the key phases of European migration policy development will set the basis for understanding the key highlights of contemporary features of European migration policy. The second half of this chapter will focus on Turkey's standing point in its way to EU in terms of immigration policy making as it is a topic of political consideration coupled with gradually higher level of importance assigned. In doing so, the key points of EU regular progress reports related to immigration for Turkey from 1998 to 2014 will be revised and evaluated.

Then, Turkey's recently announced EU Strategy and National Action Plan for EU Accession will be evaluated in terms of their implications for immigration policy. The last part of this study will focus on understanding the EU's instruments for migration policy externalization and their impact on Turkey. Within this scope, Turkey-EU Readmission Agreement and visa facilitation dialogue will be employed as a case study for justification of convergence of domestic and foreign policy in Turkish context.

A parallel line of inquiry will be followed by Chapter V, which aims at reading of the impact of Syria Crisis on Turkey from a migration lens. Such an effort will first be coupled with a vision in understanding of the key phases and essence of fluctuations in Turkey and Syria relations. Due to the gradually changing relations between amity to enmity (Hinnebush and Tür, 2013), the following part of the study will focus on the Syrians on the move in the aftermath of the Arab appraisal via a particular attention on Syrians in Turkey. Given the huge volume of Syrians' immigration to Turkey as a politically charged topic, the legislative and inter-institutional framework pertaining to Syrians in Turkey as well as the main framework of Regional Refugee and Resilience Plan for 2015-2016 will complement this part of the chapter. Finally, in an attempt to recall the overall ambition of this study in understanding the politics of immigration policy making, Syria Crisis and migration nexus in Turkey will be analysed as a case study for justification of convergence of domestic and foreign policy in Turkish context.

To conclude, Chapter VI will recall the main findings of the study by offering nine contemporary trends in Turkey's immigration policy of 2000s. Justifications for each one of the trends including humanitarianization, developmentalization, politicization, diplomatization, regionalization, economization, securitization, externalization and projectization will be provided through the chapter.

CHAPTER II

2. CONCEPTUAL FRAMEWORK

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

The issue of international migration, over the years, gradually emerged on the international landscape due to the growing number of individuals living outside their countries of origin. This gradual increase has also triggered the interest in the social sciences towards diverse thematic areas related to international migration, which has been limited across disciplines. Massey et. al. (1994) in Brettell and Hollifield (2008: 2) elaborate this:

> 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.

Moreover, as underlined by Brettell and Hollifield (2008:2), 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".

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 overlooked questions as raised by Weiner (1985:441) "How do state action shape population movements, when do

such movements lead to conflict and when to cooperation, and what do governments do in their domestic policies to adjust to or influence 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 for upgrading of the international migration from the realm of *low* politics to *high* politics. Although the political science literature related to migration and international relations is quiet limited, there are a number of scholars[2] who have been directing their research interests to this emerging field of study. One of those scholars Hollifield (2008:199) explains the limited coverage of migration studies in political science as follows;

> The period from 1945 to 1990 was dominated by the Cold War and international relations tended to divide politics into two categories: high and low. In the realist formulation, high politics -the paramount subject of international relations- is concerned with national security, foreign policy, and issues of war and peace, whereas low politics is concerned with domestic issues relating to social and economic policy. In this framework, international migration, like any economic or social issue, belongs in the realm of low politics and therefore was not a subject of analysis by scholars of international relations, especially national security and foreign policy analysts.

Table 1:Migration Theories Across Disciplines

Discipline	Research Question(s)	Levels/Units of Analysis	Dominant Theories	Sample Hypothesis
Anthropology	How does migration affect cultural change and affect ethnic identity?	Micro/individuals, households, groups	Relational or structuralist and transnational	Social networks help maintain cultural difference.
Demography	How does migration affect population change?	Macro/populations	Rationalist (borrows heavily from economics)	Migration has a major impact on size, but a small impact on age structure.
Economics	What explains the propensity to migrate and its effects?	Micro/individuals	Rationalist: cost-benefit and utility-maximizing behaviour	Incorporation varies with the level of human capital of immigrants.

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[2] Such as Hollifield 1998, 2004; Andreas 1998; Andreas and Snyder, 2000; Meyers 2004; Weiner, 1995

Table 1 Continued

Geography	What explains the spatial patterns of migration?	Macro, mezzo and micro/individuals, households and groups	Relational, structural and transnational	Incorporation depends on ethnic networks and residential patterns.
History	How do we understand the immigrant experience?	Micro/individuals and groups	Eschews theory and hypothesis testing	Not applicable.
Law	How does the law influence migration?	Macro and micro/the political and legal system	Institutionalist and rationalist (borrows from all the social sciences)	Rights create incentive structures for migration and incorporation.
Political Science	Why do states have difficulty controlling migration?	More macro/political and international systems	Institutionalist and rationalist	States often captured by pro-immigrant interests.
Sociology	What explains incorporation and exclusion?	Macro/ethnic groups and social class	Structuralist and institutionalist	Incorporation varies with the social and human capital.

Source: Brettell and Hollifield (Eds.) (2008). Migration Theory: Talking Across Disciplines, New York, Routledge, p. 4

Migration discourse has also given birth to its definers –the theorists- who have tried to understand, analyse and explain the root causes, processes and consequences of it throughout the history. As mentioned by Chang (1981:305), those who have been working in the area of migration research have had the dream of a general theory of migration with universal validity and applicability, which does not seem to come true due to dynamic and transformative structure of the population movements across the globe.

As defined in Table 1 in migration studies, we can only speak about inter disciplinary levels and units of analysis. Hollifield (1998) in Brettell and Hollifield (2008: 10) underlines that "mainstream scholars of international relations continue to place the state, as a unitary and rational actor, at the centre of their analysis of any type of transnational phenomenon, whether it is trade, foreign direct investment, or international migration". Jackson and Sorensen (2010:231) suggest three levels of analysis for studying foreign policy, which can also be employed for migration studies in political science. Those levels include;

the systemic level (e.g. the distribution of power among states; their political and economic interdependence); the nation-state level (e.g. type of government, relations between state apparatus and groups in society; the bureaucratic make-up of the state apparatus) and the level of the individual decision-maker (his/her way of thinking, basic beliefs, personal priorities).

Hollifield (2008:183-237) 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; impact of migration on the international relations including institutions, sovereignty and national security and finally incorporation which calls for identity, citizenship, ethical as well as normative issues.

Mitchell (1989:682-3) explains the late coverage of the study of international migration by political science and international relations scholarship under three main relationships. First one 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. 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 "domestic" immigration laws and policies may have an unavoidable international political projection. Mitchell (1989:683) moreover underlines that those three interrelated but diverse political facts call for the below listed theoretical models in the international relations and migration nexus;

> (a) a broad conception of the nature of international relations, not limited to diplomatic dealings or traditional state-to-state interactions, but addressing newly recognized regularities in the international political economy, (b) a multi-level analytic embrace, integrating the study of migration-related domestic policymaking, foreign policymaking, and international relations, (c) openness to and integration with the findings of other disciplines in the field of migration, especially those of economics, sociology and anthropology.

16

To put it in other words, the realist paradigm being the dominant approach during Cold War period avoided topic of migration to be mainstreamed due to the limited effect of migration on balance of power, the East-West struggle or the structure of international system other than refugees (Hollifield, 2008:183). Yet, it is important to mention the growing importance of migration in the international politics particularly which has been streamlined around securitization of migration following the terrorist attacks of September 11, 2001 as well as externalization via EU level migration policy making. This study therefore, represents an effort to contribute to bridging the gap between international relations and migration studies from global to Turkish context.

2.1.1. The Global Patterns of Migration

History of migration is a complementary part of the history of world affairs. People decide to migrate due to various reasons to achieve better livelihoods. There is a close link between people's efforts for achieving better life conditions and the dynamics of the world economy. Rey Koslowski (2009:8) states that migration of big flows of people defined the character of the pre-modern conjuncture of the world politics where these flows were motivating factors for the future of the empires and civilizations. International migration with its diverse forms has gradually become a prominent issue of international relations since the collapse of the Soviet Union. This diversification has been the most fascinating aspect of the commonalities in the immigration policy-making processes of the countries with similar migratory patterns. Regular or irregular; internal or international; migratory movements have always challenged the limits of the nation-state and transformed external, social, economic and cultural policies of territories involved.

The beginning of 1990s witnessed a new era in terms of diversification of the profile of international migrants. While international migratory flows were mainly characterized by the movement of migrant workers during 1960s and 1970s, as of 1990s concepts of refugees, asylum seekers, internally displaced persons, regular and irregular migrants have gradually been used and included in the migration

literature. Myron Weiner (1995) in his influential book, *The Global Migration Crisis,* referred to the widely diffused phenomenon as it affected policy alternatives. As Weiner (1995) puts forward the second half of 1990s witnessed the securitization of migration worldwide.

As of 21st century, international migration has become one of the defining features of contemporary world order, which has been coupled with diversification of societies due to the increasing number of people on the move. William Lacy Swing (2011)[3], Director General of the International Organization of Migration (IOM) summarized the main characteristics of the contemporary migratory movements as follows;

> We have a paradoxical situation in the migrant world today. There are more people on the move than at any other time in recorded history: about 215 million international and 740 million domestic migrants moving within their own territory. Given the current count of about 7 billion people in the world, that means that about one out of every seven people is on the move. Numerically that's more than at any other time, although percentage wise, it's about 3 per cent.

According to Global Migration Trends as reported by International Organization for Migration (2014a:1), the total number of international migrants has increased from an estimated 154 million in 1990 (UN, 2013) to 232 million persons of which 48% are women. 105 million persons work in a country other than their country of birth.

The estimated number of refugees was 16.7 million by the end of 2013, up from 15.2 million in 2011. According to the U.S. State Department's Trafficking in Persons Report (2013), the number of identified victims of trafficking at the global level was over 44,500 in 2013 and estimated 20.9 million people are victims of forced labour; majority of whom are women and girls globally. UNHCR (2014:2)

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[3] Retrieved from http://www.un.org/apps/news/newsmakers.asp?NewsID=46 (date of access 05.05.2015)

reported the existence of 59.5 million forcibly displaced individuals worldwide as a result of persecution, conflict, generalized violence, or human rights violations, which was underlined as the highest annual increase.

In view of the growth in international migration over the last 50 years, increasing variety of migrants has also intensified debates on migration policies. Parallel to this increase in the number of international migrants; irregular migration flows across international borders have also increased, which prepared the legitimate basis for security oriented migration policies to be mainstreamed by the affected countries. According to IOM (2014a:4), the most recent estimates indicate that there are at least 50 million irregular migrants in the world, who mainly come from developing and less-developed countries. Given the ongoing conflict and fragility in the Middle East, IOM (2014b: 20) reported the year of 2014 as the deadliest year since 2000 with the fatal journeys of an estimated 75 per cent (3,072) of all migrants' deaths in the Mediterranean. Moreover, IOM reported (2014b: 20) at least 22,400 people are estimated to have lost their lives trying to reach Europe since 2000. These numbers just reflect the significance of human rights dimension and need for an immediate humanitarian action, which is embedded in the migration phenomenon of the contemporary world affairs.

2.1.2. International Migration Management as a Neo-Liberal Discourse

Management of those migratory flows requires a multidisciplinary approach within the realms of politics, economy, sociology, security, environment, health, human rights as well as diversity management. Countries including sending, receiving and transit ones hold key role in the management of aforementioned flows via formulation of coherent, comprehensive and human rights based policies and strategies. While management of diverse migratory movements, from asylum to trafficking in human beings, have been approached by various interdisciplinary studies based on their root causes and short or long term results, the significant dimension of those migratory flows could be found in their position where they are closely linked to human rights.

Through the emergence of nation states, numerous constraints have been produced in order to limit the flows of people from one territory to another. While national state borders are the preliminary obstacles limiting the movement of people internationally, globalization process and movement of capital without borders have an accelerating effect on the enhancement of regular and irregular migratory flows across the board. The more the globalization gives its high-tech products, the more the tendency of breaking the restrictive border policies have the tendency to increase. That would prepare the basis for spreading of different forms of organized crime and exploitation of people.

Castels and Miller (2009:10-2) in *The Age of Migration,* identify six main trends in explaining the contemporary migratory patterns: *globalization*, the tendency of gradually more countries to be affected by different forms of migration; *acceleration* of migration referring to the increasing number of individuals engaged in migration process; differentiation of migration with different categories of migrants; *feminisation* with significant increase in the female migrants; *politicisation* as migration being a subject of analysis not only in domestic politics but also in bilateral and international agreements; and lastly *proliferation of migration transition* of that refers to the dynamic nature of migration process where countries of emigration become countries of immigration. Thus, the contemporary outcome of this diversification is that migrants can have diverse profiles in terms of ethnicity, culture, faith, physical appearance, legal status and residential concentration, however, there is close link between these profiles and the changing economic, social and political context of the countries affected by the phenomenon. Global discussions on international migration have gradually become diversified as the topic has been one of the top ranking priorities of several regional consultative processes and global platforms such as the UN High Level Dialogue on

International Migration and Development[4], the Global Migration Group (GMG)[5] as well as the Global Forum for Migration and Development (GFMD)[6]. Regional consultative processes (RCPs) on migration such as Almaty Process, Budapest Process and Prague Process of Europe and the Former Soviet Union as well as the thematically organized ones such as Bali Process, all act as an information sharing, agenda setting as well as consensus building non-binding platforms in the field of cooperation on international migration (IOM, 2010; IOM, 2013).

Main policy topics being discussed over the global and regional debates include; irregular migration and development nexus as well as security focus leading to gradually more resources being spent for countering irregular migration via strict border controls, employer sanctions for illegal employment of migrant workers and increasing the option of return on voluntary or forced basis for those people of concern. The specific vulnerabilities of irregular migrants are often neglected in public policy debate as irregular migration is presented and perceived as a threat to stability and welfare of societies in economic, social and cultural terms.

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[4] "The first High-level Dialogue on International Migration and Development, held in September 2006, provided an opportunity for countries to address the multi-dimensional aspects of international migration in order to identify appropriate ways and means to maximize its development benefits and minimize its negative impacts. The Dialogue resulted in the creation of the voluntary, State-led and non-binding Global Forum on Migration and Development (GFMD), a platform for informal dialogue and cooperation." Retrieved from
http://www.un.org/en/ga/68/meetings/migration/about.shtml (date of access 01.04.2015)

[5] "In 2006, the Secretary-General established the Global Migration Group (GMG) to promote the wider application of international and regional instruments and norms relating to migration and to encourage the adoption of more coherent, comprehensive and better coordinated inter-agency approaches. Currently, this interagency coordination mechanism includes 15 entities of the United Nations system as well as the International Organization for Migration (IOM)." Retrieved from
http://www.un.org/en/ga/68/meetings/migration/about.shtml (date of access 01.04.2015)

[6] "The Global Forum on Migration and Development (GFMD) is a recent initiative of the United Nations Member States to address the migration and development interconnections in practical and action-oriented ways. It is an informal, non-binding, voluntary and government-led process that marks the culmination of more than a decade of international dialogue on the growing importance of the linkages between migration and development. It reflects the progressive acknowledgement of the limits of a strictly national approach to migration questions and implications at global level in an intergovernmental framework. In view of the societal implications of these issues, civil society representatives have also been involved from the outset in this process." Retrieved from
http://www.gfmd.org/process/background (date of access 01.04.2015)

International migration management has gradually become popular with the increase in the diverse forms of migratory movements affecting countries. The discourse in itself aims at reorganization of the policies related to cross-border movements of people. For Gieger and Pecoud (2010:1-19) migration management refers to at least three trends. The first is related to *actors,* who develop discourse and conceptualize their actions in migration field. The second is *contemporary practices* of migration management that include counter-trafficking efforts, capacity-building activities for the members of the migration policymaking and implementation processes of the respective countries. And the third is related to emergence and cascade of *discourse* on the meaning and essentials of migration. Here, constructivism in international relations offer an appropriate framework in understanding how actors of migration management develop discourse and justify their existence and legitimize their practices on mutual basis with their agents; the migrants.

According to Gieger and Pecoud (2010:11) the mentioned discourse, emergence and cascade process of migration management is both socially and politically constructed despite its presentation as a factual, neutral or objective realm. The point here is that the discourse of migration management depoliticizes migration policymaking with its apolitical and technocratic nature. Furthermore, international migration management discourse involves interrelations among management, freedom and control. The contemporary migration management discourse presents a post-control nature with its standing point beyond the security-based approach Gieger and Pecoud (2010:15). However, there is a need to consider this discourse through the both lenses of control and freedom. The real politic of migration policy making according to Castels and Miller (2009:23-25) shows itself in the selective and temporary nature of labour migration policies with their global policy discourse. Moreover, Gieger and Pecoud (2010:16) underline that besides providing tools for more flexible and more selective migration policies, migrants' wishes for increased freedom and longer stay do not seem to be facilitated enough. Besides stopping or stigmatizing people, control is also about steering them. So, the

migration management framework is also being used as a tool for population control at national and global levels.

2.1.3. Securitization of Migration Policy Making

Security has traditionally been one of the key issues discussed related to the security of state. Consequently, conceptualization of migration and security nexus has lately arrived in the social science literature. Despite this late arrival, the main axis of the migration debate in international relations has revolved around the security related issues. One must consider the diverse perceptions that have direct impact on the relationship between migration and security. Weiner (1993:104) building on this asserts that; "Any attempt to classify types of threats from immigration quickly runs into distinction between 'real' and 'perceived' threats, or into absurdly paranoid notions of threat or mass anxieties that can best be described as xenophobic and racist". For Watson (2009: 16), enhancement of the security studies with a particular focus on non-traditional issues, such as migration, has been considered as an objectivist approach to the study of security. Watson (2009: 16) underlines that;

> One problem with the objectivist approach to the study of security and the place of international migration in that field of inquiry is that it reifies the identity of the receiving and sending societies and the motivations and reasons for human migration.

Rudolph in Mitchell (2012:5-6) suggests three main components for migration and security nexus as follows;

> Migration now rests at the nexus of three essential elements of the contemporary security dilemma: (1) the production and accumulation of economic power; (2) the changing nature of war, especially between combatants with highly disproportionate power and resources; and (3) growing concerns regarding social identities and the potential effect that threats to national identity have on governmental legitimacy in a system of nation-states.

23

Here it is crucial to mention that migration has not only been applied as a tool for restructuring of economies and promoting of development for many European countries but also it has been considered as a way of endurance and revitalization during and after the Cold War by settler countries like Australia, Canada and the United States (Goodwin-Gil and McAdam 2007). The past three decades have witnessed that countries such as Australia, Britain, Canada, Germany and the United States have developed their own systems of migration management with sector specific new categories including investors, entrepreneurs and high skilled migrants due to their aging population, which would require migrant labour.

Having mentioned the mainstreaming of migration in political economy as well as in development, we should also underline that most of the aforementioned countries have also been criticized for their migration policies that revolve around *securitization* and *externalization* of their borders in the contemporary world order witnessing the era of greatest human mobility. The impact of 9/11 terrorist attacks to US had a direct restrictive impact on the European migration policy. Both of these criticisms put the blame on EU for not being responsive enough in dealing with irregular immigration; for enforcing more restrictive and short-term solutions; moreover for externalizing the potential solutions towards the territories of third countries (Lavenex, 2006:334). Indeed, securitization of migration as underlined by Castels and Miller (2009:207) also consists one part of the politization of international migration or externalization through Europeanization beyond Europe (Schimmelfennig, 2012).

Within this scope, Castels and Miller (2009:213) by referring to Joseph Nye's concept of "soft power" assert that; "A state's immigration policies can also contribute to its "soft power", its ability to achieve foreign policy and security objectives without recourse to military or economic means of persuasion." Moreover they give the examples of having foreign students as a source of soft power and treatment of immigrants to affect a state's reputation.

The migration-security nexus has always been one of the main areas of focus for constructivist theorists, who try to deconstruct mainstream perception of foreigners as a threat opposed to nationals via putting the spotlight on structuration of interests (Wæver et al. 1993 in Guild 2009: 4). At this point, the critical security studies besides questioning the interrelation between security and migration also try to deconstruct and double read the meaning of security within the migration realm. Finally, it is worth mentioning the critical migration studies, which offer an alternative approach to state-centric mainstream migration studies by focusing on individuals as the main subject of analysis (Guild 2009: 22) in migration. Such an approach would play a complementary role in unpacking the security-migration nexus.

2.1.4. The Concept of Power in International Relations and its Relevance to Migration Studies

Theories of international relations provide a legitimate basis for our understanding of the concept of power. As streamlined by the realist school of thought, maximization of the national interest via having power conflicts among states constitutes the core of international relations (Baylis and Smith, 2005: 273). Furthermore, the concept of "power" and discussions related to "regional power" play a determining role in evaluation of the foreign policy impacts of states. Within this context, we can discuss approaches on power under four main clusters including realist, liberal, eclectic political economy and space-geography dimension (Kutlay and Dinçer, 2012: 61-69).

Realist paradigm constitutes the core of the international relations discipline. Lebow (2007:52) underlines that realism;

> recognizes the central role of power in politics of all kinds, but also the limitations of power and the ways in which it can readily be made self-defeating. It stresses sensitivity to ethical dilemmas and the practical implications and the need to base influence, wherever possible, on shared interests and persuasion.

While Morgenthau (1973) defined international politics as the realm of interest defined in terms of power, Carr (2001:97) also emphasized the importance of power as an undeniable concept in the international politics. Liberals, besides acknowledging the importance of power in international politics, focus on "…. domestic actors or structures that strongly influence the foreign-policy identities and interests of states as well as their actual behaviour in international relations (Panke and Risse, 2007:90)." Kutlay and Dinçer (2012: 65) emphasize that the conceptual tools offered by realist theory were not enough in explaining the post-Cold War period. This limited capacity provided a legitimate basis for emergence of a new discussion related to other dimensions of US power besides its military and economic power. Here, it is crucial to mention the emergence of "soft power" as a concept which was developed by Joseph S. Nye, an American political scientist, in his book titled "Bound to Lead: Changing Nature of American Power" in 1990. Nye focuses on the non-material dimensions of power by offering the concept of soft power, which he further developed in his book titled "Soft Power: The Means to Success in World Politics" in 2004.

Nye (2004:2) defines power, as "ability to influence the behaviour of others to get the outcomes one wants". He further asserts that ".... there are several ways to affect the behaviour of others. You can coerce them with threats; you can induce them with payments; or you can attract and co-opt them to want what you want". Moreover, Nye defined soft power as, "the ability to affect others to obtain preferred outcomes by the co-optive means of framing the agenda, persuasion and positive attraction (2011: 20-21)". Nye (2004:11) suggests three building blocks for a country's soft power that co-exist within a multi-actor environment. Those include; (a) culture, (b) political values and (c) foreign policies of a country, which need to be operationalized in line with the contextual realities. To show the logic of soft power, Nye gives the student and leadership programmes as good examples. He underlines that "research has consistently shown that exchange students return home with a more positive view of the country in which they studied and the people with whom they interacted" (2010:4). Building on these discussions, it is crucial to

mention the contemporary ones which revolve around the concept of "smart power" particularly by the US and Europe given their increasing investigation for regional powers to work with (Keyman and Sazak, 2012:7). Within this context the Secretary of State Hillary Clinton (2009)[7] elaborated on the concept of smart power as follows; "America cannot solve the most pressing problems on our own, and the world cannot solve them without America. We must use what has been called "smart power", the full range of tools at our disposal".

Nye on the other hand defined "smart power" as the "ability to combine hard and soft power into effective strategies"(2011 :23). Keyman and Sazak (2012:7) put particular focus on strategy and will defined by Nye as a precondition towards mobilization of resources and set of values for influencing the policy choices of other states.

Eclectic political economy approach considers both material and non-material dimensions of power and examines them within the international economic system (Kutlay and Dinçer, 2012:65-6). For Strange, (1988:25) the structural power refers "…to decide how things shall be done, the power to shape frameworks within which states relate to each other, relate to people, or relate to corporate enterprises."

Space-geography dimension of power brings us to the discussions related to "regional power". As underlined by Kutlay and Dinçer (2012:67), there is need for a space-geography dimension where states can project their power. The key parameters of being a regional power include; (a) claim to leadership, (b) having power resources, (c) acknowledgement of leadership and (d) have fruitful power projections based on hard and soft power instruments (Schirm in Kutlay and Dinçer, 2012:67).

For Adamson (2006:185), there are three main areas of state power namely; *economic, military and diplomatic* where migration has a direct impact. In terms of

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[7] http://www.theguardian.com/world/2009/jan/13/hillary-clinton-confirmation-hearing-senate (date of access 15.06.2015)

economic impact, Adamson (2006:186-7) emphasizes the critical human capital of migrants including migrant workers, remittances as well as students. Secondly, Adamson (2006:188) underlined the active involvement of migrants in serving for technical and intelligence needs. Finally, she emphasizes the diplomatic role of the migrants as cultural agents, ambassadors, lobby groups and key links with other states through their diaspora networks (2006:189). Based on this discussion, the next section will examine foreign policy and migration nexus in Turkish context by employing a constructivist reading of new policy frameworks.

2.2.Foreign Policy and Migration Nexus in 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 in observing the political implications of those conceptual frameworks. Tolay (2012a:119) proposes understanding of Turkey's impact in the region through different flows of capital, goods, people and ideas. Tolay (2012a:119) further asserts that; "The more dense, multiform, and multidirectional those flows are, the more central and indispensable Turkey becomes in its neighbourhood."

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 private sector partners 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 (Tolay, 2012a:119).

What is then new about Turkish foreign policy pertaining to international migration in 2000s compared to the traditional Turkish foreign policy of the 1990s? According to Kirişçi (2009), Turkey has become a trading state, which has been the defining factor of Turkish foreign policy primarily as of 2000s. Traditional Turkish foreign policy of the 1990s was characterized mainly by security considerations.

However, as of early 2000s, we see gradually more acknowledgement of trade relations getting mainstreamed within Turkey's foreign policy agenda. Kirişçi underlines (2009:48) that one characteristic of this trading state is the significant foreign trade growth constituting 42% of Turkey's GDP by 2007 compared to 9% in 1975.

Kirişçi (2009:50-1) also puts forward another aspect of the trading state, which revolves around increased volume of movement of people affecting the country. Despite the majority of people continued to come to Turkey from Western Europe during the course of 1990s, especially as of 2000s the number of people entering from Turkey's immediate neighbours and especially from the former Soviet Republics has increased significantly. Kirişçi[8] (2011) over a seminar at Harvard University underlined that; "it is crucial to underline that immigration interests impacting not only on Turkish foreign policy and Turkish economic relations with the neighbourhood but also impacting Turkey domestically and sociologically".

However, it is complementary to mention the recent speech titled "The rise and demise of the Turkish trading state; is there a way out?" delivered by Kirişçi over the fifth year of the Foreign Policy Forum of Bosphorus University and Turkish Industrialists and Businessmen Association (TÜSİAD) on 5th of March 2015 in Istanbul. Hürriyet Daily News correspondent Barçın Yinanç (2015) [9] reported that Kirişçi in his speech emphasized that Turkey's trade with Russia and Middle East has gradually decreased as of 2010 due to the conflict and chaos in its neighbourhood.

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, human rights as well as movement of people in Turkey's international

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[8] Kirişçi, K. "Turkey and its Neighborhood Foreign Policy", Seminar on Turkey in the Modern World, November 30,2011, Department of History, Harvard University.

[9]http://www.hurriyetdailynews.com/the-rise-and-demise-of-the-turkish-trading-state.aspx?PageID=238&NID=79756&NewsCatID=412

relations. We also witness the rising of cultural and Islamic values coupled with humane and democratic ones. It is valuable to assess the impact of this new rising trend on the migration policy making in Turkey. Within this framework it becomes crucial to ask what are the contemporary drivers and dynamics behind the contemporary immigration policy making in Turkey? What is the meaning of migration policy in Turkey? What role migration plays within the framework of foreign policy making? Where does immigration policy stand in Turkish foreign policy? What are the roots of the migration policy for Turkey and what does it cover?

Within this scope, putting the spotlight on the Turkish Foreign Policy in 2000s with its major challenges will contribute in structuring of this chapter before conducting a constructivist reading of the migration policy making in Turkish context.

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

Distribution of power is considered to be the main defining feature of international relations in realist way of thinking. Such a distribution with its major consequences manifested itself as the "bipolarity" (Waltz: 1979) during the Cold War between the Unites States and the Soviet Union. Wohlforth (2004:3) underlines that;

> The Cold War ended in significant measure owing to changes in the distribution of power namely the decline and fall of the Soviet Union. As a result of Soviet and Russian decline, a new unipolar distribution has emerged with new consequences for international politics in general and the transatlantic relationship in particular.

The dissolution of the Soviet Union and communist order also accelerated spreading of capitalism all over the globe via transformation of the world order into a unipolar one. As Markina (2004:157) states there were no clearly defined enemies anymore. The end of the Cold War has been the main global motive for increasing attention on the severe types of developmental differences. Globalization is a

contemporary phenomenon gradually experienced all around the world. Countries; however, 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 at diverse regional contexts have all called for re-visiting the concept of unipolarity in the contemporary structure of the international system.

Cantalapiedra (2010:6) underlines that "unipolarity-multipolarity complex" has been discussed around the concept of "complex polarity" (Huntington, 1999) following the Iraq crisis in international system. Cantalapiedra and González (2010: 132) assert four points in terms of the contemporary polarity discussions;

> First, there is a more anarchical international system with different parameters than those from the Cold War….In addition, the centre of world affairs has moved from the Atlantic to the Pacific…. Secondly, there is a different and asymmetrical distribution of power and capabilities at global level. A clear US military superiority (pre-eminence), and a group of great and regional powers, mainly the EU, Japan, China, India, Russia, Brazil, Iran and South Africa, some of them competing with the United States in economic terms and political influence, at the regional or global level. Third, there is a new concept of security, where the difference between internal security and foreign security has been blurred…A trend to the "privatization of war" exists, due to non-state groups and the creation of low-intensity conflict environments, but there is also rising classical competition among regional powers, creating a complex environment. And the fourth character of the international system, as a result of US policies and behaviour during the Bush administration, there is a weakened acceptance of the US role as a benign hegemon (weakened normative pre-eminence). The Obama administration still has to show its international leadership on these issues.

Those contemporary polarity discussions following the dissolution of the Soviet Union have played an active role in the evolution of Turkish Foreign Policy as of 1990s. Turkey with its strategic geopolitical position had to reassess its geostrategic role in the post-Cold War era.

Turkey, during the Cold War, as underlined by Oğuzlu (2007:85) was considered to be a part of the NATO rather than acknowledgement of its own security identity,

which led Turkey's image to be affected negatively in its region given the country's perception as an active supporter of the West.

Following the demise of USSR Turkish foreign policy preserved its traditional security-oriented nature, which the country had developed since the early republican era as well as all through the Cold War period building on its threat perceptions[10]. As underlined by Tür and Han (2011:9), those threat perceptions included mistrust with Western allies although Turkey has positioned herself with the Western bloc, the foreign policy anxiety driven by suspicions on division of Turkish territory by West as well as the threat perception of being surrounded by enemies have all contributed in mainstreaming of security issues within Turkish foreign policy making processes. Moreover, Tür and Han emphasize (2011:11) that, although the Soviet demise was the messenger of the end of threat perception by Soviet Union, it was immediately filled in by "new" actors of Iraq, Iran and Syria as well as the instabilities in the Balkans, the Caucasus and the Middle East as the considered threats to Turkey's national security. All these events have also resulted in not only questioning of Turkey by its Western partners from a security point of view but also securitized Turkey's relations with the West (Oğuzlu, 2007:85). When we recall the regional dynamics of that era, we see historical changes including the invasion of Kuwait by Iraq in 1990, First Gulf War in 1991 and suppression on the Iraqi Kurds by Saddam regime. They have all acted as a catalyst for Turkey's "new" threat perceptions that revolved around Kurdish separatism and empowerment of PKK by the above mentioned new actors of threat during 1990s. (Tür and Han, 2011:10-15)

As Rubin (2001:3) underlined as of 1990s, Turkey has become a more visible and active international player. In 1991 the Gulf War provided Turkey to play a central role in the Middle East. Crises in Balkans, particularly Bosnia and Kosovo made Turkey an influential actor in Balkans and South-eastern Europe. Furthermore, emergence of newly independent states of Turkic origin brought up some potential

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[10] See Karaosmanoğlu, 2000; Altunışık and Tür, 2005

for foreign policy making outside the scope of its traditional practices in the Caucasus and Central Asia. The number of Turkey's neighbours was doubled just after the Soviet demise. The 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. Kut (2001:5) underlines that traditional Turkish foreign policy had revolved around mainstream issues such as European Union membership, Turkish-Greek relations and Cyprus. However, this new foreign policy adjustment brought up a debate among policymakers and the Turkish public related to a new strategy, identity and set of goals.

Having mentioned Turkey's gradually emerging foreign policy adjustments around the issues of mainstream identity, strategy as well as the new set of goals, it was the Turgut Özal's approach of assertive foreign policy (Laçiner, 2009:155) as of 1989, which acted as a catalyst for structuration of the "new foreign policy". Within this scope, that vision of the era with its economy, open market, international cooperation driven nature was in need of new areas for self-assertion. The collapse of the Soviet Union followed by the establishment of independent Turkic states in Central Asia called for a potential role to be played by Turkey in terms of its common cultural heritage that was streamlined around the mainstream identity of *"Turkishness"*. As underlined by Aras (2008) in Tür and Han (2011:13) Turkey's self identification as a Eurasian country was also applauded by its Western allies given their hesitations on the replacement of the "power gap" by Iran in Central Asia. Therefore, emerging of Turkey as a potential actor in Central Asia and its close engagement with 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" which would serve for a *deja vu* at a later stage by mid-2000s and will be discussed in the following section. Given Turkey's declared vision as well as the support received from Western allies, to what extent such a vision has been realized is still a question.

When we recall the security oriented Turkish migration policy of 1990s, we observe a very parallel line of inquiry with the security-based perceptions of foreign policy. We see law enforcement including police and gendarmerie as directly assigned actors of migration field dealing with the migrants. Moreover, the early suitcase trading and circular migration from former Soviet Union countries in line with the economic growth and free market economy in Turkey were also observed over the same period. Besides the economy driven early migratory flows, Süleyman Demirel during his prime ministry in 1992 had a request by Ahiska Turks on their acceptance by Turkey over his visit to Central Asian Turkic Republics and Azerbaijan (Avşar and Tunçalp, 1995:49). Upon the enactment of Law for the Acceptance into Turkey and Resettlement of Ahiska Turks, No.3835[11] in 1992, in total 500 families, 150 in 1992 and 350 in 1993 were accepted by Turkey; majority of whom came from Kazakhstan, Kyrgyzstan, Russian Federation, Uzbekistan and Azerbaijan (Avşar and Tunçalp,1995:49). The aforementioned mainstream identity of *Turkishness* could be seen as the motivating factor for immediate acceptance of Ahiska Turks by Turkey in 1992 coupled with a legislative framework on settlement which has not shown itself in this manner for influx of Kurds during 1990s although Turkey opened its borders to 467.489[12] Iraqi people and provided humanitarian assistance after the Gulf Crises. Furthermore, Turkey with France and Iran approached UN Security Council expressing their concern about the protection needs of Iraqi people and as a result of those efforts UN Security Council Resolution 688[13] was adopted on 5 April 1991 and invited all member states as well as humanitarian organizations

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[11] 'The Law for the Acceptance into Turkey and Resettlement of Ahiska Turks', Law No: 3835, the legislation date: July 2, 1992, the date on which it appeared in the Official Gazette: July 11, 1992, Issue: 21281, Ankara.

[12]Directorate General on Migration Management, Retrieved on http://www.goc.gov.tr/icerik3/kitlesel-akinlar_409_558_559 (date of access 26.04.2015)

[13]http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/596/24/IMG/NR059624.pdf?OpenElement (date of access 26.04.2015)

to contribute to ending the repression and respecting the human rights of Iraqi people.

Turkey having previously accepted 51.542[14] Iraqi people after the Halabja chemical attack in Northern Iraq in 1988 as well as mass inflow of people with Turkish decent from Bulgaria as of 1989[15] had started to question how to respond to the emerging new influx from Iraq. Building on these challenges, President Turgut Özal proposed to establish a security zone within the territory of Iraq under the international guarantorship where the Iraqi people could be accommodated. Upon agreement by US and majority of the Western states a no-fly zone was established to protect humanitarian operations between 36th parallel, which is at the Northern Iraq and Turkish border (Avşar and Tunçalp, 1995:48).

Within this scope, 1990s was mainly the period for Turkey that witnessed the escalation of conflicts and wars in neighbouring countries, with a direct impact on the mass migratory movements towards Turkey initially from Iraq and then from Bosnia between 1992-1998 with 20.000 Bosnian and in 1999 with 17.746 Kosovar seeking asylum in Turkey[16].

Given this migratory snapshot, one can say that 1990s acted as the baseline for the contemporary nexus between migration and Turkish foreign policy from Central Asia towards Balkans as well as the Middle East. "Activism" in foreign policy and "multidimensional" foreign policy ; the concepts that were employed during 1990s (Çalış, 2001:7) have prepared the legitimate platform for the structuration of the parameters of the Turkish foreign policy and migration nexus of 2000s.

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[14] Directorate General on Migration Management, Retrieved on http://www.goc.gov.tr/icerik3/kitlesel-akinlar_409_558_559 (date of access 26.04.2015)

[15] See Doğanay, F. (1996), "Türkiye'ye Göçmen Olarak Gelenlerin Yerleşimi" DPT, YBM, Retrieved from ftp://ftp.dpt.gov.tr/pub/ekutup96, Ankara,. (date of access 26.04.2015)

[16] Directorate General on Migration Management, Retrieved on http://www.goc.gov.tr/icerik3/kitlesel-akinlar_409_558_559 (date of access 26.04.2015)

2.2.2. The "New" Turkish Foreign Policy and Migration Nexus as of 2000

While it took some time for Turkey to adjust her position within the conjuncture of the Post Cold War period, end of 1990s brought forward a historical shift in terms of mainstream threat perceptions. Those called for a desecuritization of Turkish foreign policy coupled with efforts of the new ruling party *Justice and Development Party-Adalet ve Kalkinma Partisi*, AKP in sidelining the impact of ruling elite namely military and traditional bureaucratic actors. (Tür and Han, 2011:7)

The traditional Turkish foreign policy was structured on two main building blocks while *Status* Quo aims at preservation of the established order within the existing borders, *Westernization* focuses on Western oriented foreign policy structuration (Oran, 2006:46-49). Particularly traditional actors of foreign policy making were not publicly available thus outcomes of Turkish foreign policy were considered to be the products of a higher structure with an isolated nature from all other political areas.[17] As of 1990s; however, streamlining of Turkish foreign policy with happenings at international and regional scales has constituted its main axis. It was also a period with increasing number and diversity of actors affecting the world order; developments in information and communication technologies as well as systemic changes have all contributed in self-adjustments of Turkish foreign policy. The concept of regional power has also gradually been used with reference to evaluation of Turkish foreign policy. Kut (2001:8) underlines the existence of confusion over Turkey's role of Post Cold War, exciting but blurred debates among politicians and public in terms of whether Turkey could fulfil its emerging roles.

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 that the role of NATO was questioned at both national and international scales. Furthermore, the impact of potential degradation in NATO's importance at global scale on Turkey was also debated. The

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[17] Information gathered from a roundtable on Turkish foreign policy followed Chatham House Rule on 05-08 March 2015.

second half of this first decade acted as an era where differences between Turkey's foreign policy rhetoric and practice became visible. It was a time that objectives and sources did not match. Early 2000s witnessed the establishment of the *Justice and Development Party-AKP, which* called for a nearly ten years of stabilization in decision making[18]. According to Tür and Han (2011:18) just in the aftermath of the deprivation of the traditional ruling elite, the newly established AKP filled in this power gap with its dynamic relations with the EU, which has led the accession negotiations to start as of 3rd of October 2005. The new elite of AKP paid particular effort to their relations with EU due to two reasons; "Firstly, they preferred a European-style foreign policy instead of the security-oriented one. Secondly, traditional ruling elites were sceptical as they believed that Turkish sovereignty would be weakened through the EU accession process".

Turkey's efficiency in dealing with the economic crisis, considerable growth in international trade, having an agreement with EU on a date for negotiations in 2004, acknowledgement of PKK as a terrorist organization by EU[19] and US[20] were some of the events that marked this period. However, we may consider 2010 as a point of time when the baseline of Turkish foreign policy has started to move towards a different direction.

Turkey with its geopolitical stance, economic growth, population and military power constitutes an important power zone, which has the potential to be transformed into different foreign policy instruments in severe thematic areas from

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[18] Information gathered from a roundtable on Turkish foreign policy followed Chatham House Rule on 05-08 March 2015.

[19] Council Decision (CFSP) 2015/521 of 26 March 2015 updating and amending the list of persons, groups and entities subject to Articles 2, 3 and 4 of Common Position 2001/931/CFSP on the application of specific measures to combat terrorism, and repealing Decision 2014/483/CFSP Retrieved on
http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:JOL_2015_082_R_0009&from=EN (date of access 01.06.2015)

[20] U.S. Department of State, Designated Foreign Terrorist Organizations, Retrieved on http://www.state.gov/j/ct/rls/other/des/123085.htm (date of access 01.06.2015)

security to migration. There are many discussions and studies on assessing Turkey's soft power or regional power potential in its regions (Such as Kutlay and Dinçer, 2012; Keyman and Sazak, 2012, Oğuzlu, 2007). Many of those studies seem to agree on Turkey's ambition and intention in becoming a regional power; however, in the contemporary world order the country requires to enhance its capacity in line with its desire to become a regional power.

Building on these discussions, 2000s have witnessed an important phase in Turkish foreign policy particularly following the establishment of the Justice and Development Party (AKP) in 2002. In this respect, above-mentioned dynamics have resulted in development and enhancement of concepts in Turkish foreign policy making such as pro-active diplomacy, multi-dimensional foreign policy and Turkey's power as soft, smart and regional (Davutoğlu, 2001) power following AKP's taking the lead as the ruling party as of 2002.

Keyman and Sazak (2012:1) suggest three conditions for a sovereign state to reach out their aimed foreign policy outcomes. "First, the global political environment ought to be conducive to the implementation of state's foreign policy. Second, the state must have the capacity to realize its goals. And third, it must have a strategy". Within this scope, Turkey's position and performance in executing its foreign policy need to be evaluated given its status as an EU candidate, member of European Council and NATO, a strategic partner of transatlantic alliance as well as having historical, cultural and economic relations with Middle East and North Africa by bearing in mind the uncertainty in its way to EU membership, the Arab Uprisings, lately the Syria Crisis, as well as conflict and fragility in the Middle East.

The contemporary Turkish foreign policy rhetoric employed by the governmental representatives has been coupled with solutions and alternatives as of 2000s. Keyman (2009:3-4) puts forward that;

> Turkey has been expected to initiate a proactive, multi-dimensional and constructive foreign policy in many areas, ranging from contributing to peace and stability in the Middle East, to playing an active role in countering "terrorism" and extremism, from becoming a new "energy hub" to acting as

one of the architects of "the inter-civilization dialogue initiative" aiming at producing a vision of the world, based on dialogue, tolerance and living together.

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. Özal with his vision to reassess and segregate domestic and foreign policy decisions had taken radical steps forward in his era (Walker,2009:394). As Brown emphasizes (2007:93) those radical steps included; "economic reform plans, European community membership initiatives, his definition of "trade" for American aid, relations with Greece, immediate recognition of the post-Soviet Republics, and his opening for cultural freedom for Kurds".

Late 1990s acted as the baseline for the contemporary concepts in Turkish foreign policy. To give an example "activism" in foreign policy, "multidimensional" foreign policy are the concepts that were employed during Özal era in early 1990s (Çalış, 2001:7) Given these discussions of 1980s and 1990s, one can say that they prepared the legitimate platform for the structuration of the parameters of the Turkish foreign policy in 2000s. AKP has acted as a catalyst for amalgamation of previously developed concepts to offer contemporary new frameworks of Turkish foreign policy. Walker (2009:394) asserts that; "as a result of its Islamic roots and Muslim outlook, AKP has focused on the unifying character of the Ottoman Empire and the Muslim values inherited by the Turkish Republic". Such a vision sought for opportunities to enhance multi-lateral and multi-sectoral affairs of Turkey with its neighbours. Here it is critical to emphasize the mainstream identity perception and discourse adopted during 2000s by AKP has revolved around Muslimhood, which was tried to be structured via Turkishness during 1990s towards the Central Asia following the collapse of the Soviet Union. Middle East following the so-called Arab Spring has re-emerged in Turkey's horizon as a promising region where the country could practice its re-emerged concepts of foreign policy such as soft power, trading state, and role model.

Within this scope, "Strategic Depth" theoretical framework developed by Prof. Dr. Ahmet Davutoğlu, Prime Minister of 62nd Government of Turkish Republic , has become one of the key building blocks for the contemporary Turkish foreign policy of 2000s. Davutoğlu in his prominent book *Strategic Depth: Turkey's International Position* published in 2001 analyses Turkey's geopolitical and historical position at international level. Further he asserts that geostrategic location and historical depth act as the determining factors in assessing the significance of a nation. Davutoğlu underlines Turkey's *strategic depth* by categorizing Turkey within the countries of "central powers". According to Grigoriadis (2010:4), Davutoğlu, by doing so, tries to avoid Turkey's stigmatization as a regional power just in Balkans or Middle East and advocates for Turkey's engagement with several regions via following a multidimensional foreign policy, which would pay back as a global strategic significance.

The "Strategic Depth" theoretical framework by Davutoğlu (2001) has a two fold strategic conditionality for Turkey's global vision. The first calls for stabilization in domestic affairs by dissolution of the Kurdish issue as well as bridging the gap between Islamist and secularist groups within the Turkish society. The latter revolves around the concept of "zero problem with neighbours". Such vision promoting Turkey's solving of the pending conflicts with its neighbours has been questioned and deeply criticized in line with the impacts of Arab Uprising and the Syrian Crisis on Turkey.

Davutoğlu[21] referring to those criticisms emphasized the essence of the "zero problem with neighbours" principle, which is the vision and effort towards a mentality shift from traditional mainstream threat perceptions towards actual and potential partnerships. Given this background, two types of issues emerge in the

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[21] Ahmet Davutoğlu, "Vision 2023:" Turkey Investor Conference, "The Road to 2023", organized by Goldman Sachs, London, 22 November .2011, Retrieved on http://www.mfa.gov.tr/speech-entitled-_vision-2023_-turkey_s-foreign-policy-objectives_-delivered-by-h_e_-ahmet-davutoglu_-minister-of-foreign-af.en.mfa, (date of access 27 April 2015)

light of the mentioned regional landscape. Those include; number of neighbours that Turkey is not good at relations and no diplomatic relations such as Syria, Egypt and Israel and there are some newly emerging neighbours in Northern Iraq and Northern Syria who are not states which need to be taken into account.

Having mentioned the commonly used foreign policy conceptions that revolved around soft power, particularly during the first decade of 21th Century in other words over the pre-Arab Spring, the period following the uprisings call for the question whether the concept of soft power has been consumed as a foreign policy capital in Turkish context. Turkey's active engagement with EU via alignment of the Acquis and reform process as well as the membership perspective were one of the key defining factors of the Europeanizing (Oğuzlu, 2010) foreign policy over this first decade. As underlined by Tür and Han (2011:20) the utilization of foreign policy tools experienced a considerable change through the Europeanizing of the foreign policy as diplomacy, dialogue, multilateralism and institutionalization have gradually replaced the mainstream foreign policy discourse that was dominated by actual or potential use of force. Özdamar, et. Al (2014:98) emphasizes Turkey's changing foreign policy role conceptions from 2002 to 2011 regarding the Middle East through a role theory analysis[22], which they describe 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.

In their study, Özdamar, et. al. (2014:102) 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",

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[22] For role theory and Turkish foreign policy nexus, see, Bülent, Aras, The New Geopolitics of Eurasia and Turkey's Position, Frank Cass, London, 2002; Bülent, Aras and Aylin, Görener, "National Role Conceptions and Foreign Policy Orientation: The Ideational Bases of the Justice and Development Party's Foreign Policy Activism in the Middle East", *Journal of Balkan and Near Eastern Studies*, Vol.12, No.1, 2010, p.73-93.

"defender of regional peace and stability", "regional subsystem collaborator", "good neighbour", "bridge across civilizations" and "trading state". However, the authors underline their observation of a solid decline in some of those concepts particularly "mediator", "defender of regional peace and stability", "regional subsystem collaborator", "good neighbour" and 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". Authors draw the attention of their audience particularly on the material requirements of such new conceptions, which diverge from the requirements of soft power.

Walker (2009:395) puts forward; "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". Building on its new vision in foreign policy making as well as the contemporary developments at both global and regional scales, Turkey would need to follow a multi-directional foreign policy while situating itself in the core and producing it own foreign policy tools for different thematic areas.

So, what is the essence of this snapshot of Turkish foreign policy as of 2000s in terms of migration policymaking processes of the country? 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 21st century? The following part of this chapter will try to put the spotlight on these questions via a constructivist framework.

2.2.3. Impact of Emerging Foreign Policy Concepts of 2000s on Turkish Migration Affairs

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 nation building process to an era of transnational

institutions. The diversity in migratory movements has also required the country to develop diverse policy response to the emerging needs of the national agenda. Since the establishment of the Turkish Republic, the period till 1950s could be categorized in line with Turkey's nation building process.

1960s development agenda was dominated by the emigration of Turkish nationals as "guest workers" to Western Europe particularly to Germany. Emigration of 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 6 million Turkish nationals living abroad. In line with the shift in foreign policy paradigms of Turkey, those nationals have been gradually considered as the agents of Turkish power in international community rather than being just agents of development. So, Turkish nationals abroad have gradually been 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. Establishment of the Prime Ministry Presidency for Turks Abroad and Related Communities in 2011 has also acted as an important catalyst for organization of Turkish diaspora. Besides the traditional migratory flows, diverse forms of immigration have also started to be debated in Turkish national agenda as of 1980s. Turkey being a traditional country of emigration as well as a transit has become one of the key countries of destination following the collapse of the Soviet Union and the conflicts in Middle East. Meera Sethi (2013:24), IOM Chief of Mission to Turkey asserts that;

> Turkey's geographical location, dynamic economy, complex strategic environment, and its efforts to integrate with the EU, make the country an increasingly attractive destination for many migrants. They include people needing international protection, seasonal workers, and highly qualified professionals, students, increasing numbers of unskilled irregular migrants as well as potential and actual trafficked individuals looking for a way into the thriving Turkish labour market. Today Turkey can be described as being a sending, transit and a destination country.

EU accession process, foreign policy and migration policy nexus, international cooperation on migration management, national security and border management, Syrian Crisis leading to nearly 2 million Syrians seeking for international protection in the country, national identity, citizenship, labour market, unemployment, social cohesion, protection of vulnerable groups, 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 prosperous borders of the European Union. This situation increases the strategic importance of Turkey for its European partners and prepares 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 comprehensive approach to migration management. Drafting of the primary and secondary legislation on migration and asylum and restructuring the normative and institutional framework relating to 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 Official Gazette on 11 April 2013, No: 28615 and has fully come into force as of 11th April 2014. The Law being the first of its kind primary legislation on migration offers substantial changes in the Turkish immigration and asylum system, as well as outlawing the existing Law on Residence and Travels of Foreigners in Turkey No: 5683. This Law has been a milestone endeavour impacting Turkish migration history.

With the enactment of the Law on Foreigners and International Protection in 2013, Turkey witnessed a landmark achievement for Turkish migration management

system through the establishment of the *Directorate General on Migration Management* under the Ministry of Interior, which has then become the leading actor of the Turkish migration policy.

There are several motivating factors preparing the basis for drafting of the *Law on Foreigners and International Protection.* As underlined by Açıkgöz and Arıner, (2014:4) these include;

> 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.

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. Tolay (2012a:133) underlines three developments 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".

Another dimension of migration in terms of its usage as a foreign policy tool lies under the increasing number of qualified foreigners including students visiting Turkey. As Nye (2004) elaborates that having foreign students and treatment of immigrants affect a state's reputation in addition to enhancing its soft power. There is a significant increase in the number of university students particularly from 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 nearly in forty countries. Additionally, Turkish Cooperation and Development Agency has also been very actively engaged in the execution of the "new" foreign policy concepts particularly in Middle East, North Africa and Central Asia.

Within this scope, today we are able to speak about the emerging migration policy paradigms in Turkey. Migration policy is gradually becoming a foreign policy tool for strengthening the power position of Turkey in its region as well as in the international arena from political, financial and cultural dimensions. Migration policy has also gradually become one of the public policy areas with its new actors such as re-organization of the Turkish Ministry of Foreign Affairs, Prime Ministry Office of Public Diplomacy, Yunus Emre Institute, Prime Ministry Presidency of Turks Living Abroad and Relative Communities as well as Prime Ministry Cooperation and Coordination Agency, getting engaged in national and international levels. This contemporary stance of Turkey locates the country at a very critical crossroads pertaining to international migration.

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. Such a multi-level socialization and efforts for institutionalization prepare the legitimate basis for new policy paradigms to be mainstreamed through migration that has the potential to offer a valid basis for contemporary foreign policy making processes of Turkey.

An academic member of University of Oxford explained this recent trend over an interview conducted on 09.11.2014 as follows;

> *Here it is also interesting to see the discipline of International Relations and policy making fails on the one hand in terms of international relations from above and international relations from bottom is rising through mobility of people.*

Within this scope, the mentioned failure of international relations from above to some extent is compensated by migration and the rise of migration through Turkey's open border policy, EU Accession process as well as spill over of people

due to conflict and fragility in Middle East since 2010 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. Despite all the political isolation, international migration has the potential to be one of the key determinants of the foreign policy agenda from local to global scales. Here are some examples of views by selected academics and governmental officials interviewed that justify the above gradually emerging foreign policy and migration nexus in Turkish context.

> *Foreign politics and migration have been discussed only recently in Turkey. International relations literature and discipline have been distant to the topic for a long time. International relations and migration have not come together before. Migration is gradually finding its place within the diplomacy of 21st Century. With the blow on international politics agenda by rapid migration flows the academic world needed to accord itself as well. The issue is now getting more important within the agenda of international politics. (A high level representative of Strategic Research Centre of the Ministry of Foreign Affairs, interview date 17.11.2014, Ankara)*

> *With the international relations getting more chaotic, practical difficulties emerge in discussing migration related topics as a sound international relations issue. However, in the process of improving relations I guess naturally migration will always be a significant item in the agenda of international relations discipline in developing the relations between the countries. (A former member of Policy Academy and High Council of Judges and Prosecutors, interview date 06.11.2014, Ankara).*

> *It is necessary to evaluate the approach of international relations to migration in Turkey in parallel with the development of the discipline in Turkey. International relations discipline has been overlooked from the theoretical framework of Morgenthau and E.H. Carr. In 1960s and 1970s migration studies mostly focused on the building of nation state, anthropological studies after population exchange and diasporas. 1991 Gulf Crisis, dissolution of USSR, establishment of MireKoç under Koç University at the onset of 2000s, decisions against Turkey rendered by ECHR mentioned in the reports of Human Rights Watch in 2008 triggered the migration policy drafting processes in Turkey. The material has changed but the academicians were late to realize the fact. (An academic member of Koç University, interview date 14.01.2015, İstanbul)*

Migration policy was the concern of international relations in Turkey to a major extent and the Syrians came to Turkey as a result of international relations of Turkey. If Turkey adopted a different policy possibly the Syrians would not come to Turkey. This does not mean that the policy has been wrong but it would not be wrong to say that the flux is the outcome of the policy.(An academic member of Abant İzzet Baysal University, Ankara, interview date 26.12.2014, Ankara)

CHAPTER III

3. EVOLUTION OF TURKISH IMMIGRATION POLICY

3.1.Historical Background on Migration Policy Making in Turkey

Migration has always been one of the issues of concern since the foundation of the Turkish Republic. When we recall Turkey's modernity efforts as well as the nation state building process, we see migration as one of the defining issues, which revolves around emigration of non-Muslim population from Turkey as well as immigration of Turkish descent Muslims from the neighbouring countries. (Erder, 2007:6, İçduygu, 2010:33, Toksöz, et.al. 2012:17). One of the key factors considered to be the most influential in terms of homogenizing Turkey's populations through the nation building process has carried out two main developments; (a) Armenian deportation in 1915 and (b) Exchange of Greek and Turkish Populations within the framework of Treaty of Lausanne in 1923 (İçduygu, 2014:54 and İçduygu and Aksel, 2013:170).

İçduygu and Aksel (2013:169-170) cluster migration patterns in Turkey under four key periods including; "(a) the two-way immigration and emigration circulation in the early periods of modern Turkey 1923-1950s; (b) the emigration boom since the 1950s; (c) the emergence of new migration patterns in the 1980s; and (d) the new forms of migration transition and its governance since the 2000s" (see Table 2).

Table 2:Selected Milestones in Turkish Immigration and Emigration Policy Since Early 20th Century

Two-way immigration and emigration circulation (1923-1950s)
The Treaty of Constantinople between the Ottoman Empire and the Kingdom of Bulgaria, facilitating reciprocal optional change of populations (1913)
Armenian deportation (1915)
Treaty of Lausanne (1923)
Foundation of Turkish Republic (1923)
Convention concerning the Exchange of Greek and Turkish Populations (1923)
Law 2510/1934 Settlement Act (1934)

Table 2 Continued

The migration boom after the 1950s Law 5682/1950 Passport Law Law 5683/1950 related to Residence and Travels of Foreign Subjects (1950) United Nations Convention relating to the Status of Refugees (1951) Greek emigration from Turkey (1955) Early suitcase traders from USSR (late 1950s) Turkey-West Germany labour recruitment agreement (1961) United Nations Protocol relating to the Status of Refugees (1967) Oil crisis and the halt of labour emigration to Europe (1973-1974)
The emergence of new migration patterns in the 1980s 1982 Constitution Soviet Union's invasion in Afghanistan and Afghan immigration The First Persian Gulf War between Iran and Iraq (1980-1988) The End of the Cold War and immigration from post-Soviet territories 1989 expulsion of Turks from Bulgaria (1989) Gulf War and mass immigration of Kurdish populations (1991) Regulation No. 6169/1994 on the Procedures and Principles related to Possible Population Movements and Aliens Arriving in Turkey either as Individuals or in Groups Wishing to Seek Asylum either from Turkey or Requesting Residence Permission in order to Seek Asylum From Another Country (1994) Law 4112/1995 Act on Amendments to Citizenship Law (1995) Helsinki European Council (1999)
New modes of migration transition and its governance since the 2000s Law on the Work Permit for Foreigners No. 4817 (2003) Turkish National Action Plan for Asylum and Migration (2005) Law 5543/2006 on Settlement (2006) Law 5901/2009 Turkish Citizenship Law (2009) The Presidency for Turks Abroad and Related Communities (2010) Syrian refugees migration (2012) Law 6458/2013 on Foreigners and International Protection (2013)

Source: İçduygu, A. and Aksel, D. B. (2013) "Turkish Migration Policies: A Critical Historical Retrospective", *Perceptions*, Autumn 2013, Volume XVIII, Number 3, p. 169-170

Following the establishment of the Republic of Turkey, the first migratory challenge that the young republic encountered was the exchange of populations with Turkish descent from the neighbouring countries. Within this context, the first legislative instrument regulating entry, settlement or asylum applications in Turkey; the Law on Settlement No: 2510 came into force in 1934. The Law besides regulating those details also provided the people of Turkish descent with the opportunity to be accepted as immigrants and refugees (İçduygu and Aksel, 2012:40). Kirişçi (2002) underlines that there has also been some practices not verifying such an approach of privileging people of Turkish descent in some cases such as Chechens' asylum claims which were not accepted in early 2000.

The Law on Settlement No: 2510 besides its provision of privileges for individuals with Turkish descent also acted as a catalyst for mainstreaming the definition of "*migrant*" that revolved around the criteria of belonging to Turkish descent and culture (Erder, 2007:7-8). So the seeds of the Turkish migration policy were spread building on a nationalist point of view that revolved around the mainstream identity of Turkishness.

1934 Law on Settlement No: 2510 was abolished by the new Law on Settlement No: 5543 which came into force in 2006. It is important to highlight that the Turkish descent centred definition and consideration of "migrant" were preserved by the Law on Settlement No: 5543, which was to some extent prepared in line with the EU Accession process. İçduygu (2014:55) underlines such a development as a proof of building as well as protection of the nation-state to be still considered to precede through a certain ethnical identity based approach even in early 2000s. Kirişçi (2001:4) reminds us the existence of some concerns related to potential spill over of people with Turkish origin, towards which authorities continued to preserve their tolerant approach out of political considerations. However, once the political considerations rise up, then reluctance of Turkish authorities in accepting some people even with Turkish descent became more visible such as Azeris, Ahiska Turks, Chechens and Uzbeks.

The period from 1950s till 1980 could be considered as the second phase of migration policy (Erdoğan et al. 2013:443; İçduygu, 2014:55, İçduygu and Aksel, 2013:169-170). Turkey having a migration policy of early Republican Era, which revolved around both nation-state building, and acceptance of immigrants with Turkish descent and culture, gradually engaged herself with the post Second World War order. The main legislative instruments regulating the entry and exit of foreigners in this phase can be listed as the 1928 Citizenship Law No: 1312, 1950 Passport Law No: 5682 and 1950 Law on Residence and Travels of Foreigners in Turkey No: 5683.

Emigration of Turkish migrant workers particularly to Germany has shaped up the main characteristic of this phase. The evolving labour market needs of the European countries to revitalize their economies following the Second World War prepared the legitimate basis for Turkey's signing of bilateral labour force agreements. Today Turkey has 12 bilateral labour force agreements[23] most of which dates back to 1960s, the period of emigration of Turkish *guest workers* to Western Europe. As underlined by Erdoğan et al.(2013:443) those labour force agreements were signed on a temporary rotation basis; however, the social reality resulted in a growing population of Turkish migrant workers, who then brought their families and settled in Germany and other European countries such as Belgium, the Netherlands and France due to their longer stay in line with the continued European labour market demands. The initial temporary nature of labour force agreements particularly with Germany has also led to emergence of significant anti-migrant host community approaches towards guest workers in the Western Europe. This was coupled with integration problems of Turkish guest workers, which are ironically still discussed in terms of second and even third generation of Turkish *"immigrants"* to Europe most of whom were born in Germany and acquired German citizenship.[24]

On Turkey's side bilateral labour force agreements were considered to be promising tools for development agenda of the country. Even the issue of Turkish migrant

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[23] Turkey has labor force agreements with the following countries: Germany, Australia, Austria, Belgium, France, Netherlands, Turkish Republic of Northern Cyprus, Quatar, Libya, Jordan, Azerbaijan, Kuwait. Turkey has cooperation agreements with the following countries: Azerbaijan. Bahrain, Iran, Montenegro, Kazakhstan, Kyrgyzstan, Macedonia, Egpyt, Mongolia, Romania, Russia, Serbia, Syria, Tajikistan. Source: Ministry of Labour and Social Security, Directorate General on External Relations and Services for Workers Abroad Retrieved from http://www.csgb.gov.tr/csgbPortal/diyih.portal?page=yv&id=2 (date of access 28.04.2015)

[24] "Turkey's relations with EU in terms of migration dates back to very early times when the official relations between the two sides started through signing of the Ankara Agreement in 1963. Article 12 of the Agreement clearly defines that "Contracting Parties agree to be guided by Articles 48, 49 and 50 of the Treaty establishing the Community for the purpose of progressively securing freedom of movement for workers between them." Also through Article 36 of the Additional Protocol it is stated that "Freedom of movement for workers between Member States of the Community and Turkey shall be secured by progressive stages in accordance with the principles set out in Article 12 of the Agreement of Association between the end of the twelfth and twenty-second year after the entry into force of that Agreement". However, due to the justification that the necessary conditions for free movement of workers were not in place so Turkey's application for membership in 1987 was declared to be not accepted by 1989". İçduygu, et. al. (2014:269)

workers abroad was included in the Five-Year National Development Plans which had the vision of sending Turkish labour force to developed industrial countries to develop their skills and expect their return to their homeland as active agents of Turkey's development agenda; reducing the economic pressure caused by unemployment as well as balancing the payments by increased remittances. (İçduygu, (2014:57). Labour emigration had been considered by the Turkish state as an important factor for "economic development" and "fighting unemployment". Remittances were also considered as important input for Turkey's economy, especially in the 1960s and 70s. However, Escobar et al. (2006) underline the importance of remittances for Turkey emphasizing that they were not efficiently managed, giving reference to various studies (Paine, 1974; Penninx, 1982). Escobar et al. (2006)[25] explain the reasons preventing the expected outcomes to be achieved through remittances as follows;

> There are several reasons, including the fact that some migrants did not return to their areas of origin, but the major theme of studies was that remittances and returns alone were not sufficient to spur development. Instead, there was widespread criticism of migrants using remittances to bid up the price of farm land or to buy gold or a car or truck rather than pooling their savings to create the factory jobs desired by the government.

Besides those limitations, several attempts were also made to establish jobs through Turkish emigrants founding shareholder companies in Turkey, thus guaranteeing a workplace upon their return. Most of these attempts actually failed, mainly because of a lack in professional management and a lack of feasibility studies (Abadan-Unat, 1986:358). This visionary approach although having significant social and labour market integration challenges for Turkish migrants abroad could be considered as an evidence proving Turkey's approach towards mainstreaming migration into development (İçduygu,2014), which is increasingly discussed in the contemporary migration policy debates and prepares the legitimate basis for re-visiting the trend of developmentalization with a focus on immigration policy

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[25] Escobar et al. (2006) Summary Report, Migration and Development: Mexico and Turkey Report, February 19-21, 2006 Retrieved on https://migration.ucdavis.edu/rs/more.php?id=175_0_2_0 (date of access 03.04.2015)

making rather than traditional emigration driven one of post Second World War period. Within this scope, Figure 1 illustrates the fluctuations and interrelations among immigration, emigration and GDP for Turkey over the years.
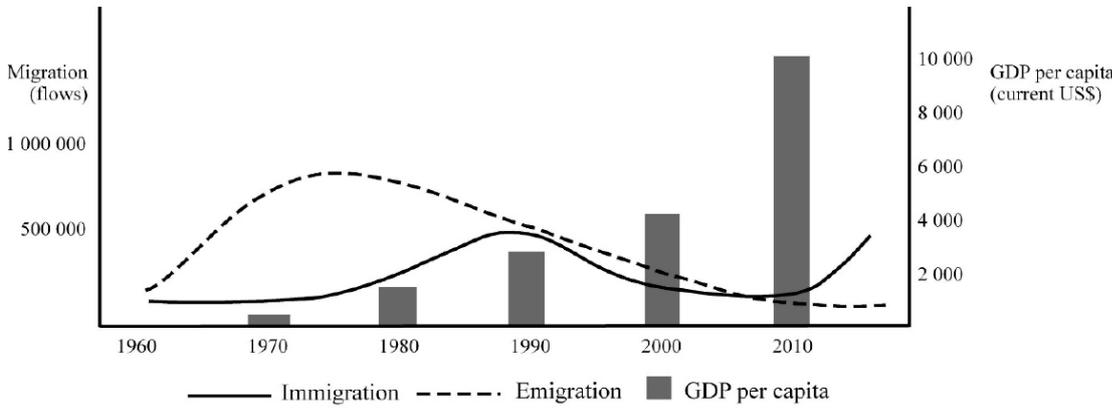
Figure 1: Classical (Labour) Migration Transition in Turkey, 1923-2013

Source: İçduygu, A. (2014) Turkey's Migration Transition and its Implications for the Euro-Turkish Transnational Space, GTE Working Paper, (Istituto Affari Internazionali) No. 07 p.10. Retrieved from http://www.iai.it/pdf/GTE/GTE_WP_07.pdf (date of access 03.03.2015)

The 1960s have also witnessed emergence of asylum related policy debate in Turkish migration context. As underlined by Acer, et.al. (2010:71), principally all states have the right to determine the conditions pertaining to acceptance of non-nationals. This would include entry, stay, exit, expulsion, work, asylum, integration as well as citizenship. All these points are considered to be the rights of a state that stem from the national sovereignty principle. However, some asylum related international responsibility areas confine this right of determination. While some of those restrictions to the national sovereignty are based on the international customary law such as complying with the *non-refoulement* principle[26], the other

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[26] UN High Commissioner for Refugees (UNHCR), Note on the Principle of Non-Refoulement, November 1997, Retrieved on http://www.refworld.org/docid/438c6d972.html (Date of access 28 April 2015). "The principle of "refoulement" was officially institutionalized in Article 33 of the 1951 Convention Relating to the Status of Refugees and is also preserved in the 1967 Protocol Relating to the Status of Refugees. Article 33 of the 1951 Convention Relating to the Status of Refugees includes two paragraphs that define the prohibition of the expulsion or return of a refugee: 1. No Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion. 2. The benefit of the present

part evolves from the conventions. 1951 United Nations Convention Relating to the Status of Refugees as called Geneva Convention has been the main instrument of the international migration law in this field.

Turkey signed the 1951 Geneva Convention in 1961 as well as the 1967 United Nations Protocol Relating to the Status of Refugees (New York Protocol) in 1968. When we recall the political climate of the period when Turkey signed both the 1951 Geneva Convention in 1961 as well as the 1967 the New York Protocol in 1968, we see Turkey had avoided being involved in the World War II and tried to adjust her position in the West within the post war conjuncture. In overall terms, we see a foreign policy vision driven by traditional security oriented threat perceptions, which defined Turkey's approach towards migration and asylum. Turkey's efforts to align herself with the 1951 Geneva Convention can also be considered as her efforts for integration into the international community.

Here it is complementary to provide the highlights of Turkey's vision in terms of implementation of both the Geneva Convention and the New York Protocol. Turkey by introducing time and geographical reservations had confined the implementation framework of those instruments on her behalf. This implementation framework had the ambition for covering only the pre-1951 era and the vision of accepting asylum applications of only the nationals from European countries. The overall mindset of Turkey up to date advocates that rights to be provided for refugees cannot go beyond the ones provided for Turkish nationals. Turkey through the signing of New York Protocol in 1968 has abolished the time reservation by keeping the geographical one up to date, which is still a topic of discussion in terms of Turkey's EU accession process. In actual terms, non-European individuals cannot be given refugee status by Turkish authorities and Turkey provides them with other

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provision may not, however, be claimed by a refugee whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of that country".

assistance in line with international human rights instruments that Turkey is a party to[27].

Through the deferral of migration into Europe as of 1970s, Turkey has also witnessed migration of its nationals to Australia with the purpose of settlement and to Middle East and North Africa including wealthy Arab countries like Libya, Qatar and Jordan for employment purposes through their recruitment by Turkish companies particularly in the construction sector (İçduygu, 2014:57; Toksöz et. al. 2012: 43).

1980s have acted as the starting point for Turkey's evolving position in terms of getting affected by diverse migratory movements as well as multiple social consequences resulting from them. As of 1980s due to the globalization and regional events such as Soviet Union's invasion of Afghanistan from 1979 to 1989, the First Persian Gulf War between Iran and Iraq between 1980 and 1988, the end of the Cold War as well as expulsion of Turks from Bulgaria in 1989, Turkey has gradually become a country attracting "foreigners" who are neither of Turkish descent nor Muslim (İçduygu, 2014:58).

Those times witnessed not only a country with its labour migrants and their extended family members settled in several countries of Europe resulting in a gradual emergence of Turkish diaspora although with limited level of organization, but also a country attracting immigrants with diverse descents other than Turkish origin and Muslim background. Here it is important to underline that the mentioned "*new inflows*" have been called as "*foreigners*" rather than "*migrants*" given the

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[27] International Covenant on Economic Social and Cultural Rights; International Covenant on Civil and Political Rights; Optional Protocol to the International Covenant on Civil and Political Rights; International Convention on the Elimination of All Forms of Racial Discrimination; Convention on the Elimination of All Forms of Discrimination against Women; Optional Protocol to the Convention on the Elimination of Discrimination against Women; United Nations Convention against Transnational Organized Crime; Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime Preamble, supplementing the United Nations Convention against Transnational Organized Crime; Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime.

early republican public policy discourse that considered migrants as the individuals with Turkish descent and culture. As underlined by İçduygu and Aksel (2013:176); "Beginning with the first Turgut Özal government (1983-1987), the government began paying special attention to the politicisation of the Turkish communities abroad, which was in line with the revised Turkish foreign policy objectives". In this sense, 1980s have also significant impact in terms of emergence of new paradigms in the migration policy-making processes of Turkey, which would survive till 2000s. As underlined by Kirişçi (2003) Turkey during 1980s have started to be identical to not only a traditional country of emigration but also a country of immigration.

While speaking of 1980s and Turkish migration policy, it would be complementary to mention the trend of urbanization and internal migration in the country particularly from 1950 till the end of 1980s. The internal migration of the mentioned period particularly revolved around rural-urban, urban-urban, east-west, north-west and north-south patterns. While having 25% as urban population ratio in 1950s, this number increased to 31,9% in 1960s (Işık, 2005:58-60) and as of 1980s two out of every three individual were living in urban areas (İçduygu and Sirkeci, 1999:251). According to İçduygu (2014:59), the mentioned urbanization on one hand could be considered as emergence of new homogenization strata in social terms and paradoxically it also stimulates a heterogeneity, which would potentially irritate the nation-building process in Turkey.

Since the end of 1980s and early 1990s, Turkey has started to get affected by new flows of immigration from the newly independent states following the collapse of the Soviet Union. Development disparities, legacy of Soviet heritage as well as relations with Moscow have framed the reasons for the former Soviet countries' engagement with the global markets. The beginning of 1990s witnessed a new era regarding the definition of international migrants. While international migratory movements were mainly characterized by flows driven by economic and employment purposes during 1960s and 1970s, since 1990s concepts of refugees, asylum seekers, internally displaced people as well as irregular migrants have

gradually been used and included in the migration literature both at global and national scales. Parallel to those developments, the collapse of the Soviet Union has been the motivating factor for potential and actual increase in cross border problems through its new international borders. Furthermore, nation-building processes in the newly independent states of the region prepared the legitimate background for potential and actual displacement of populations over the region.

As stated by Mansoor and Quillin (2007:24) those migratory trends happened over a broad biaxial pattern including; (a) one axis from the western part of the region to the European Union and (b) another axis from the southern to the northern countries of the Commonwealth of Independent States (CIS). Within this framework, besides Turkey, EU has emerged as a potential destination of people from CIS looking for better living conditions and employment opportunities.

According to Erdogan et al (2013:444), the most influential event of this phase has been the increasing awareness on the consequences of migration flows, including the ones till 1973 and the new migration trends as of 1980s that have revolved around a large-scale settlement as well as changes in ethnic communities. Moreover, Iranian Revolution, political instability in Middle East, collapse of the Soviet Union, Gulf Crises, its geo-political and geo-strategic position between east and west have all carried Turkey to a crossroads of contemporary migratory movements, which has gradually served for Turkey's becoming a country of destination, origin, transit as well as a *de facto* country of first asylum (İçduygu and Keyman, 2000:385).

In the light of those events, Turkey had accepted Iraqi people after the Halabja chemical attack in Northern Iraq in 1988, mass inflow of people with Turkish decent from Bulgaria as of 1989 as well as another Iraqi influx following the Gulf Crisis of 1991.

Over this escalation process, it was the enactment of *1994 Regulation on Asylum*[28]*,* which acted as a historical move forward in the history of Turkey's migration policy that called for new set of policies and practices in terms of immigration and asylum. This was also called as Turkey's "temporary" protection mechanism (Soykan, 2012:39 In line with the 1951 Geneva Convention relating to the Status of Refugees and the Protocol of 31 January 1967 relating to the Status of Refugees, this milestone achievement in Turkish migration policy was developed as a reaction and a policy response to the mass influx of Iraqi nationals within the political climate in the aftermath of the 1991 Gulf Crisis. The vast part of the regulation defined the practices to be followed in case of a mass influx of foreigners to Turkey focusing on establishment of safe heavens in order to avoid entry of those people into Turkish territories with a rigid security focus. We see Department of Foreigners, Border and Asylum of the Directorate General of Security of the Ministry of Interior as the main responsible governmental actor for the implementation of the regulation, which reinforced the traditional security based approach to migration. 1994 Regulation on Asylum is not a classical refugee protection document though temporary protection philosophy lies behind the whole document. Particularly, the regulation aims at finding a temporary solution for the situation of asylum seekers at Turkish borders. So, we can say that it was the initial point of time that Turkey's international protection regime started to evolve.

İçduygu and Aksel (2012:40) remind that 1994 Regulation on Asylum was also criticized both at national and international levels as it called for potential violations

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[28] The 1994 Regulation on Procedures and Principles related to Mass Influx and Foreigners Arriving in Turkey either as Individuals or in Groups wishing to Seek Asylum either from Turkey or Requesting Residence Permits with the Intention of Seeking Asylum from a Third Country, No: 94/6169, the *Official Gazette,* No. 22127, 30 November, 1994. Retrieved from http://www.refworld.org/docid/49746cc62.html (date of access 29 April 2015). The Regulation required both non-European and European asylum seekers' application for a residence permit to the Department of Foreigners, Borders and Asylum under the General Directorate of Security of the Ministry of Interior. Moreover, given Turkey's geographical reservation to the Geneva Convention, the non-European applicants were also required to register with the police as well as comply with a reporting duty to qualify for a potential resettlement to third countries (particularly USA, Canada, Australia, Norway) through the procedures of UNHCR.

of the principle of *non-refoulement*. While the 1994 Regulation called for the first steps towards an international protection regime, the national agenda priorities gradually shifted from asylum to international migration particularly irregular migration as well as alignment of Turkey's migration policy with international norms and standards as of 1994.

3.2. Turkish Migration Policy of 2000s

As of 2000s, we see international migration gradually dominating the national agenda coupled with increasing migration debates of higher politics İçduygu and Aksel (2012:41-42) assert that;

"It is possible to argue that the mentioned transformation of immigration and asylum policies and practices in Turkey, which occurs as a product of Europeanization, particularly since the early 2000s, is a process that would lead to a new type of "migration and asylum management" which is neither fully identical to the modern European model nor totally the same as the conventional understanding of migration and asylum issue in Turkey".

The process between 2000 and 2010 acted as a platform where the milestones, administrative and legislative infrastructure of Turkey's migration policy were prepared. It was mainly an endogenous process besides the requirements of EU accession. Increasing ownership of governmental and non-governmental institutions over the issue of migration has evolved in Turkish national agenda parallel to the EU accession process through the Europeanizing[29] foreign policy over this first decade. The core three factors having a direct impact on this process could be listed as; (a) geo-political outcomes that the globalization has put forward such as suitcase trading, transit migrants, immigration of people with Turkish descent from Balkan Region, migratory movements in the aftermath of the demise

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[29] See, Oğuzlu, T. (2010-11) "Turkey and the Europeanization of Foreign Policy?", Political Science Quarterly, Vol. 125, No.4, p.657-83.

of the Soviet Union; (b) institutionalization needs of the Turkish migration policy identified as one of the priority areas of EU accession process. Alignment of Turkish migration policy could be considered as one of the core areas where the vast majority of Turkey's efforts have been put forward and it is an area where Turkey has been experiencing politicization as well as externalization of her international migration regime through "Europeanization beyond Europe" (Schimmelfennig, 2012); (c) as a result of the post 9/11 while the EU migration policy has had a security oriented discourse having some elements of anti-immigrant sentiment coupled with Islamofobia, Turkey has continued to develop a migration discourse building on human rights and tolerance. This tolerance centric discourse of Turkish migration policy has been interpreted by some academics[30] as a potential bargaining power, negotiation tool and even a nation-branding effort to be instrumentalized through Turkey's negotiations with EU. The first decade of 2000s also marked a flirting period with EU calling for many reforms in the areas of justice, security, human rights as well as freedom. Besides having this dynamic period full of reforms, Turkey followed a rather passive mode of dialogue with EU through putting her efforts into aligning herself with the requirements as set by the EU.

However, particularly post-2010 period, besides institutionalization efforts of the prepared infrastructure in the first decade, has also brought forward exogenous factors such as huge influx from Syria, Kobane, Mosul and Aleppo, having direct impact on migration policy making in Turkey via calling for immediate policy responses for emerging needs of the fleeing people into the Turkish territories. As of 2010, we see more proactive foreign policy requiring migration policy of the similar nature. The post-2010 Turkish migration policy puts majority of her efforts into management of those migratory movements from Middle East as well as their

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[30] See, İçduygu, A. and Aksel, D. B. (2014) "Two-to-Tango in Migration Diplomacy: Negotiating Readmission Agreement between the EU and Turkey", European Journal of Migration and Law, No.16, p.337-363.

socio economic results in Turkey. Such developments have also played an anchor role for carrying the migration issues to the high politics agenda of the country with domestic, regional and global impacts.

3.2.1. Diversity in Migratory Flows

Turkey has been hosting growing numbers of immigrants with diverse profiles since the 2000s not only due to the regional events pushing people from Middle East and North Africa to seek better livelihood in Turkey but also because of Turkey's economic growth, climate, labour markets opportunities have also continued to attract foreigners with diverse drivers of migration coming to Turkey. It is important to note that these immigrant groups having a heterogeneous nature include transit migrants, irregular workers, professionals, workers, students, pensioners, asylum seekers as well as refugees. Ministry of Interior, Directorate General on Migration Management (DGMM) statistics show an increasing trend in the number of foreigners entering to Turkey. As indicated in Figure 2 while the number of foreigners entering to Turkey was 26.623.911 in 2010, this number had a nearly 30 per cent increase with 35.115.789 foreigners in 2014.

	Exiting from Turkey	Entering into Turkey	TOTAL
2010	26.448.422	26.623.911	53.072.333
2013	32.639.760	32.865.309	65.505.069
2014	34.780.393	35.115.789	69.896.182
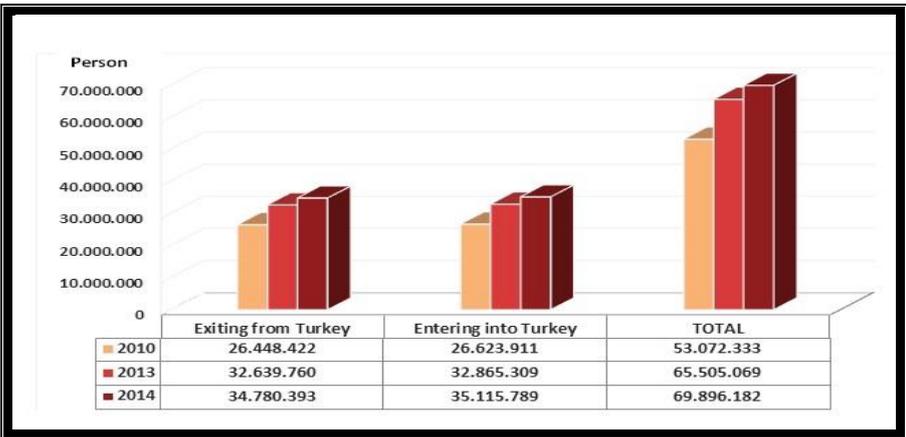
Figure 2:Entry and Exit

Source: Directorate General on Migration Management, Retrieved from
http://www.goc.gov.tr/icerik6/entry---exit_915_1024_4744_icerik (Date of access: 29.04.2015)

The nationality breakdown of foreigners entering to Turkey with the majority of entries from Germany, Russia and United Kingdom reminds us the need for a comprehensive and multidimensional evaluation of migratory flows including both the registered and non-registered ones in order to get the whole picture.
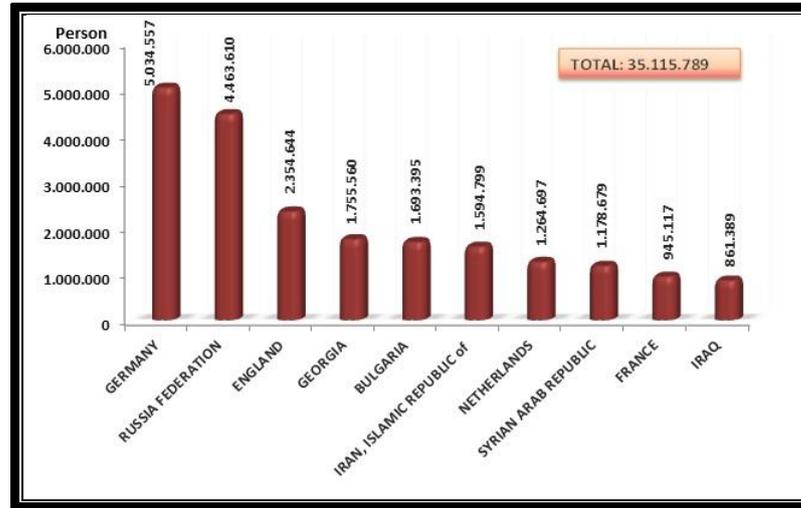
Figure 3:Nationality Breakdown of Foreigners Entered to Turkey in 2014

Source: Directorate General on Migration Management, Retrieved from
http://www.goc.gov.tr/icerik6/entry---exit_915_1024_4744_icerik (Date of access: 29.04.2015)

Above mentioned factors contribute to the transformation of Turkey from a country of emigration into an immigration society. According to İçduygu (2009:8), economic, political and security problems emerging in neighbouring countries can be considered as the main drivers for people to migrate to Turkey. Besides the immigration flows from its neighbouring countries, Turkey has also started to attract increasing numbers of immigrants from Western Europe.

İçduygu and Sert (2009:3) have identified three main reasons underlying this recent inflow by Europeans to Turkey. Firstly, Turkey has become a more desirable place for immigrants due to its economic liberalisation policies and harmonisation with globalisation processes. Secondly, since the mid 1980s, Turkey has turned out to be an attractive vacation centre for tourists from Western Europe, who later continued to stay for longer periods. Thirdly, the initiation of the accession negotiations with

the EU has motivated those EU nationals to consider Turkey for long-term residency. Kaiser (2003:269) also mentions three factors that motivate EU nationals to immigrate to Turkey. Firstly; Turkey's political and economic openness since the 1980s has made the country a more attractive place of destination. As of 1990s, this development led to Turkey becoming an even more popular holiday destination for EU citizens. Many immigrants from the EU, who live in Turkey express that spending a holiday in the country was an important factor in their decision to immigrate to Turkey. Secondly, Turkey's EU accession process is also an important driver. This has created a number of additional incentives for EU nationals to settle in Turkey and has also positively changed their perceptions of the reliability of Turkey for investments as a future EU country. The third factor that shapes the inflow of immigrants to Turkey is the immigration of EU nationals with Turkish origin. Today, there are more than 5 million Turkish community living abroad and nearly 4 million of those Turkish nationals or EU nationals of Turkish origin living in the Western European countries[31]. We may also interpret the considerable number of EU nationals from Europe particularly from Germany in line with the fact that Germany is the main country hosting the majority of immigrants with Turkish origin. There is no available data on the ethnic distribution of those non-nationals, which limits our analysis.

Given the increasing visibility of people with diverse nationalities particularly from Middle East and North Africa, the data as shown in Figure 2 would not be enough in explaining the overall picture of migratory flows to Turkey. Within this scope, this study will offer a complementary framework to evaluate the contemporary

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31 Turkish community living abroad amounts to more than 5 million people, around 4 million of which live in Western European countries, 300.000 in Northern America, 200.000 in the Middle East and 150.000 in Australia. Retrieved from http://www.mfa.gov.tr/the-expatriate-turkish-citizens.en.mfa (Date of access 08.03.2015)

migratory movements affecting Turkey under two main categories namely the regular[32] and irregular migration[33].

3.2.1.1.Regular Migration to Turkey

Regular migration of foreigners with diverse profiles be it nationality or the motivation of their migration decision consist one side of the migratory movements affecting Turkey. The main characteristic of those regular migrations is that they take place within legally defined and authorized processes. It is important to note that these regular immigrants include foreigners, who enter into and stay in Turkey on legal basis with the main purposes of work or study as well as being the family members of those, who have work or residence permit in Turkey.

To this end, Turkey under the coordination of Ministry of Interior continued to issue residence permits for foreigners on grounds of "employment", "education" and "other". The category of "other" includes residence permits issued for various reasons including family reunification and international protection. International protection related residence permits are mainly issued for people from Iran, Iraq, Afghanistan and for sure lately Syria. Based on the data provided by DGMM, Ministry of Interior issued 1.431.613 residence permits for foreigners from 2010 to 2014 with an escalating trend. In terms of Syria nationals, Figure 4 shows that 31.715 individuals were provided with residence permit in 2014. For sure only this data would not be enough in understanding the situation of Syrians in Turkey given

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[32] IOM (2011:54) defines regular migration as; "the migration that occurs through recognized, authorized channels".

[33]Irregular migration defined by IOM (2011:54) "as the movement that takes place outside the regulatory norms of the sending, transit and receiving countries. There is no clear or universally accepted definition of irregular migration. From the perspective of destination countries it is entry, stay or work in a country without the necessary authorization or documents required under immigration regulations. From the perspective of the sending country, the irregularity is for example seen in cases in which a person crosses an international boundary without a valid passport or travel document or does not fulfill the administrative requirements for leaving the country. There is, however, a tendency to restrict the use of the term "illegal migration" to cases of smuggling of migrants and trafficking in persons".

the "Temporary Protection Regulation" issued by the Council of Ministers of the Republic of Turkey on 22 October 2014, which provided the opportunity for Syrians to get registered and reach out to social services in line with the Article 91 of the Law on Foreigners and International Protection. Therefore, the profile and political dynamics lying behind the Syrians' spill over will be evaluated under Chapter V.
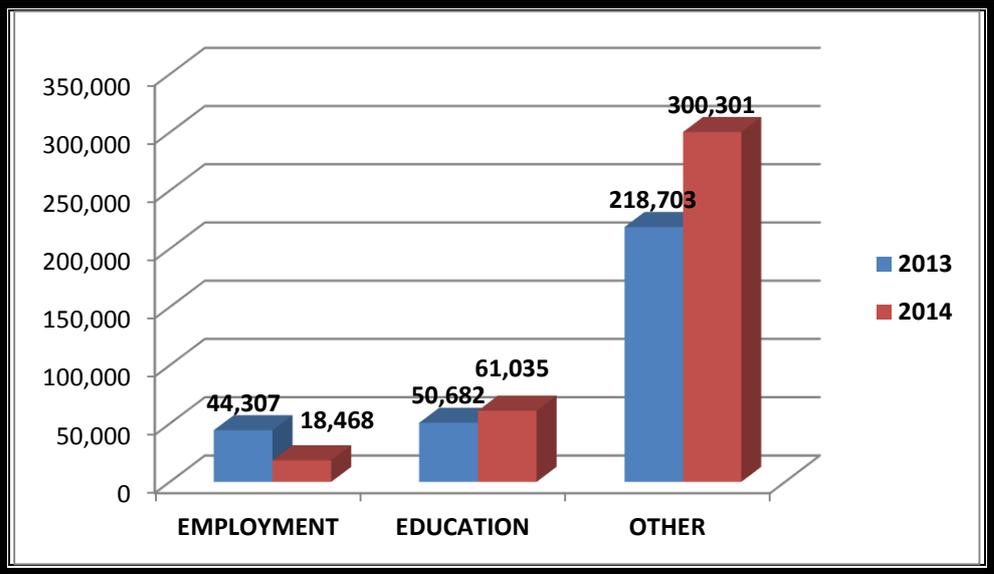
Figure 4:Types of Residence Permits Issued for Foreigners in Turkey 2010-2014

Source: Directorate General on Migration Management, Retrieved from http://www.goc.gov.tr/icerik6/residence-permits_915_1024_4745_icerik (date of access29.04.2015)

We also see that the majority of the residence permits were issued under the category of "other" since 2013, which is the year that the Law on Foreigners and International Protection No. 6458 came into force. Here it is complementary to underline the recently changed structure on the issuance of residence permit for work permit holders. Article 27[34] of the Law on Foreigners and International

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[34] Article 27 of the Law on Foreigners and International Protection – (1) A valid work permit as well as Work Permit Exemption Confirmation Document issued pursuant to Article 10 of the Law on Work Permits of Foreigners, № 4817 of 27/02/2003, shall be considered a residence permit. Pursuant to the Law on Fees, № 492 of 02/07/1964, a residence permit fee equivalent to the duration of their

Protection makes acceptance and consideration of work permits as residence permit by the authorities and that diminishes bureaucratic procedures for the sake of the regular migrants, who needed to apply for both residence and work permit before the Law.

Table 3:Number of Residence Permits Issued for Foreigners in Turkey 2010-2014

TURKEY	2010	2011	2012	2013	2014
TOTAL	182.301	234.268	321.548	313.692	379.804

Source: Directorate General on Migration Management, Retrieved from http://www.goc.gov.tr/icerik6/residence-permits_915_1024_4745_icerik (Date of access 29.04.2015)
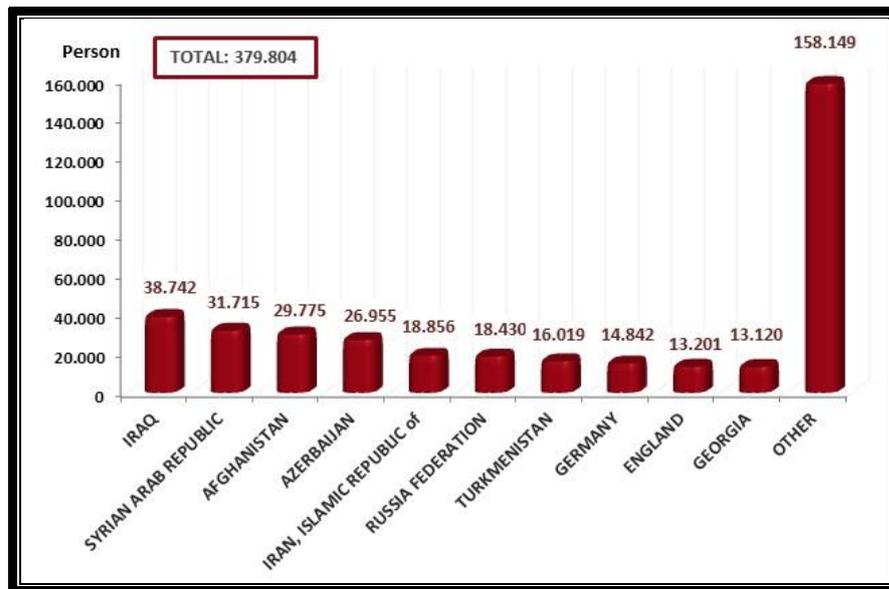
Figure 5:Residence Permits Granted for Foreigners in 2014 – Top 10 Nationalities in Turkey

Source: Directorate General on Migration Management, Retrieved from http://www.goc.gov.tr/icerik6/residence-permits_915_1024_4745_icerik (Date of access 29.04.2015)

work permit shall be collected from Part Two Foreigners 37 foreigners granted a work permit or Work Permit Exemption Confirmation Document. (2) The foreigner should not fall within the scope of Article 7 in order for a work permit to be issued or renewed.

Given the regular work permit holders do not require to get residence permit for themselves but for their family members, the Figure 4 with its common countries with Figure 5 *Work Permits Granted for Foreigners in 2014 – Top 20 Nationalities in Turkey* makes the interpretation of; "There is a considerable number of foreigners who enter to Turkey with employment purposes and holding work permits may have brought their family members who were issued the with residence permits in 2014" possible. Within this scope, Figure 6 and Table 4 give us the nationality and number of work permits issued by Ministry of Labour and Social Security in line with the Law on Work Permits for Foreigners No.4817 as a complementary input. 52.304 foreigners were provided with work permit in 2014 of whom 31.303 were women and 21.001 were men.

Yıl Year	Çalışma izin sayısı Number of work permit					Toplam Total
	Kadın Female		Erkek Male			
	Sayı Number	%	Sayı Number	%		
2004	3.013	41,3	4.289	58,7		7.302
2005	3.541	37,5	5.897	62,5		9.438
2006	4.033	38,0	6.570	62,0		10.603
2007	3.264	36,6	5.666	63,4		8.930
2008	4.054	37,9	6.651	62,1		10.705
2009	5.058	36,1	8.965	63,9		14.023
2010	5.704	40,2	8.497	59,8		14.201
2011	8.396	48,1	9.071	51,9		17.467
2012	19.550	60,6	12.727	39,4		32.277
2013	28.408	62,0	17.426	38,0		45.834
2014	31.303	59,8	21.001	40,2		52.304

Figure 6:Distribution of Work Permits Granted for Foreigners by Year and Sex

Source: Directorate General on Labour, Ministry of Labour and Social Security, Retrieved from http://www.csgb.gov.tr/csgbPortal/ShowProperty/WLP%20Repository/csgb/dosyalar/istatistikler/ Yabanci-Izinleri-2014 (Date of access 30.04.2015)

Top economic activities which work permits were granted for in 2014 include; activities of households as employers of domestic personnel (14.678), sports activities and amusement and recreation activities (1.586), creative arts and

entertainment activities (2.294), education (2.474), office administration, business support activities (1.930); accommodation (7.825), air transport (1.044), retail trade (1.627), wholesale trade (2.214), civil engineering (2.042). Activities of households with their top ranking nature justifies the below illustrated increase in permits issued for women.
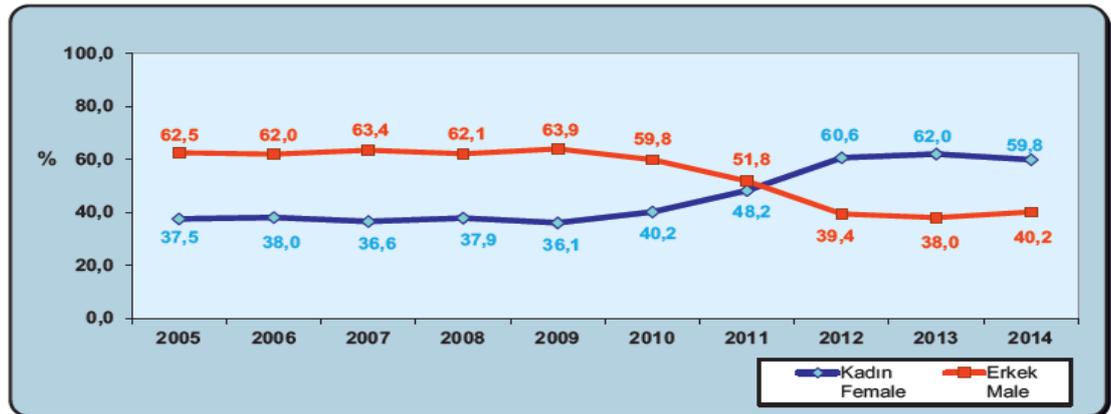
Figure 7:Proportional Distribution of Work Permits Granted for Foreigners by Year and Sex

Source: Directorate General on Labour, Ministry of Labour and Social Security, Retrieved from http://www.csgb.gov.tr/csgbPortal/ShowProperty/WLP%20Repository/csgb/dosyalar/istatistikler/ Yabanci-Izinleri-2014 (Date of access 30.04.2015)
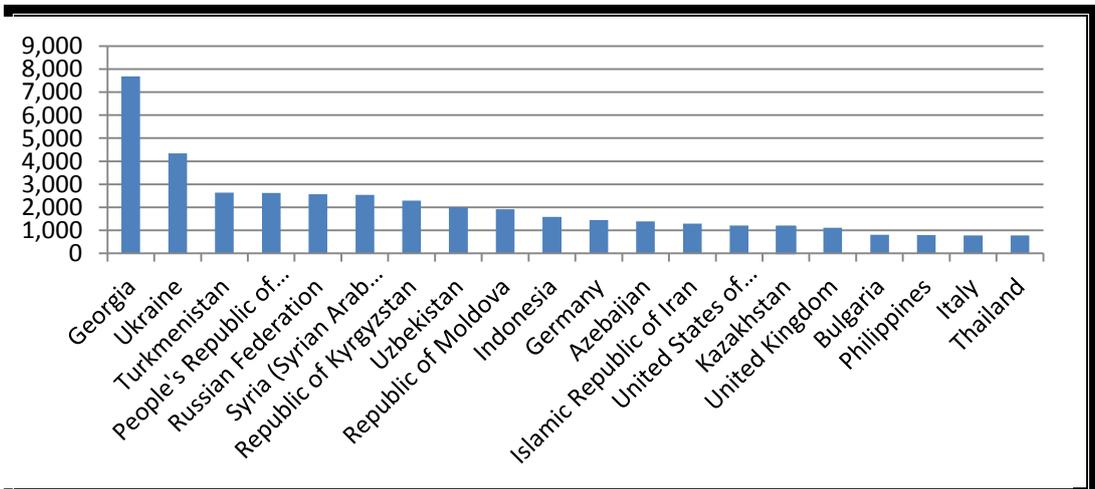
Figure 8:Work Permits Granted for Foreigners in 2014 – Top 20 Nationalities in Turkey

Source: Directorate General on Labour, Ministry of Labour and Social Security, Retrieved from http://www.csgb.gov.tr/csgbPortal/ShowProperty/WLP%20Repository/csgb/dosyalar/istatistikler/ Yabanci-Izinleri-2014 (Date of access 30.04.2015)

Table 4:Work Permits Granted for Foreigners in 2014 – Top 20 Nationalities in Turkey

Nationality	Number	Nationality	Number
Georgia	7.680	Germany	1.442
Ukraine	4.334	Azerbaijan	1.382
Turkmenistan	2.635	Islamic Republic of Iran	1.284
People's Republic of China	2.621	United States of America	1.199
Russian Federation	2.562	Kazakhstan	1.163
Syria (Syrian Arab Republic)	2.541	United Kingdom	1.105
Republic of Kyrgyzstan	2.283	Bulgaria	795
Uzbekistan	1.993	Philippines	790
Republic of Moldova	1.907	Italy	768
Indonesia	1.578	Thailand	768

Source: Directorate General on Labour, Ministry of Labour and Social Security, Retrieved from http://www.csgb.gov.tr/csgbPortal/ShowProperty/WLP%20Repository/csgb/dosyalar/istatistikler/ Yabanci-Izinleri-2014 (Date of access 30.04.2015)

Enactment of the Law on Foreigners and International Protection No. 6458 has also called for alignment of the relevant legislative framework on work permits for foreigners. The ratification of Law on Work Permits for Foreigners No.4817 in 2003 was an important step forward in liberalizing access of foreigners to certain occupations, which had a long list of activities and professions reserved for only Turkish citizens. These included professions such as photography, tourist guiding, transporting persons, acting, singing, waitressing, interpreting, and all other employment in the production sector. The Law on Work Permits for Foreigners (No.4817) also sets the rules in regard to the occupational areas where foreigners cannot be employed and maintains some restrictions for employment of foreigners, which are stipulated in a number of laws. Those occupations include dentistry, pharmacy, veterinary medicine, managerial duties at private hospitals, attorneyship, notariate, fishing in Turkish waters, carrying air passengers or goods within Turkish airspace, safeguarding, and customs consultancy.

However, diversification of migratory movements with their impact on Turkish labour market has required revision of policies related to labour market access of foreigners in Turkey. Within this scope, Ministry of Labour and Social Security, in coordination with the relevant line ministries, has drafted the Law on Foreigners Employment in line with LFIP. This draft law is expected to come into force before the end of 2015 as   reported over the interviews conducted with the officials of the Ministry of Labour and Social Security. The Law on Foreigners Employment with its two-pillar approach aims to combat irregular labour migration, on the one hand, and to attract qualified foreign labour such as engineering and architecture, on the other, in line with the needs of the Turkish labour market. Moreover, labour migration management is gradually becoming a topic of concern and priority in the overall national agenda on migration management. To overcome the problem of irregular labour migration within the overall objective of combatting informal economy and possible labour exploitation and trafficking that takes place though unregistered employment of foreigners, essence of evidence based and human rights focused labour migration management modalities getting more pronounced in Turkey. One of the concrete steps taken in this endeavour manifests itself through the establishment of the Department of Migration and Foreign Employment of the Directorate General on Labour of the Ministry of Labour and Social Security. Empowerment of this recently established department is a key step forward within the overall migration reform process. Supporting Turkey in seeking ways to better manage the labour inflows in the short term and counteract irregular migration and human trafficking in the long term is therefore considered to be critical.

Besides the labour market integration of foreigners, number of international students benefiting from university education in Turkey is also on the rise. İçduygu, et. al. (2014:227) report Azerbaijan, Turkmenistan, Bulgaria, Iran, Kyrgyzstan, Afghanistan and Kazakhstan consist the main countries of origin for international university students preferring Turkey. As per international students, Prime Ministry Presidency of Turks Living Abroad and Relative Communities also offer scholarships called as "Turkey Scholarships", which cover academic education and

extracurricular activities such as cultural and professional support programmes. Presidency of Turks Living Abroad and Relative Communities (2014) underlined that applications by international students increased from 8.000 from 50 countries in 2011 to 82.000 from 176 countries in 2014. Among the 82.000 applications in 2014, 20 per cent was reported to be by Syrians for bachelor's degree. As a response to increasing number of Syrians in need of higher education support, the Presidency has also enhanced its scholarship services via providing 1.026 Syrian students with scholarship for 2014-2015 academic year and declaring its plan to provide scholarship for 5.000 Syrian students over the next five years. Moreover, the country has also started to attract international students from other parts of the world particularly through international student exchange programmes such as Erasmus Programme in line with the EU harmonization process İçduygu, et. al. (2014:227). As for the international protection, DGMM reports that in total 152.119 applications were received since 2005 till 01.04.2015 majority of whom by nationals of Afghanistan, Iraq, Iran and very lately Syria. Given the temporary protection provided by Turkey, statistics on Syrians will be provided in the pursuant part of this chapter.
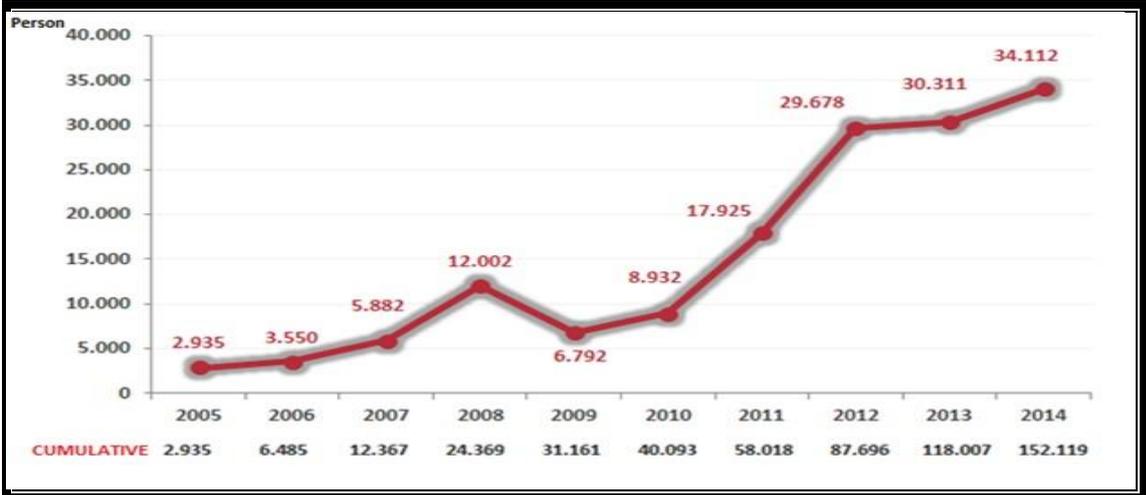
Figure 9:Number of Applications for International Protection per Year

Table 5:Number UNHCR 2015 planning figures for Turkey

UNHCR 2015 planning figures for Turkey*					
Type of population	Origin	Jan-15		Dec-15	
		Total in country	Of whom assisted by UNHCR	Total in country	Of whom assisted by UNHCR
Refugees	Afghanistan	3,930	3,930	3,930	3,930
	Iraq	25,470	25,470	37,470	37,470
	Syrian Arab Rep.	1,500,000	1,500,000	1,700,000	1,700,000
	Various	12,070	12,070	17,070	17,070
Asylum-seekers	Afghanistan	32,330	32,330	42,330	42,330
	Islamic Rep. of Iran	10,250	10,250	14,250	14,250
	Iraq	43,070	43,070	67,070	67,070
	Various	5,820	5,820	6,820	6,820
Stateless	Stateless	330	-	550	-
Others of concern	Russian Federation	310	-	310	-
Total		1,633,560	1,632,930	1,889,780	1,888,930
* PoC (people of concern) planning figures in this table are based on trends and registration data from early 2014. In light of the evolving situation in the Syrian Arab Republic and Iraq, updated projections will be presented in any forthcoming appeals for supplementary requirements in 2015 for the Syria and Iraq situations, including the 2015 Regional Refugee and Resilience Plan (3RP).					

Source: UNHCR, Retrieved from http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e48e0fa7f&submit=GO (Date of access 02.06.2015)

3.2.1.2.Irregular Migration to Turkey

Turkey with its population of 77.695.904[35] as of 2014 has been approaching the management of migration as an increasingly defining issue in her national agenda. There are several reasons lying behind the contemporary migration reform process in Turkey. Those include motivation and conditionality arising from EU accession process, Turkey's self perception on the need for institutionalization of migration

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[35] Turkish Statistical Institute, Retrieved From http://www.tuik.gov.tr/HbGetirHTML.do?id=18616 (Date of access 05.03.2015)

policy from a comprehensive point of view and for sure the impact of conflict and fragility in neighbouring countries resulting in massive influx towards Turkey. In the light of these points requiring immediate action, Turkish authorities have been looking into reforms from normative to operational levels that target the immigration and asylum system in a comprehensive and human rights based manner. As mentioned, aligning Turkey's immigration policy and practices with the EU policies is one of the conditions for Turkey's accession as clearly defined under Chapter 24 on Justice, Freedom and Security. The opening of negotiations in 2005 was a considerable step forward in Turkey-EU relations; however, it also called for questions, many of which are still pending, to be responded by Turkish authorities related to diverse aspects of migration management. First and foremost aspect has, for sure, been related to irregular migration, which has gradually become a "hot topic" in EU policy agenda due to the increasing number of people particularly from Middle East and North Africa on the move towards EU through Turkey.
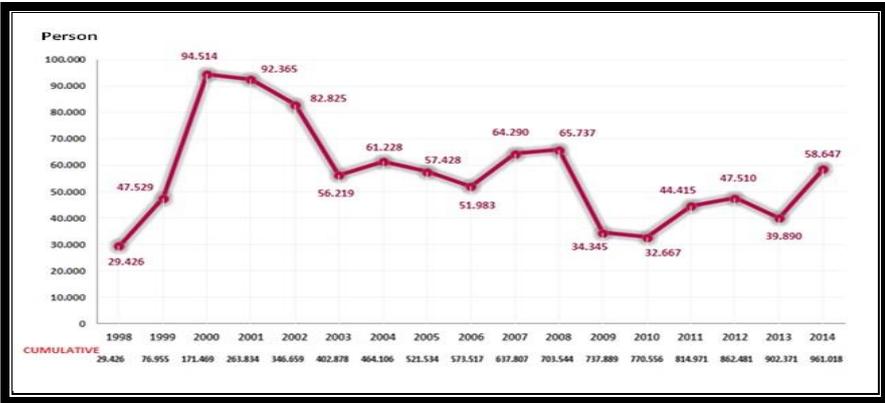
Figure 10:Number of Irregular Migrants Apprehended in Turkey per Year

İçduygu and Aksel (2012:21) categorize irregular migration to Turkey under three sub-headings. Those include; (a) the ones who have an intention of using Turkey as a transit country to migrate to another country particularly in Europe; (b) the ones

who come to Turkey for living and working without valid documents; (c) the ones whose asylum applications were rejected and expected to leave the country, but continue to stay in Turkey on illegal basis. DGMM reports that the number of apprehensions of irregular migrants in Turkey (mainly irregular labour migrants) reached over 900.000 from 1998 to 2014.
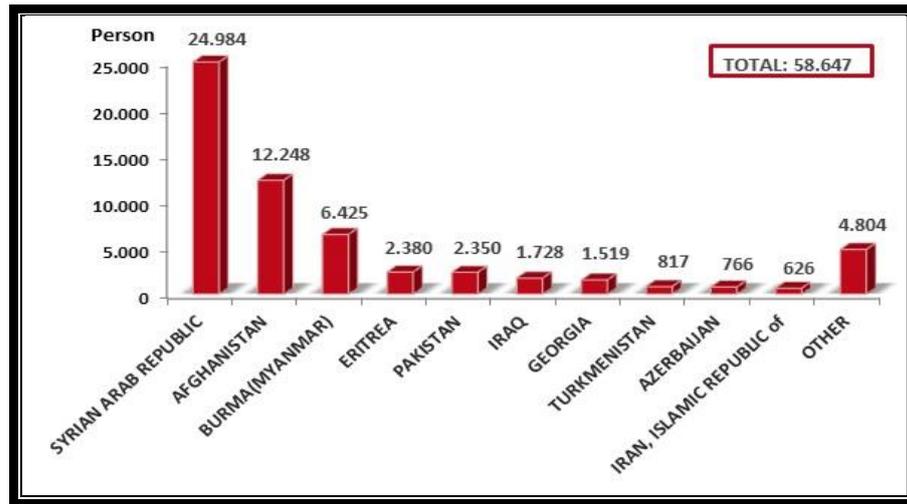
Figure 11:Irregular Migrants Apprehended in 2014 – Top 10 Nationalities

Source: Directorate General on Migration Management, Retrieved from http://www.goc.gov.tr/icerik6/irregular-migration_915_1024_4746_icerik (Date of access 29.04.2015)

Not surprisingly, Syrians consist the main category of irregular migrants apprehended in 2014 given the increasing volume of influx from the region. Furthermore, Figure 12 clearly underlines that most detections of illegal border crossings were reported by Frontex (2015:5) on the Central Mediterranean and Eastern Mediterranean routes with over 170.000 irregular migrants most of whom were Syrians.
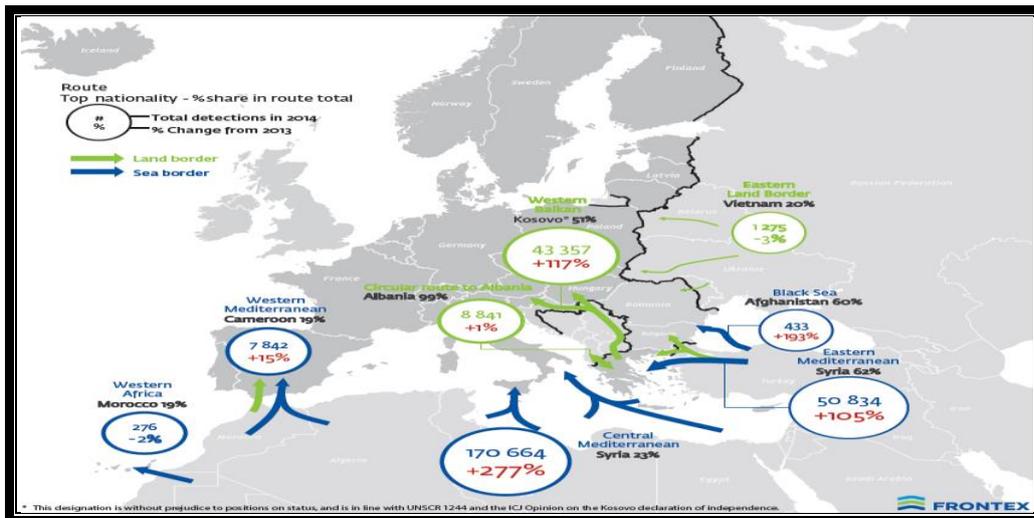
Figure 12:Detected Illegal Border Crossings in 2014 with percentage change on 2013, by route

Source: Frontex (2015). "Annual Risk Analysis", Poland, p.19, Retrieved from http://frontex.europa.eu/assets/Publications/Risk_Analysis/Annual_Risk_Analysis_2015.pdf (date of access 03.03.2015)
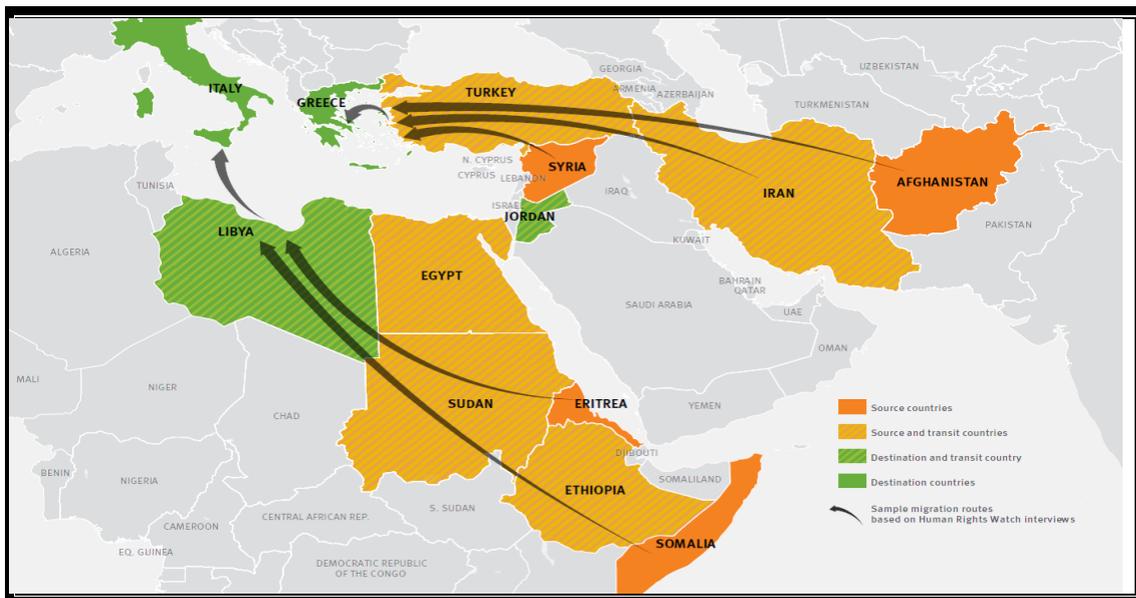
 Figure 13:Sample Migration Routes Based on Human Rights Watch Interviews

Source: Human Rights Watch (2015) The Mediterranean Migration Crisis, Why People Flee, What the EU Should Do, Retrieved from http://www.hrw.org/reports/2015/06/18/mediterranean-migration-crisis-0 (date of access 20.06.2015)

As per Figures 12 and 13 by Frontex and Human Rights Watch, Turkey has been on the very crossroad for the main countries of origin namely Afghanistan and Syria for refugees, asylum seekers as well as irregular migrants including men, women and children with particular protection needs.
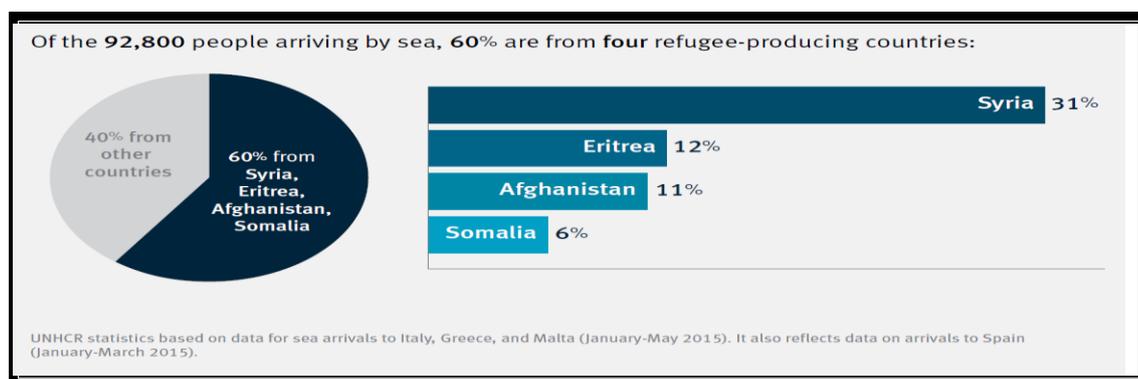
Figure 14:UNHCR Data on Arrivals via the Mediterranean, Jan-May 2015

Source: Human Rights Watch (2015) The Mediterranean Migration Crisis, Why People Flee, What the EU Should Do, Retrieved from http://www.hrw.org/reports/2015/06/18/mediterranean-migration-crisis-0 (Date of access 20.06.2015)

Irregular migration given its nature calls for engagement of migrants with smugglers mostly the local people, who provide migrants with illegal ways of entry and services such as forged travel documents or accompany them through their border crossings. Bhabha (2005) draws attention of a stereotypical and gender based approach where men are assumed to be the irregular migrants subject to smuggling whereas women or children are considered to be subject to human trafficking. It is important to underline that irregular migration; migrant smuggling[36] and trafficking in human beings[37] are different concepts. The United

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[36] "The procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident" (*Art.3(a), UN Protocol Against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, 2000*). Smuggling, contrary to trafficking, does not require an element of exploitation, coercion, or violation of human rights." Source: IOM, Key Migration Terms, retrieved from https://www.iom.int/key-migration-terms (Date of access 03.04.2015)

[37] "The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the

Nations Protocol against the Smuggling of Migrants by Land, Sea and Air[38] and the United Nations Protocol to Suppress and Punish Trafficking in Persons, especially Women and Children[39] provide the official concepts and definitions of migrant smuggling and trafficking in human beings. These protocols are supplements to the United Nations Convention on Transnational Organized Crime[40] adopted by the United Nations General Assembly on 15 November 2000 (UN A/55/383), which Turkey is a party to. Within this scope, Figure 9 shows that 13.373 migrant smugglers were detected in Turkey from 1998 to 2013 majority of who were people with Turkish origins.
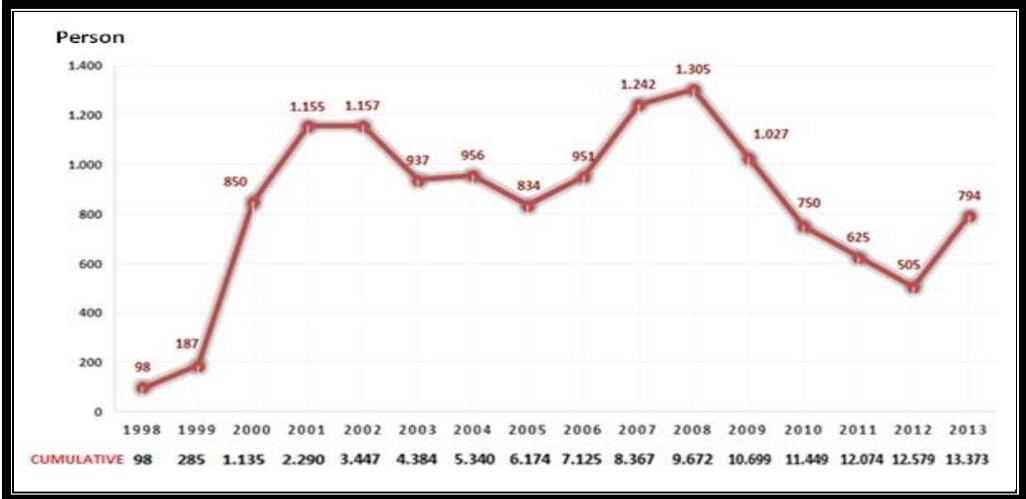
Figure 15:Migrant Smugglers per Year
Source: Directorate General on Migration Management, Retrieved from
http://www.goc.gov.tr/icerik6/irregular-migration_915_1024_4746_icerik   (Date   of   access
29.04.2015)

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consent of a person having control over another person, for the purpose of exploitation" (*Art. 3(a), UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Convention against Transnational Organized Crime, 2000*). Trafficking in persons can take place within the borders of one State or may have a transnational character". Source: IOM, Key Migration Terms, retrieved from https://www.iom.int/key-migration-terms (date of access 03.04.2015)

[38]Retrieved from
https://www.unodc.org/documents/middleeastandnorthafrica//smugglingmigrants/SoM_Protocol_ English.pdf (date of access 03.04.2015)

[39]Retrieved from
http://www.unodc.org/documents/middleeastandnorthafrica//humantrafficking/Tip_Protocol_Engli sh.pdf (date of access 03.04.2015)

[40] Retrieved from https://www.unodc.org/unodc/en/treaties/CTOC/ (date of access 03.04.2015)

Meera Sethi (2013:23), IOM Chief of Mission to Turkey asserts that; inclusion of irregular migration as a priority topic into the Turkish migration agenda is very timely and relevant given the country as well as the region have been experiencing a major political and social transformation coupled with massive displacement of people from Syria. As reported by UNHCR (2015); "Turkey for the first time became the largest refugee-hosting country worldwide, with 1.59 million refugees in 2014, replacing Pakistan, which has occupied this rank for more than decade". Figure 10 shows that since 2011, 1.757.262 Syrians have been registered and provided with temporary protection in Turkey.
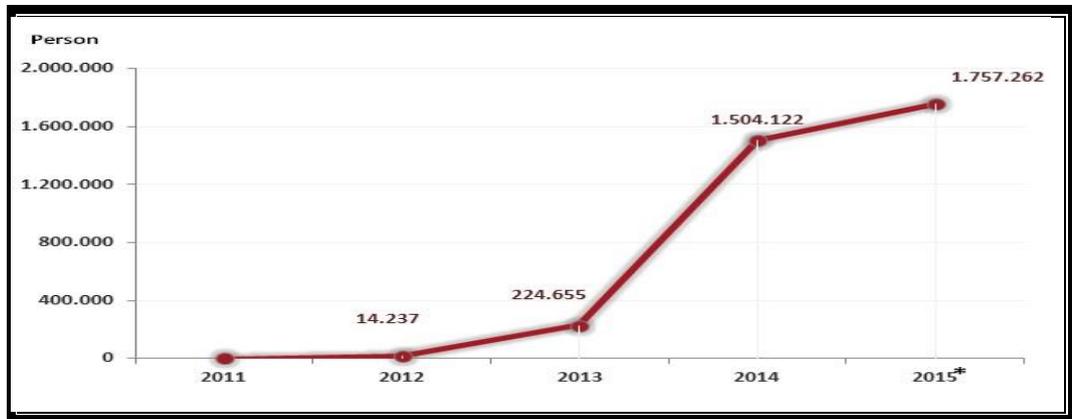
 Figure 16:Biometric Registrations of the Syrian Nationals who are Protected in line with the Temporary Protection Regulation
Source: Directorate General on Migration Management, Retrieved from
http://www.goc.gov.tr/icerik6/temporary-protection_915_1024_4748_icerik (Date of access 29.04.2015)

The political instability and conflict in the Middle East and particularly in Syria has been the key process indicator in reading of the migration policy development as it calls for mobilization of diverse aspects of migration management. Sethi further (2013:26) underlines that;

> The Syrian conflict is important to consider as it encompasses many facets of migration, including the facilitation of migration, whether it is of refugees or labour migrants inside Syria; the regulation of migration, such as mass and complex cross border movements, and the management of borders; migration as it relates to diaspora populations and remittances (Syrians abroad) and the protection of migrants including rights and access to asylum.

Within this scope, unpacking of the Syria crisis through a migration lens would complement the overall immigration policymaking process of 2000s. Therefore, a particular chapter will be devoted to Turkey's response to Syrian Crisis in the remaining part of this study. To sum up, the gradually increasing number of people on the move including regular or irregular migrants, asylum seekers, refugees as well as displaced populations becoming a subject of high policy agenda due to their diversity as well as the difficulties in distinguishing the particular protection needs of various types of migrants such as mixed migration flows[41] including potential and actual victims of trafficking, unaccompanied minors[42], vulnerable migrants such as of women and elderly. In this sense, Turkey needs to provide an answer in cooperation with national and international actors affected by the same phenomenon.

3.2.2. Development of Normative and Institutional Framework of Turkish Immigration Policy as of 2000s

Immigration policy acted as an important tool employed during the early Republican Era as part of the nation building process given that the immigrants of Turkish descent were considered to be crucial in terms of homogenization of the population. Following the establishment of the Turkish Republic, the country has continued to host immigrants of diverse profile since then, however it is only recently that the issue has been revisited. Although the issue started to be debated as a result of diverse migratory inflows that the country encountered due to the demise of the Soviet Union, Gulf Crisis and the recent unrest in the Middle East

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[41] "Complex migratory population movements that include refugees, asylum-seekers, economic migrants and other migrants, as opposed to migratory population movements that consist entirely of one category of migrants". Source: IOM (2011) Migration Glossary 2nd edittion, p.63

[42] "Persons under the age of maturity in a country other than that of their nationality, who are not accompanied by a parent, guardian, or other adult who by law or custom is responsible for them. Unaccompanied children present special challenges for border control officials, because detention and other practices applied to undocumented adult non-nationals may not be appropriate for children". Source: IOM (2011) Migration Glossary 2nd edittion, p.63 p.102

particularly in Syria, migration has become a more valid and visible topic of high political agenda as of 2010.

While the late 1990s and early 2000s witnessed the gradual emergence of migration as a topic of political consideration, it has particularly been mainstreamed in high politics as well as becoming a tool for facilitation of Turkey's EU accession process. Given this background, one might say that migration policy has become a definer in Turkey's public policy agenda particularly as of mid-2000s.

For sure, the Syria Crisis and mass influx of Syrians to Turkey has had a direct impact on higher level of consideration of migration policies, in addition to making the issue more visible in the eyes of the public. Despite all the happenings or all these developments, one can say that the overall Turkish immigration policy, not specifically the Syria spillover, still has a very limited significance in terms of the general public opinion. It has rather become significant for public policy makers with executive, legislative and judicial powers.

However, in overall terms, the importance attached to migration in Turkey has gradually received more recognition. . Turkey triesto approach the international migration issue from a broader lens which does not revolve around fear of becoming a destination country mostly for irregular migrants.Moreover, authorities have the vision to maximize the benefits that migration can bring via setting up the necessary framework to attract qualified, highly skilled migrants from other parts of the world. The latest developments for sure concentrated the public policy discourse on refugees from Syria and Iraq as well as irregular migrants particularly from Middle East and Africa; however, many attempts have also been made towards achieving the above mentioned goal of approaching migration from a broader lens. One concrete example of such an approach is the Draft Law on Employment of Foreigners[43] which was prepared and submitted to Turkish General National

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[43]Turkish Grand National Assembly, Retrieved from https://www.tbmm.gov.tr/develop/owa/tasari_teklif_sd.onerge_bilgileri?kanunlar_sira_no=176457 (date of access 01.06.2015)

Assembly (TGNA) for revision on February 9th,2015. The Draft Law with its two pillar approach aims to combat irregular labour migration and unregistered employment on the one hand and to attract qualified foreign labour for the relevant sectors in line with the needs of the Turkish labour market on the other. Moreover the following issues are foreseen within the current Draft Law as reported by TGNA[44].

> Establishment of an advisory board on foreign employment policy as well as a foreign employment system for application, monitoring and evaluation; provision of indefinite work permit for foreigners holding official work permit for at least eight years; identification of criteria for foreigners who would be eligible to get independent work permit; provision of the authority with the Council of Ministers to stop, ban and limit the issuance of work permits or exemption from work permit for foreigners as well as authority to give permission for foreigners to be employed in jobs only devoted for Turkish nationals with a condition not to be public official in line with the national interests; regulation of rules related to work permit exemption of foreigners; enable foreigners holding a valid residence permit to work for free for foundations with tax exemption and associations working for public welfare via getting work permit exemption document with a condition not to exceed the duration of residence permit; facilitate employment of foreigners working at schools, cultural and religious institutions acting under the diplomatic or consular representatives via providing them with work permit exemption; inclusion of foreigners not residing in Turkey but a member of management board of a joint-stock company or non-manager shareholders under the work permit exemption; regulation of situations related to cancellation of work permits or work permit exemptions; identification of foreigners for whom rules related to work permit application, evaluation, denial and duration would be enforced exceptionally; regulation of issuance of work permits or work permit exemption for applicants of international protection, conditional refugees and people under temporary protection; evaluation of work permit applications of foreigners who would like to work at research and development centers upon positive opinion of Ministry of Science, Industry and Technology.

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[44] Ibid.

In an attempt to evaluate development of normative and institutional framework on Turkish migration policy, three main phases come to the fore of such an analysis: (a) Pre-2000 period characterized by an immigration policy structured on conventional state policies, traditional security oriented threat perceptions as well as the mainstream identity of Turkishness; (b) period between 2000-2010 characterized by EU accession process where migration issues became more visible and comprehensive in Turkish national agenda and actors became more willing to make better efforts towards the goal of EU membership. This is a process in which migration policies have started to be instrumentalized particularly through the acceleration of Turkey's EU accession negotiations as of 2005; (c) post-2010 period has mainly been characterized by the migratory impact of Syria Crisis. It is a process that still co-exists with the overall institutionalization process of Turkish immigration policy with its converging and diverging parts. On one hand, it is possible to say that Syria Crisis, given its huge volume of people of concern, has acted as a catalyst for increasing visibility of migration issues in Turkey, which has widened and deepenedthe issue. On the other hand, it has also limited the scope of migration policy discussion only to Syria Crisis. The crisis, besides having its impact on Turkish migration policy making process, holds a wider scope in terms of foreign policy making. Reading the Syrian Crisis through a migration lens will remains a complementary part of this study and a separate chapter is dedicated to this objective.

In line with the above mentioned categorization, Turkey's efforts in terms of development of normative and institutional framewok as of 2000s will be evaluated in the following part.

3.2.2.1.Main Steps for Alignment of the Turkish Immigration Policy with the EU Acquis

Early 2000s witnessed Turkey's desire to join the EU and its candidacy status. Within this scope, the Turkish government has been taking up efforts to align its migration policies with the migration-related EU acquis communautaire and

policies. The EU accession processas well as reforms and efforts by Turkey to align its administrative and legislative infrastructure marked the first decade of 2000s. A systemic and coherent approach was adopted with the aim of introducing (reach out to sth değil sb) a comprehensive migration management system coupled with full-fledged human rights based legislation.

Before approaching the main steps that have been taken as of 2000s, it is complementary to recall the early classification made by İçduygu in explaining the evolution of migration policies and their inter-relations with EU accession process. Within the scope, İçduygu (2004:90-91) suggests three main transformation periods including; (a) the pre-1994 which is called as the time of ignorance shaped by the framework of Law on Settlement and there was no systematic migration management vision, (b) the period between 1994-2001 witnessed transition to international norms in line with the landmark policy instrument of 1994 Regulation on Asylum, and (c) the period as of 2001 which has been characterized by Europeanization.

Building on the above mentioned periodization on evolution of Turkish immigration policy, we may also suggest including a fourth period as of 2010 where there has been an observable slowdown of accession process as a result of shifting the focus of migration policy making to migratory impacts of Syrian Crisis. Although the institutionalization efforts for aligning the Turkish migration management system with the EU acquis continue, it is not a standalone process just driven by EU membership but also coupled with Turkey's selfcourage and interest in structuring her own migration management system in line with its emerging needs.

It was only early 2000s that the concrete and systemic steps driven by EU accession process started to be taken in terms of efforts to institutionalize migration management system in Turkey. Within this scope, it was the Accession Partnership Document prepared by European Commission and adopted by European Council via the Council Decision dated March 8th, 2001 on the principles, priorities,

intermediate objectives and conditions contained in the Accession Partnership with the Republic of Turkey (2001/235/EC).[45] Building on the short and medium term objectives under Justice and Home Affairs (JHA) set in Accession Partnership Document dated 2001, Turkey prepared "2001 National Programme for the Adoption of the Acquis"[46] (NPAAs) and identified the main objectives[47] on which work initiated in 2001 to be completed mainly in the medium term. As a follow up to the 2001 Accession Partnership Document and the NPAA, European Commission prepared the 2003 Accession Partnership Document which was

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[45]Retrieved from
http://www.abgs.gov.tr/files/AB_Iliskileri/Tur_En_Realitons/Apd/Turkey_APD_2001.pdf (date of access 30.04.2015)

[46] Retrieved from http://www.abgs.gov.tr/index.php?p=195&l=2 (date of access 30.04.2015)

[47] "(a) Work on administrative reform in the field of justice and home affairs will be accelerated(b) Coordination between competent Ministries and other public institutions will be strengthened (c)Border controls will be further strengthened and preparations will be made to fully implement the Schengen acquis (d)Work will be undertaken to harmonize the legislation and practices with the EU acquis on visa policy (e) In order to prevent illegal immigration, the EU acquis and practices on migration (admission, readmission, expulsion) will be adopted (f) The EU acquis in the areas of organized crime, fraud and corruption, the illicit use and production of and trafficking in drugs, money-laundering, and judicial cooperation in civil and criminal matters will be adopted, and international cooperation in these areas will be further intensified (g)The capacity to fight against organized crime, fraud and corruption, the illicit use and production of and trafficking in drugs, money laundering, and police and judicial cooperation in criminal matters will be enhanced (h)Work on the collection, storage, processing, analysis and exchange of relevant information on suspicious financial transactions will be accelerated. (i)Harmonisation with relevant acquis will be completed and preparations will be made to participate in Europol (j) In order to fully participate in the Schengen Information System (SIS) and in Europol, the EU acquis on the protection of individuals in the processing of personal data will be adopted (k) Programs to inform and acquaint the public with the EU acquis and practices in the field of justice and home affairs will be prepared (l)It is intended to participate as much as possible in MEDA and programmes in the field of justice and home affairs such as Falcone, Odysseus, Grotius, Daphne, Oisin and Stop, and in cooperative schemes such as the Action Plan Against Organized Crime, the Action Plan on the Fight Against Drugs, and the European Refugee Fund, with the assistance of EU Member States (m) Existing accommodation facilities and social aid mechanisms for refugees will be further developed (n) Lifting the geographical limitation to the 1951 United Nations Convention Relating to the Status of Refugees will be considered in a manner that would not encourage large scale refugee inflows from the East, when the necessary legislative and infra-structural measures are undertaken, and in the light of the attitudes of the EU Member States on the issue of burden-sharing". Ibid.

adopted by European Council via the Council Decision of May 19, 2003 on the principles, priorities, intermediate objectives and conditions contained in the Accession Partnership with Turkey (2003/398/EC).[48] It was a revised version of the 2001 Accession Partnership which has set short and medium term objectives with some more details for migration and asylum policy alignment. In order to effectively follow up the process, Turkey prepared a revised National Programme for the Adoption of the Acquis in 2003[49] with its fourteen priority areas the majority of which were related to alignment of migration and asylum policy under Justice and Home Affairs.

Within the scope of these mentioned instruments, alignment of Turkish migration and asylum policy with EU acquis and realization of necessary legislative changes in the areas of migration, border management as well as asylum were the main issues that came to the fore. İçduygu, et. al. (2014:243) underlined that such structural changes called for major objectives including;

> (a)alignment of the visa policy and practice with EU acquis, (b)development of most effective methods in combatting irregular migration via implementing and internalizing the EU Acquis (reception, readmission and deportation), (c) continue to alignment efforts as well as operationalize Schengen rules in terms of border controls, (d) alignment of the asylum policy with EU Acquis in order to abolish the geographical limitation of 1951 Geneva Convention, strengthen asylum application and refugee status determination processes and improve the conditions of reception centers where people of concern accommodate.

Turkey, building on the membership requirements as declared by EU, continued to put valuable efforts forward and established a Task Force on Asylum, Migration and Border Protection in 2002 at an inter-institutional level. The Task Force included representatives of diverse governmental institutions such as, the Ministry

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[48]Retrieved from
http://www.abgs.gov.tr/files/AB_Iliskileri/Tur_En_Realitons/Apd/Turkey_APD_2003.pdf (date of access 30.04.2015)

[49]Retrieved from http://www.abgs.gov.tr/index.php?p=196&l=2 (date of access 01.05.2015)

of Interior, Ministry of Foreign Affairs, the Land Forces Command, the General Command of Gendarmerie, the Coast Guard, Undersecretary of Customs, and the Secretariat General for European Union Affairs. Terms of reference of the Task Force included; legislation alignment, combating irregular migration, alignment with Schengen visa regime, border management, asylum policy development as well as development of projects to support Turkey's asylum and migration system in line with EU harmonization process (İçduygu and Aksel, 2012:56). Those efforts by the diverse members of the Task Force delivered their products including the Migration Strategy Document[50] and Asylum Strategy Document[51] in 2003, National Action Plan on Asylum and Migration[52] endorsed by Prime Ministry in March 2005 as well as the National Action Plan on Border Management endorsed in 2006.

Turkey also signed the United Nations Convention against Transnational Organized Crimes and its supplementing protocols including "Protocol against Smuggling of Migrants by Land, Sea and Air" and "Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children" on December 13th, 2000 and the Protocols came into force on March 18, 2003[53].

Upon adoption of those international instruments, Turkey conducted the necessary legislative adjustments. Some of those included; (a) amendment of the 1964 Turkish Citizenship Law No.403 which called for a three year waiting period before the naturalization process starts for those foreigners who are married to Turkish nationals, (b) adoption of the Law on Road Transportation No.4925 in 2003, Road

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[50]Retrieved from http://www.goc.gov.tr/icerik6/migration-strategy-document_913_991_998_icerik (date of access 01.05.2015)

[51]Retrieved from http://www.goc.gov.tr/icerik6/asylum-strategy-document_913_991_999_icerik (date of access 01.05.2015)

[52]Retrieved from http://www.goc.gov.tr/files/files/turkiye_ulusal_eylem_plani(2).pdf (date of access 01.05.2015)

[53]Retrieved from http://www.mfa.gov.tr/turkiye_nin-insan-ticaretiyle-mucadelesi-.tr.mfa (date of access 05.05.2015)

Transportation Regulation came into force in 2004 and was abolished by the new Road Transportation Regulation in 2009. These legal instruments prepared the legitimate basis for cancellation of the transportation permits of the individuals who have been prosecuted for smuggling, trafficking or any relevant crimes, (c) through the Law on Amendments in Various Laws No.4771 in 2002, definitions of human trafficking (Article 201/b) and migrant smuggling (Article 201/a) were included to the Turkish Penal Code. The New Turkish Penal Code No.5237 of 2005 codified human trafficking (Article 80) and migrant smuggling (Article 79) in a detailed manner. As for the crime of trafficking in human beings, Turkey also signed the 2005 Council of Europe Convention on action against Trafficking in Human Beings on 19.03.2009; however, has not ratified it yet.

In terms of international protection, Turkey continues to maintain a geographical limitation to its obligations under the 1951 Convention on the Status of Refugees according to which Turkey applies asylum procedures only for the European refugees and asylum seekers. Through the National Action Plan for the Adoption of the EU Acquis in the Field of Migration and Asylum 2005, the Turkish Government committed itself to lift the geographical limitation by 2012, with a condition of "burden sharing" with EU rather than "burden shifting" towards Turkey in terms of normative, administrative and operational arrangements and infrastructure in the area of asylum[54] (Tokuzlu, 2010). Besides lifting of the geographical limitation, developments including readmission agreement signed between Turkey and EU, structuration of a border management system, alignment of Turkey's visa policy with EU have been the key definers of Turkey's EU accession negotiations in the areas of Justice, Freedom and Security. In terms of visa policy alignment, Kirişçi (2003) underlines that in terms of common visa policy requirement to third-country nationals of the EU Schengen visa system,

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[54]Retrieved from http://goc.gov.tr/files/files/turkiye_ulusal_eylem_plani(2).pdf (date of access 01.04.2015)

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Turkey's current, relatively liberal visa system would require a change to transform to a much stricter one.

Given the dynamic alignment efforts by Turkey, European Commission prepared the 2008 Accession Partnership Document which was adopted by European Council via the Council Decision dated 18 February 2008 on the principles, priorities and conditions contained in the Accession Partnership with the Republic of Turkey and repealing Decision 2006/35/EC (2008/157/EC)[55]. In line with the short and medium term objectives as defined by the 2008 Accession Partnership, Turkey prepared the 2008 National Programme of Turkey for the Adoption of the EU Acquis with five main priority areas[56].

The Government of Turkey, within this framework, has expressed its commitment to undertake normative, administrative and institutional reforms in the 2008 National Programme of Turkey for the Adoption of the EU Acquis in line with previous National Programmes of 2001 and 2003 as well as the National Action Plan on Asylum and Migration of 2005. To this end, in order to prepare the necessary primary and secondary legislations, a civilian body titled "Bureau on Development and Implementation of Legislation on Asylum and Immigration and Administrative Capacity" under the Undersecretary of the Ministry of Interior, was

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[55]Retrieved from
http://www.abgs.gov.tr/files/AB_Iliskileri/Tur_En_Realitons/Apd/Turkey_APD_2008.pdf
(date of access 01.04.2015)

[56] "(a)Continuing to strengthen and enhance the judicial and administrative capacity of all law enforcement institutions and align their status and functioning with European standards, including through developing inter-agency cooperation (b) Continuing efforts of Turkey to implement the National Action Plan on Asylum and Migration including through the adoption of a roadmap, making preparations for the adoption of a comprehensive asylum law in line with the EU Acquis including the establishment of an asylum authority and increasing the capacity for combating illegal migration in line with international standards (c) Continuing efforts to implement the "National Action Plan towards the Implementation of Turkey's Integrated Border Management Strategy" including through the definition of a precise roadmap. Taking steps to establish a new border law enforcement authority (d) Implementation of the Turkey's National Strategy on Combating Organised Crime. Strengthening the fight against organised crime, drugs, trafficking in human beings, fraud, corruption and money-laundering (e) Ensuring alignment of the acquis in civil matters with the Turkish legislation and strengthening the judicial capacity to apply the acquis in the field". Retrieved from http://www.abgs.gov.tr/?p=42260&l=2 (date of access 02.04.2015)

established on 15 October 2008. The Bureau was assigned to conduct required ground work including situation and need analysis for the aimed normative and institutional framework in the area of migration and asylum. Moreover, the Bureau was directly responsible for drafting the primary legislation in line with strategic objectives as set by the national plans and programmes towards the main goal of alignment with EU Acquis. In addition to these duties, the Bureau acted as a catalyst in drafting the *Foreigners and International Protection Law No:6458*[57] which provided the legitimate basis for the establishment of a civilian authority namely the Directorate General on Migration Management under the Ministry of Interior on April 13th, 2013. The aforementioned national initiatives have not only harmonised Turkish legislation with the EU Acquis, but have also enabled the creation of a more effective and comprehensive normative framework and migration policy by bringing provisions together related to migration which have been compartmentalized across different primary and secondary legislative documents. Besides the mentioned steps taken in national normative framework, Turkey has witnessed important achievements in its history of migration management since 2013. Those include;

- Turkey has been one of the countries where the post-2015 development agenda consultations[58] took place in 2013 and efforts were undertaken at several levels to mainstream migration and its positive aspects in the post-2015 development agenda,

- Finalization of the 10th National Development Plan for 2014-2018 with a particular focus on immigration, emigration as well as internal migration,

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[57] For the full text of the law, please see http://www.goc.gov.tr/default_b0.aspx?content=1035

[58]The UN Country Team in Turkey agreed on the nine themes for national consultations, namely inequalities, health, education, growth and employment, environmental sustainability, food security and nutrition, governance, conflict and fragility, and population dynamics.

- signing of the EU-Turkey Readmission Agreement on 16 December 2013,

- drafting of the United Nations Development Cooperation Strategy (UNDCS)[59] for 2016-2020 that has had a dedicated pillar titled "International Protection and Migration" for the first time in the history of UN Turkey. The pillar focuses on provision of technical assistance for central/local administrations and civil society to ensure effective migration management. Such a move forward calls for various windows of opportunities for enhancing migration debate within UN Country Team in Turkey.

- Most recently, Turkey has taken over the chairmanship of Global Forum on Migration and Development (GFMD)[60] in October 2014 and G-20 in November 2014 for one year period. The first World Humanitarian Summit will also take place in Turkey in 2016[61]. Both the GFMD and G20 Presidencies in 2015 are very timely and important opportunities for Turkey to improve the governance of migration by advocating for the rights of all migrants, making particular efforts to combat anti-migrant sentiment

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[59] The UNDCS for 2016-2020 has been structured on four main pillars including; Pillar 1: Sustainable, Inclusive Growth and Development; Pillar 2: Democracy and Human Rights; Pillar 3: Gender Equality and Women's Empowerment and Pillar 4: Migration and International Protection. The document has been prepared under the coordination of Office of the UN Resident Coordinator and is expected to be finalized by the end of 2015.

[60] "The Turkish Chair's objectives are summarized in three points; (a)enhancing migrant-focused migration, (b)recognising the development impact of migration in public policies and (c) engaging relevant stakeholders in strengthening the linkages between migration and development". Retrieved from http://www.gfmd.org/meetings/turkey2014-2015/objectives (date of access 06.06.2015)

[61] Retrieved from http://www.mfa.gov.tr/world-humanitarian-summit.en.mfa (date of access 06.06.2015)

embedded into public perception as well as mainstreaming migration in national and global development policy making processes.

Having listed those recent developments, mainstreaming migration into development planning with a particular focus on labour immigration policies for all skills levels to ensure that economic growth is coupled with decent jobs for all has been one of the building blocks of the current immigration reform process which has manifested itself in the contemporary trend of developmentalization in immigration policy making. İçduygu (2014:9) asserts that over the post Second World War period, nation building driven immigration policies were gradually replaced by the emigration policies that revolved around the notion of developmentalism and market freedom. Table 6 highlights the key phases of historically dominant types of international migration and the respective dominant state ideologies.

Table 6:An Overview of the International Migration Transition in Turkey

Period	Dominant Types of International Migration	Dominant State Ideology Related to Migration
1923-1960	Emigration of non-Muslims Immigration of Muslims and/or Turks	Nationalism/Statism
1960-1980/90	Labour Emigration (Muslims and/or Turks)	Developmentalism/Liberalism
1990-2010	Immigration of foreigners (non-Muslims and/or non-Turks)	Neo-liberal Institutionalism

Source: İçduygu, A. (2014) Turkey's Migration Transition and its Implications for the Euro-Turkish Transnational Space, GTE Working Paper, (Istituto Affari Internazionali) No. 07 p.10. Retrieved from http://www.iai.it/pdf/GTE/GTE_WP_07.pdf (date of access 03.03.2015)

Within this framework, emigration driven and liberal positioning of the developmentalism (İçduygu, 2014) of 20th century has been experiencing a contemporary shift in its focus from emigration to immigration as of 21st century due to the increasing number of migratory inflow having direct or indirect impact on supply and demand of labour market as well as production relations in Turkish

context. Such a situation has called for re-visiting the notion of developmentalisation as a new trend in contemporary immigration policy making in Turkey related to recent national efforts to mainstream migration into development planning.

3.2.2.2.The Law on Foreigners and International Protection

Given the growing attention on migration in Turkish national agenda, the country has been experiencing a migration reform process as of mid-2000s involving both state and non-state actors in drafting the very first primary legislation as well as transforming the national administrative and institutional structure pertaining to migration management. Building on the objectives as set through Turkey's EU Accession Partnership Documents as well as National Programmes for the Adoption of the Acquis since 2001, drafting the primary and secondary legislation on migration management and assessing the administrative, operational and physical infrastructure related to Turkey's asylumand immigration systems have been among the main efforts by the Turkish authorities. As underlined by Soykan (2012:40), "the new Law in many ways represents a vast step forward towards the transformation and regulation of asylum and migration for Turkey since Turkey's ratification of the 1951 Geneva Convention" in 1961 as well as the 1967 United Nations Protocol Relating to the Status of Refugees (New York Protocol) in 1968.

Within this framework, enactment of the Law on Foreigners and International Protection No: 6458 on April 11th,2013 represents a major achievement over the mentioned migration reform process which called for respective adjustments, alignments and developments in diverse policy areas cross cutting migration field. The Law, given its first of its kind and milestone nature impacting Turkish migration history, became fully operational on 11th April 2014 and required important changes to be introduced in the Turkish immigration and asylum system.

In the words of a high level representative[62] of DGMM, three main motivations lie behind the post-2000 efforts of Turkey on migration management. Those included; (a) EU harmonization and alignment with the EU Acquis, (b) Human rights perspective including responsibilities of Turkey related to the human rights instruments (Table 7) with a specific focus on avoiding critisims by the European Court of Human Rights, (c) Turkey's need for migration management. Within this scope, Turkey tries to establish and operationalize a *sui generis* migration management system in line with her needs, the EU Acquis as well as international normative framework.

Table 7:Key Instruments of International Normative Framework on Migrant Rights

Migrants' Rights in UN Conventions and Documents[63]
 	
  ✓ Universal Declaration of Human Rights (1948)
  ✓ International Covenant on Civil and Political Rights (1976)
  ✓ International Covenant on Economic, Social and Cultural Rights (1976)
  ✓ The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)
 	
Migrants' Rights in Regional Human Rights Instruments
 	
  ✓ European Convention on Human Rights (1953)
  ✓ European Social Charter (1965)
  ✓ European Convention on the Legal Status of Migrant Workers (1977)
  ✓ Approach of the European Council towards the rights of irregular migrant workers[64]

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[62] Interview conducted on 22.04.2015 in Ankara.

[63] Technically, these instruments do not deal particularly with migrant rights, however they provide an overall and global framework on human rights which also cover rights of migrants.

[64] Parliamentary Assembly Council of Europe (2006). Human Rights of Irregular Migrants, Committee on Migration, Refugees and Population, Rapporteur: Mr Ed van Thijn. Retrieved from http://assembly.coe.int/ASP/Doc/XrefViewHTML.asp?FileID=11204&Language=EN (date of access 01.04.2015); Parliamentary Assembly Council of Europe (2006). Human rights of irregular migrants, Resolution No 1509, Retrieved from http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=17456&lang=EN (date of access 01.04.2015); Parliamentary Assembly Council of Europe (2006). Human rights of irregular migrants, Recommendation No 1755, Retrieved from
http://assembly.coe.int/Main.asp?link=http://assembly.coe.int/Documents/AdoptedText/ta06/eREC1755.htm (date of access 01.04.2015).

Table 7 Continued

Migrant Workers' Rights in ILO Conventions and Documents
✓ ILO Declaration on Fundamental Principles and Rights at Work (1998) ✓ C097 - Migration for Employment Convention (Revised), (No. 97) and Recommendation (No.86) (1949) ✓ C143 - Migrant Workers (Supplementary Provisions) Convention, (No. 143) and Recommendation (No. 151) (1975) ✓ ILO Multilateral Framework on Labour Migration: Non-binding principles and guidelines for a rights-based approach to labour migration (2006)

Another outstanding point came forward related to the political climate during the parliamentary discussions of the Law. It was an impressive time, because, Turkey was hosting 232.106 registered Syrians[65] when parliamentary discussions were held in March 2013 and following the parliamentary commissions this number reached 284.079[66] at a time that the Law on Foreigners and International Protection was enacted by the Turkish Parliament in April 2013.

At a time when the Law became fully operational, the number of registered Syrians reached 1.504.122 by the end of 2014 from 224.655 in 2013[67]. Having such a law with its particular focus on human rights of migrants enacted by the Parliament at a time when the country was witnessing a major influx of Syrians could be considered as a point which puts the emphasis on the above mentioned identical or *sui generis* side of Turkish migration policy differentiating itself from the mainstream Western modalities of migration management.

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[65]UNHCR, Registered Syrian Refugees in Turkey: 2012-2013, Retrieved from http://data.unhcr.org/syrianrefugees/documents.php?page=1&view=grid&Language%5B%5D=1&Country%5B%5D=224&Type%5B%5D=3 (date of access 03.05.2015)

[66] Ibid.

[67]DGMM, Retrieved from http://www.goc.gov.tr/icerik3/temporary-protection_915_1024_4748 (date of access 03.05.2015)

Following the adoption of the Law by Turkish National Assembly on 04 April 2013, a joint statement by EU Commissioners Štefan Füle and Cecilia Malmström[68] was published on 05 April 2013 welcoming the adoption of the law. The joint statement particularly acknowledged the adoption of the Law in terms of recognizing and appreciating Turkey's efforts in establishing a legal and institutional framework for migration and asylum in line with EU and international standards with a particular focus on human rights. Moreover, Turkey's provision of humanitarian assistance for Syrians fleeing to Turkish territories was also acknowledged by the Commissioners and the Law was recognized as a basis for the visa liberalisation dialogue between Turkey and the EU.

The Law building on its comprehensive, coherent and human rights based vision sets the standards for foreigners under the categories of entry and visa policy, residence including short and long term residence permits, statelessness, deportation and administrative detention, integration, international protection. Following the law, several regulations focusing on issues such as refugees, conditional refugees, secondary protection, temporary protection and details on the institutional structure of the Directorate General on Migration Management were introduced.

Enactment of the Law on Foreigners and International Protection has called for very affirmative developments towards a comprehensive and human rights based migration management system supported by structured administrative and technical infrastructures to be developed. Moreover, the Law building on its two main pillars regulates the status of foreigners and issues pertaining to refugee law under the title of international protection in a systematic and integrated manner, which was achieved for the first time in the history of migration polices at the level of a primary

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[68]Retrieved from http://europa.eu/rapid/press-release_MEMO-13-297_en.htm (date of access 03.05.2015)

legislation. The Law has been a milestone especially in terms of refugee law which has called for a comprehensive legislative framework for diverse cases of international protection through the definition of types of international protection namely refugee, conditional refugee, secondary protection and international protection. Through the Law there is now a concrete and predictable legal framework at national level in the field of international protection. Here it is complementary to mention, despite the mentioned reformist approach in immigration policy making, Turkey continued to maintain its geographical limitation to Geneva Convention by categorizing those non-European asylum seekers as "conditional refugees" under Article 62. With regard to foreigners, the Law has also called for a comprehensive and integrated framework which was quiet compartmentalized over the provisions under 1928 Citizenship Law No: 1312, 1950 Passport Law No: 5682 and 1950 Law on Residence and Travels of Foreigners in Turkey No: 5683 regulating entry, residence and exit of foreigners since the legislation was a very old revision and it was required to update it. .

In the words of a well-known academic of migration law and a former member of High Council of Judges and Prosecutors, the most concrete outcomes of the latest legislative and institutional amendments are listed as follows;

> *A new structuring at institutional level, number of issues dealt with a department under the police organization, issues such as foreigners, refugees and illegal migration to be handled in a more systematic structure, more focused on social politics in terms of policy determination, it is a process to be undertaken by a more public policy focused unit. The organization, organizational challenges, field organization, recruitment and training of necessary human resources; these are not easy to deal with. It will take some time to reap the fruits. It is necessary to appreciate the efforts of Turkey in the field of migration management. This one is the first. Secondly, migration management in Turkey has been considered on a humanitarian basis and within the framework of fundamental human rights and freedoms. The overall legal framework in the field of foreigners and refugees was revisited so that the modernization and reforms have reached a certain point together with the law. ....Since the regulations were too old there used to be gaps and they were not quite sophisticated. Two concrete examples could be given. The residence permits were mentioned legally but the types and arrangement of such permits with different purposes were not listed. The issue was regulated through circulars. In the new law six*

different types of residence permits are mentioned, the conditions, termination, rejection details are arranged through the law within the framework of legal certainty and security principles. Another example is about the detention of foreigners. Prior to Law on Foreigners and International Protection there was no arrangement on that and in several decisions rendered by ECHR mainly in Abdoulkhani and Karimnia case the Turkish Law was found to violate the 5th Article of European Human Rights Convention (arrangement on freedom and security of individuals), there was a gap in Turkish Law in this field which necessitated correction. The new law regulates these issues satisfactorily. When we evaluate the new legal framework in terms of comparative law we can say that it is quite satisfactory. In issues like foreigners' law and migration law, it is not sufficient to set the overall framework and the rules but also the guiding documents such as regulations and instructions for the detailed implementation of these rules and framework must be drafted. Additionally, the implementation must be done in a humanitarian framework within the perspective of fundamental rights and freedoms that have to be supervised and interpreted by judiciary organs in line with the principles of international law. (date of interview 06.11.2014,Ankara)

Enactment of the Law on Foreigners and International Protection as well as establishment of the DGMM have both prepared the legitimate basis towards a centralized approach on migration management. In the words of a high level representative of Ministry of Interior, the DGMM took its place in Turkish bureaucracy as both *de jure* and *de facto* coordinating institutional actor[69]. For sure the migration management is not a subject that can only be handled on a mono-institutional basis. Therefore, it requires multi-institutional cooperation both at national and international levels. Having such a vision embedded in the institutional mindset, Turkey's sui generis positioning manifested itself in the following approach as shared by the representative of Ministry of Interior[70];

We are against any kind of policy importation. Turkey will for sure shape up its migration policy in line with its national policies, EU, human rights as well as the need of the country. date of interview 22.04.2014,Ankara)

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[69] Interview conducted on 22.04.2015 in Ankara.
[70] Ibid.

Since the DGMM has fully been operational since April 2014, it has been the institutionalization process which characterized the migration reform process following enactment of the Law. Such an institutionalization effort has called for development and adjustment of skills set, tools set and more importantly the mindset on migration management at a national setting. Once the Law was enacted, the most challenging part of the institutionalization phase was the takeover of responsibilities and operational roles from the Department of Foreigners, Border and Asylum of the Directorate General of Security to the DGMM. Given the extensive institutional memory and operational experience of law enforcement in the field of migration, this takeover process has been quite challenging as it required alignment of all governmental and non-governmental actors with the newly established normative and institutional framework across the country. Another challenge that the newly established Directorate General had to encounter for sure has been the increasing volume of Syrians fleeing to Turkey which has required immediate engagement of DGMM along with its institutionalization process.

Given this background, the takeover process was over by 18 May 2015 and DGMM organized its provincial directorates in 81 provinces. A statement[71] was also released by the official website of the DGMM providing the details of the new structure pertaining to procedures foreigners and international protection. While takeover could be regarded as the main block of activities in the institutionalization process, enhancement of human resources capacity through recruitment of staff, development of training programmes for immediate development of the skills and knowledge, development and alignment of an information technology system with the available national context and preparation of secondary legislation to support effective implementation of the Law have all acted as parallel endeavours by DGMM.

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[71] Retrieved from http://www.goc.gov.tr/icerik6/provincial-directorates-of-migration-management-has-become-operational_914_1017_6798_icerik (date of access 01.06.2015)

In the words of Meera Sethi, Chief of Mission to International Organization for Migration Mission to Turkey (2013:25), the current migration reform has the potential to provide legitimate basis of coherent migration policy execution in many areas including;

> (a)Establishment of a legal, administrative infrastructure for migration management; harmonization with international standards and EU Acquis; and the elimination of the gaps leading to European Court on Human Rights violation decisions against Turkey; (b)Institute effective Inter-institutional Cooperation both at the policy and at the operational level; (c) Creation of various commissions and boards such as the Migration Policies Board, Coordination Board on Fight Against Illegal Migration and Migration Advisory Board that will support the process; (d) Striking a balance between security and human rights. It is important to note that work on secondary legislation related to entry, exit residence and other aspects has already begun in conjunction with the General Directorate of Migration Management.

Here it is worth mentioning that the drafting process was facilitated at a time in Turkish history when the issue of immigration policy making was not politicized yet just before the escalation of Syrian spillover. So, political parties did not instrumentalize the issue over their public policy discourses. This political climate availed the Ministry of Interior to identify challenges and gaps in the system by avoiding possible emotional debates unlike the European examples (Açıkgöz and Arıner, 2014:6).

It is important to note that drafting process of the Law was coordinated by the Ministry of Interior which has made particular efforts through facilitation of Migration and Asylum Bureau for pursuing a participatory approach. NGOs, academics, international organizations like International Organization for Migration and United Nations High Commissioner on Refugees as well as the representatives of relevant governmental institutions have all been involved and updated through the drafting process.

Within this scope, the Law carries a major step forward for both institutionalization and execution of migration policy which was regulated mostly by secondary

legislation as well as administrative circulars. Thus the mentioned compartmentalized legislative framework with its tools of secondary legislation had caused challenges for a coherent and comprehensive execution of migration policy in Turkey through *ad hoc* implementation of different practices towards migrants including asylum seekers, irregular migrants as well as vulnerable groups such as victims of trafficking and unaccompanied minors.

3.2.2.3.Turkey's Strategy Document and National Action Plan on Irregular Migration

Irregular migration has been one of the defining factors for formation of the Turkish migration policy of 2000s. Upon a decision taken by the Coordination Board on Fighting against Illegal Migration[72] on 6 September 2011, it was agreed to draft a strategy and action plan on irregular migration under the coordination of the Ministry of Interior. The overall objective of such an effort aimed at supporting the legislative and institutional capacity was to develop a comprehensive and inclusive migration management system coupled with evidence based irregular migration policy, to enhance the inter-institutional coordination and to encourage actors of the field in their fight against irregular migration as well as to support development of a human rights based approach by avoiding policies only focusing on security perspective (DGMM, 2015:1).

Within this scope under the coordination of DGMM, IOM developed a project titled "Supporting the Efforts of Turkey to Develop a Strategy Document and Action Plan on Irregular Migration" which was implemented from 12 July 2012 to 15 January 2015. This was initiated by DGMM demonstrating another step forward in support of the current migration reform process given the particular focus on vulnerable groups including migrant children. The Strategy Document and the National Action

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[72] In line with the Article 116 of the Law on Foreigners and International Protection No.6458, the Coordination Board on Combating Irregular Migration took over the roles and responsibilities of the Coordination Board on Fighting against Illegal Migration which was established under the leadership of the Migration and Asylum Bureau of the Ministry of Interior in February 2010.

Plan were endorsed by the Ministerial approval dated 05.03.2015 and identified six main strategic priorities in the field of irregular migration. Those include;

> (1)Preventing irregular migration and strengthening measures related to fighting against organized crimes related to migration; (2) Reducing irregular labour migration through comprehensive policies; (3) Strengthening the return (removal) system for irregular migrants within the framework of human rights standards; (4) Developing systematic data collection, analysis and sharing as well as conducting evidence based research to contribute to policies regarding irregular migration; (5) Respecting human rights of irregular migrants and taking measures to protect vulnerable irregular migrants; (6) Strengthening development focused regional and international cooperation to contribute to prevention of irregular migration.

In line with the above listed strategic priorities, relevant activities have been identified through a logical framework and those activities are aimed to be accomplished by the end of 2018 (DGMM, 2015:3). Upon establishment of DGMM, preparation of a strategy and national action plan on irregular migration clearly articulates the essence of irregular migration as a strategic priority item among the multi-dimensional immigration policy of Turkey. Given the growing attention on immigration policies rather than traditional developmentalism driven by emigration ones; challenges, gaps and needs caused as a result of irregular migration to Turkey have taken the lead in national agenda on migration management. As clearly defined under strategic priority 6, mainstreaming development in regional and international cooperation calls for a new trend of developmentalization through the contemporary immigration policy making processes. Moreover, the above listed strategic priority areas clearly show cross cutting nature of irregular migration with diverse areas including organized crime, labour economics, human rights, data management and development.

3.2.2.4.Development Plans

Given the increasing visibility and recognition of international migration, the issue has been gradually included and mainstreamed through the five year development plans prepared by the Ministry of Development. Within this scope, since early

2000s, 8th Development Plan (2001-2005)[73], 9th Development Plan (2007-2013)[74] and 10th Development Plan (2014-2018)[75] have paid particular attention to this emerging and cross cutting issue impacting diverse areas such as labour market, urbanization, social policy, security, etc.

Besides the internal migration and urbanization focus, 8th Development Plan (2001-2005) included some highlights related to irregular migrants, irregular labour migrants as well as asylum seekers by emphasizing the increasing nature of irregularity and limitations for identification of those groups. Within this scope, plan (MOD, 2001:86) includes the objectives of establishing an efficient registration system for identification of demographic and social economic profiles of those immigrants to Turkey including migrant workers as well as refugees and developing measures so as to solve the problems caused by new migratory trends such as temporary labour migration.

The 9th Development Plan (2007-2013), (MOD, 2006:112) however, puts the spotlight more on the combating organized crime, particularly combating terrorism, migrant smuggling and human trafficking. Within this scope, the Plan underlines that a specialized institution on migration and asylum should established with the aim of combating irregular migration and managing asylum as well as necessary legal and institutional regulations to be developed.

It has been through the preparation of the 10th Development Plan for 2014-2018 that one of the specialized commission reports was prepared under the title of

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[73]Retrieved from
http://www.mod.gov.tr/Lists/DevelopmentPlans/Attachments/2/Eight%20FiveYear%20Developm ent%20Plan%202001-2005.pdf (date of access 02.04.2015)

[74]Retrieved fromhttp://www.mod.gov.tr/Lists/DevelopmentPlans/Attachments/1/Ninth%20Development%20P lan%202007-2013.pdf (date of access 02.04.2015)

[75]Retrieved fromhttp://www.mod.gov.tr/Lists/DevelopmentPlans/Attachments/5/The%20Tenth%20Developm ent%20Plan%20(2014-2018).pdf (date of access 02.04.2015)

"migration". 46 special expertise commissions were established by the Ministry of Development, one of (39th) which was on migration. The commission report was drafted by a group of academics focused on emigration, immigration and internal migration. The report challenged the traditional internal migration focused nature of development plans and called for more comprehensive attention on international migration. Within this scope, immigration, emigration as well as internal migration have been mainstreamed in the 10th Development Plan, which has been an indicator of the rising attention and acknowledgement over the issue. The Plan (MOD, 2014:10) clearly underlines that; "Mobility of labour is expected to increase world-wide, for reasons such as employment, education and inequality. .In addition, internal migration stemming from inequalities is likely to continually increase". Moreover, the Plan (MOD, 2014:50) declares that; "an effective monitoring and follow up system will be established for immigrants, those in need of international protection, illegal workers and transit flows, and integration of beneficiaries of international protection status will be supported".

3.3. Evolving Approaches from Migration Management to Migration Governance

3.3.1. Contemporary Discussions

Building on the limited attention paid on international migration and international relations nexus, Weiner (1985:450) suggests three propositions on interconnections between states and population movements. According to the first one, relations among states are often influenced by the actions or inactions of states vis-à-vis international migration. While in most of the cases such relations carry the potential for conflict, they may also offer grounds for negotiation and cooperation. The second is that states affect international migration by the rules they create regarding entry and exit which provide them with the enforcement of their sovereignty rights. And the third is that international migrants have often become a political force in the country in which they reside.

Rosenblum and Cornelius (2012:246-247) propose three politically charged policy domains transcending migration. First, due to the integration of immigrants in the labour markets of host-state in regular or irregular basis, immigration has considerable economic impacts that lead to potential for conflict between business and labour interests. Second, migrants also have the potential for transforming the social and cultural domains in hosting state which would carry out discussion around assimilation and multiculturalism. And according to the final one, given the fact that immigration involves both domestic and international aspects, migration policy debate has the potential to get affected by security and foreign policy implications.

Within this scope, as clearly underlined by Hollifield (2012:358), the post Cold War period witnessed a considerable shift in the area of international relations from traditional security considerations to international economics with a particular focus on trade and finance. So, international migration with its contemporary political-economic driven nature prepares the legitimate basis for internationalization of domestic politics which leads to international cooperation on migration management. In an attempt to complement this recent trend of internationalization of migration policy, Rosenblum and Cornelius (2012:251) assert that;

> Although immigration rarely has received as much diplomatic attention as trade, migration policy episodically emerges as a top-tier diplomatic problem, especially when migration control efforts conflict with broader diplomatic goals related to a particular high-immigration state.

Moreover, Rosenblum and Cornelius (2012:264-265) list three main factors limiting the cooperation to the issue of international migration. Those include;

> (a) the multidimensionality limits states' discretion to manage migration in the same manner; (b) lack of bilateral, regional or multilateral institutions other than UN's limited capacity for managing migration limits the enhancement of collaborative approaches; (c) states at different points in the migration chain may have conflicting preferences about certain migration outcomes.

In terms of migration studies, Gammeltoft-Hansen and Sorensen (2013:4) "direct their analytical focus towards the migration industry and concurrent markets for

migration management. Migration industry in their conceptualization focuses on both facilitation and control of migration". In our contemporary world order, the mentioned migration industry including social networks, transnational linkages, immigration legislation, restrictive visa regimes and asylum policies as well as neoliberal governance paradigm resulting in privatization of migration related programmes seems to be deeply embedded in the current migration regimes as described by Gammeltoft-Hansen and Sorensen (2013:8).

Betts (2013:46) asserts that global migration industry and markets for migration increasingly influence "global migration governance". However, the world of migration affairs still lacks behind the formal or coherent multilateral institutional framework regulating states' responses to international migration despite the growing transnational nature of diverse migratory movements affecting states. Building on this background, Betts (2013:47) proposes five broad levels for conceiving global migration governance. Those include; "multilateralism, embedded governance, regionalism, bilateralism and unilateralism with extra-territorial scope".

3.3.2. Turkish Context

Within this context, emigration of nationals and immigration of foreigners with diverse profiles and needs became a complex phenomenon for Turkey. For sure the current migration reform process and efforts to align immigration policy with EU by keeping an eye on human rights and security balance constitute an important dimension of the contemporary national approach towards migration management. According to Açıkgöz and Arıner (2014:23), underlined that; "the immigration issue is not high in the political agenda and because migrants are not yet an active part of the society Turkey may require time and resources to test its new policies".

Besides the limited level of awareness at the policy level, one could hardly speak about the consciousness at public opinion in terms of the evolving migration policies as well as their potential impact on the public life in Turkey till the massive

influx by Syrians. Given the recent institutionalization process towards a centralized structure on migration management, governmental institutions also experience the above mentioned limited awareness and are in need of institutional capacity development as well as inter-institutional coordination to align their work cross cutting with migration management. Within this framework, the public perception on migration policies and their manipulating power over political processes seemed to be fairly limited till the migratory impact of Syria Crisis on Turkey as the heterogeneous nature of immigrants in Turkey did not lead to a potential "threat perception" until lately.

Within this scope, recalling the immigration policy making trends at transatlantic level pre and post 9/11 would provide apotential curve in terms of securitization of migration policies as well as rising up of anti-migrant public discourse fuelled with stigmatization. This experience offers a very fragile and slippery basis related to evolution of migration policies which makes one think about any possible fragility in Turkish context given the latest spillover from Syria. Besides the human rights based nature of Turkey's migration policy and ongoing EU accession process, Turkey's response to Syrian Crisis, particularly the humanitarian assistance offered, deserves a separate outlook on the potential fragility areas such as emergence of an anti-migrant approach of host community from the lens of migration and foreign policy nexus. Thus, this will be analyzed in the following chapters of this study.

Nicolescu (2012:57) acknowledges Turkey's rising profile as a regional actor and advocates for a consistent economic rise and growing civil society engagement. Moreover, Nicolescu (2012:57) underlines that Turkey's foreign policy discourse has evolved towards a level where diverse topics of mutual interest for Middle East countries, such as demographics, consequences of migration and economic cooperation have come to the fore.

Kirişçi (2012:320) argues that Turkey through three channels of transnational relations gets engaged with its neighbourhood. Those channels include; Turkey's economic and trade relations coupled with cross border movement of people and

finally role played by civil society facilitating the integration process through diffusion of values related to democracy, conflict resolution, cooperation as well as liberal market economies. Besides these channels of transnational relations, Turkey also experiences diverse levels of challenges in its neighbourhood. As Kirişçi puts forward (2012:327), those challenges revolve around; Turkey's need for continued reform process, Turkey's need for balancing the ethical necessity and national and business interest in the Arab world and finally, Turkey's need for keeping the control between its economic engagement, free trade agreements, free movement of people by avoiding hesitations of becoming hegemonic.

Within this scope, today we are able to speak about the emerging migration policy paradigms in Turkey. Migration policy is gradually becoming a foreign policy tool for strengthening the power position of Turkey in its region as well as in the international arena from political, financial and cultural dimensions. A member of Marmara University also commented on the current Turkish immigration policy and foreign policy nexus as follows;

> *Migration policy has three pillars: Interest focused (national interest to a great extent), security focused and human rights focused. The migration policy is founded on these three pillars. Let us define these. Interests attract the cream of the cream of the world. Brain gain and skills migration. Economic development also leads to it. Development and growth of Turkey. Human rights should be in a level to match the features of a democratic country. Security is one of the most significant dimensions that can never be forgotten. This approach covers both internal and external security. The interconnection between these three pillars is also important. One or two of them is not sufficient. The migration policy has to be structured over each of them through a holistic approach. 2008 was a year in which migration policy of Turkey was tried to be shaped but human rights and security focused approaches were highly discussed. If you have an ambitious foreign policy then you have to have an ambitious migration policy as well. For example, USA attracts more than 50.000 people through Green Card every year. This is both image politics and an instrument of public politics. The US uses migration policy as a tool of foreign politics and manages its international public relations as well. If you have a major target in foreign politics then you should identify supplementary areas to support that target. Migration policy offers a significant complementary power for foreign politics right at this point (Interview conducted on 18.11.2014).*

108

According to Erdoğan et al. (2013:454), maybe the most visible migration policy of Turkey is applicable, within the framework of both development and foreign policy, to Turkish nationals abroad. Even the 10th Five Year National Development Plan (2014-2018) includes points related to proposing solutions for problems of Turkish nationals living abroad as well as strengthening their bounds with Turkey (MOD, 2014:55). Within this framework, it is crucial to mention the establishment of the Prime Ministry Presidency of Turks Living Abroad and Related Communities as well as enhancement of role of Turkish Cooperation and Coordination Agency which have direct and indirect engagement for execution of Turkish foreign policy priorities related to migration both at regional and European levels.

Presidency of Turks Living Abroad and Related Communities works particularly on issues pertaining to Turkish nationals abroad, proposing solutions for their integration problems as well as engaging social, cultural and economic relations with relative communities in Turkey. Moreover, the Presidency also supports the foreign students who are the potential future leaders of their countries in Turkey through and after their education process with the ambition of establishing extended social, economic, cultural as well as political relations with their countries of origin upon their return.

Here it is worth mentioning that Turkish nationals abroad with their gradually organized structure have been considered as the potential agents for diffusion of Turkish foreign policy priorities in their respective host communities rather than being Turkey's agents of development and economic empowerment through their remittances Erdoğan et al. (2013:454).

In terms of international cooperation on migration, Turkey has gradually become an actor both at regional and international platforms. To give some examples, on 3 and 4 October 2013, the UN General Assembly[76] held the second High Level Dialogue on International Migration and Development (HLD) in New York,

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[76] Retrieved from http://www.un.org/en/ga/68/meetings/migration/about.shtml (date of access 05.05.2015)

following the first HLD of 2006. Turkey was one of the participating 193 states and the event was an important platform to contribute to the governance of migration. Moreover, Turkey has taken on the chairmanship of the Global Forum on Migration and Development in 2014-2015and continues to play a lead role in setting of the post 2015 development agenda, which is obvious from the fact that it adopted its 10th National Development Plan (2014-2018) including for the first time diverse aspects of migration.

Here it is complementary to highlight the global and regional processes on migration in which Turkey has been gradually taking active role. Particularly regional consultative process on diverse angles of migration have been acting as international platforms for Turkish authorities to enhance cooperation at transnational level, to exchange vision regarding migration management, to get internationally socialized as well as setting agendas and building consensus. The regional consultative processes that Turkey is a member are highlighted under the Table 8. Turkey, besides its membership at diverse regional processes, also has had very close cooperation with particular international organizations having thematic expertise on diverse issues pertaining to international migration. Within this framework, as mentioned before, IOM in the field of migration management and UNHCR in the field of international protection come into the picture as the traditional international partners with whom Turkish authorities have had long cooperation history. Such cooperation has manifested itself in an enhanced level of interaction and secondment of Turkish governmental officials to diverse jobs under those organizations as well as secondment of staff of international organizations to diverse jobs under the coordination of governmental institutions particularly the Directorate General on Migration Management. Such a convergence of service areas between the two parties in terms of human capital and norm setting processes upholds Turkey's visibility and proactive policy making approach directly.

Table 8:Turkey's Engagement in Regional Consultative Processes

RCP	# of Members	Main Areas of Discussion/Current Priorities
Budapest Process	49	The Budapest Process is an intergovernmental dialogue engaging close to 50 governments and more than 10 international organizations in the development of comprehensive and sustainable systems for orderly migration. It provides a platform for information-sharing, the exchange of experience and discussion of relevant topics. The 2013 Istanbul Ministerial Declaration on "A Silk Routes Partnership for Migration" identified six priority areas for cooperation: 1. Legal migration and mobility 2. Integration of migrants and counteracting phenomena such as discrimination, racism and xenophobia 3. Migration and development 4. Preventing and counteracting irregular migration, facilitating the return and readmission of irregular migrants, and combating criminal networks involved in smuggling of migrants 5. Preventing and combating trafficking in persons 6. Promotion of international protection
Prague Process	49	The objectives of the Prague Process are generally to strengthen cooperation in migration management and specifically to explore and develop agreed principles and elements for close migration partnerships between the participating countries.
MTM (Mediterranean Transit Migration Dialogue)	45	• Implement capacity-building and operational projects encompassing a dialogue component to facilitate the dissemination of results at the regional level and provide a solid platform for discussion; • Draw up recommendations, agree on future steps and build up spin-off initiatives; • Address issues relating to irregular and mixed migration (irregular migration/ human smuggling, trafficking in human beings, asylum and protection, return and readmission); • Address medium- and long-term issues related to migration and development (the mapping of institutional frameworks; capacities and practices of countries of origin and destination in the field of migration and development; strengthening African and Middle Eastern diaspora policies for more development, notably through South-South and South-North exchange); • Promote cooperation on labour and circular migration.
Almaty Process	7	Promote sustained dialogue and exchange of information on migration issues and on refugee protection challenges (preliminary topics include but are not limited to: emergency preparedness and responses to mass mixed influx situations; refugee protection; border management; migrant smuggling; labour migration; migration and development; data collection and information-sharing; differentiated processes and procedures; gender and migration; migration and health; migration, environment and climate change); • Facilitate the development of mechanisms to monitor migration trends in order to forecast and address irregular migration flows at regional level; • Foster a common understanding among States and other stakeholders of the causes, dimensions, patterns and consequences of cross-border displacement, and of the trends in and impact of migration in the region; • Promote coherent, comprehensive and differentiated policies at national and regional level for persons on the move; • Develop project-based actions aimed at enhancing State capacity to devise new forms of international and regional cooperation, with the goal of managing migration, including labour migration and refugee protection issues.

Table 8 Continued

Bali Process (Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime)	45	Developing more effective information and intelligence-sharing; • Improving cooperation between regional law enforcement agencies to deter/ combat people smuggling and trafficking networks; • Enhancing cooperation on border and visa systems to detect and prevent illegal movements; • Heightening public awareness in order to discourage these activities and warn those who are vulnerable to them; • Enhancing the effectiveness of return as a strategy to deter people smuggling and trafficking; • Cooperating on identity and nationality verification of illegal migrants and trafficking victims; • Enacting national legislation to criminalize people smuggling and trafficking in persons; • Providing appropriate protection and assistance to the victims of trafficking, particularly women and children; • Enhancing the focus on tackling the root causes of illegal migration; • Assisting countries to adopt best practices in asylum management, in accordance with the principles of the 1951 Refugee Convention; • Advancing the implementation of an inclusive, non-binding regional cooperation framework under which interested parties can cooperate more effectively to reduce irregular movements through the region.

Source: Information gathered from "Overview of the principal Regional Consultative Processes on Migration, by region", IOM, Retrieved from http://www.iom.int/sites/default/files/our_work/ICP/RCP/Overview-of-Principal-RCPs-February-2015.pdf (date of access 01.03.2015)

Given this background, the traditional phase-based approach in considering migration policy making in Turkey as of 2000s would remain restrictive in explaining the contemporary, multidimensional and cross-cutting processes pertaining to migration. Tracing the last ten years of Turkey with regards to immigration policy making, it is quite difficult to put it all in one phase. For the last ten years, Turkey has been readjusting, rethinking and realigning itself with the contemporary challenges and opportunities of migration as well as paying particular attention on balancing the security and human rights approaches. Time will show what will come out of these efforts.

The more the level of awareness at executive and policy making levels increases, the more the impact of immigration affairs will increase which will require proactive approach on both opportunities and risks. So through such a way, traditional approaches on migration management get challenged. Migration management calls for regulative framework whereas migration governance advocates for high level policy making and consideration on migration affairs.

Having this gradual shift towards migration governance would potentially have a direct or indirect impact on diverse policy areas such as education, health, energy, trade, justice, social security, employment and so on. This would call for a synergic impact zone and the volume of which could be directly linked to awareness levels of relevant actors of this field. Explicit introduction of the diverse migration policy making processes to all relevant actors would not only increase their awareness, but also make process execution to evolve towards process excellence when every actor acknowledges their role within the overall system. Moreover, identification of inter-phases between foreign policy and migration policy would offer a significant value.

CHAPTER IV

4. READING THE POLITICS OF TURKEY-EU RELATIONS FROM A MIGRATION LENS

Turkish migration policy has gradually become more debated and more visible within the scope of two main contemporary drivers that the country has been engaged in namely, *the EU accession process* and *the Syria Crisis*. Modernization of Turkey, political reforms driven by EU accession process, request by EU to adopt the Acquis and humanitarian assistance provided for Syrians spilling over to Turkey might all be considered as valid points,however they would not be enough in explaining Turkey's positioning over the current structuration of its immigration policy. In migration politics, it has become more visible that the Turkish authorities have realized that beyond the interest in adapting the EU acquis, there is a also a more actual national interest to modernize Turkey and to reform migration related normative, administrative as well as operational framework. This can be considered as a very endogenous factor which is mainly not so much touched upon by mainstream scholars. So, Turkey does not only want to please the EU but also the country has its own vision and strategic priorities in terms of diverse fields including foreign policy, economy, development, trade and so on. Whether this succeeds or not is another matter. Therefore, this endogenous domestic driver of all recent developments in migration realm is critical to bear in mind in unpacking the politics of Turkey-EU relations pertaining to migration.

Having mentioned this contemporary endogenous domestic driver for migration policy development, one needs to bear in mind the catalyser effect of EU accession process where migration has become one of the defining and central issues of Turkey-EU relations. Given the contemporary changes in global politics, international migration has gradually become a structural issue in global political agenda. Migration and foreign policy nexus have shifted from periphery to the core

in Turkey's EU accession process in line with the recent developments in the EU migration agenda of post-Stockholm process. Turkey has become a key actor for EU in terms of migration policy not only related to Turkish Diaspora in Europe but also related to migratory movements of third country nationals transiting Turkey. Therefore, Turkish migration policy has become a highly political area of interest with its potential impact on EU's security, economy, external relations as well as domestic politics. Having said this, the future of Turkey's migration policy would directly be impacted by the future of Turkey-EU relations given the inter-relations between migration diplomacy and membership diplomacy (İçduygu and Aksel, 2014).

Building on this background, this chapter aims to explore the politics of Turkey-EU relations from a migration lens via putting the spotlight on 2000s. Given the conducted 47 semi-structured interviews with the representatives of key governmental, non-governmental and international institutions as well as academics, this chapter will be dedicated to offer an analysis of the information and observation gathered related to emerging issues on politics of immigration policy making in Turkey-EU relations. Therefore, it will be complementary to recall the key highlights on evolution of EU migration policy which will provide a baseline in reading the politics of TR-EU relations from a migration lens.

4.1. Evolution of EU Migration Policy: A Particular Focus on its External Dimension

Migration is a permanent feature of European society as one of the pioneer destinations of the globe. This part of the chapter aims to examine how the EU has been affacted by diverse forms of migratory movoments since post Cold War and how it tries to enforce a common migration policy through the stages of its institutionalization. Besides developing of mechanisms for common policies and decisions, the EU also offers important examples through its enlargement process. IOM (2014a:1) reports that main destinations countries in Europe such as Spain, Germany, the United Kingdom, France and Italy host approximately 10 or 12 per

cent of the total share of international migrants, which is around 232 million (UN DESA, 2013), with the exemption of Sweden hosting 16 per cent. The total number of international migrants estimated to reach 405 million by 2050 (IOM,2010b). Moreover, UN DESA (2013) reports that nearly two thirds of all international migrants reside in Europe (72 million) and Asia (71 million). Figure 17 clearly shows the ranking among the major hosting regions. Additionally, Figure 18 emphasizes that half of the total international migrants reside in ten countries with the USA as the top country.
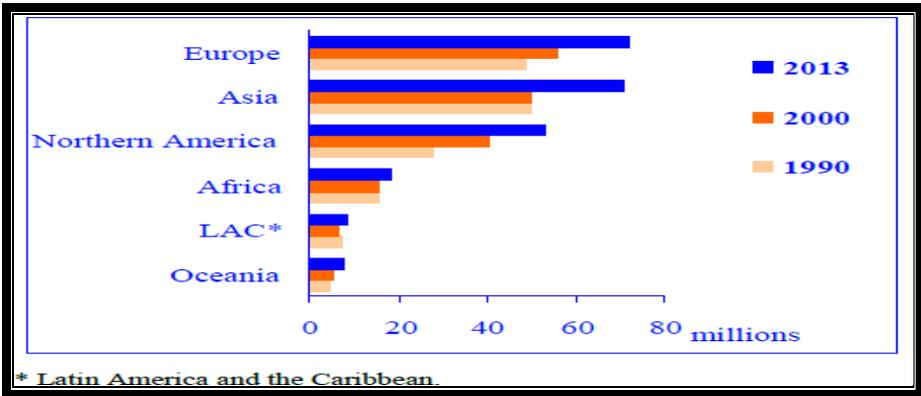
Figure 17:International Migrants by Major Area, 1990,2000 and 2013
Source: UN DESA (2013) "Population Facts", Population Division, No. 2013/2 September 2013, Retrieved from
http://esa.un.org/unmigration/documents/The_number_of_international_migrants.pdf (date of access 25.04.2015)
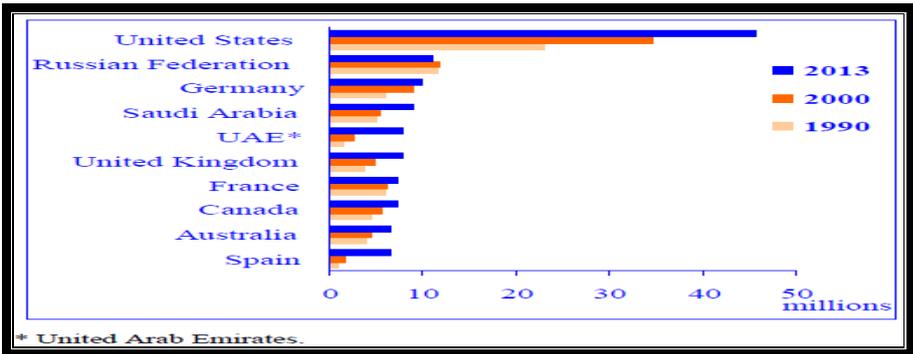
Figure 18:Ten Countries with the Largest Number of International Migrants, 1990, 2000 and 2013 (millions)
Source: UN DESA (2013) "Population Facts", Population Division, No. 2013/2 September 2013, Retrieved from
http://esa.un.org/unmigration/documents/The_number_of_international_migrants.pdf (date of access 25.04.2015)

Respectively better living standards and its consideration as the "*land of opportunities*" have prepared the basis for EU territories to be approached by many people with hope to find better livelihood. In order to understand how EU has historically been affected by diverse forms of migratory movements including regular and irregular migration, there is need for explaining what refers to notion of "border". The reason behind this notion, is that traditional definition of "border" that refers to geographic, political and administrative division can only explain some part of the issues relating to who will be accepted into pre-defined territories of a country and who will not.

In our contemporary world order, however, this territorial division goes beyond its geographic, political and administrative nature. In this respect, Geddes (2008:205-224; 2009:14) defines borders under three categories including territorial, organizational and conceptual where diverse levels of interaction between migrants and host community take place. Territorial borders are the basic ones with their geographical nature. Organizational borders refer to migrants integration in the labour market and becoming a beneficiary of social services of a host state. Conceptual borders on the other hand, refer to ones defined around the notions of identity and self belonging of citizens and they are involved in contemporary debate on integration of migrants.

Border conceptualization offers an interesting subject of analysis through EU integration. Moreover, interrelation of this integration process with the EU migration policy making has prepared the legitimate basis for changeability of borders over the years. Given EU migration policy history, such a changeability has called for re-visiting and re-construction of EU borders supported by the related normative and operational frameworks of semipermeable nature which would have direct or indirect impacts over the national sovereignty debates (Canpolat and Arıner, 2012:11). Building on these diverse levels of border conceptualizations, Geddes (2009:7) refers to the impact of this border changeability on EU integration process as follows;

Deepening integration within the EU has the following consequences: (1) border relationships in Europe have changed; (2) the EU is both a cause and an effect of these changes; (3) there are strong domestic roots for external EU action on migration and asylum; and (4) these domestic roots are linked to the debate about the trade-off between work, welfare and the perceived need for new immigration.

Within this scope, in line with EU deepening process, establishment of the common market through 1986 Single European Act and provision of free movement of people through Schengen Agreement[77] have shown how borders within the EU could be lifted (Geddes, 2008:207). Moreover, Schengen Agreement ratified by France, Germany and Benelux Countries in 1985 as the first time could be shown as a good example which has prepared the legitimate background in enforcing common visa regime at EU external borders and promoting a security oriented partnership among ratifying countries in the areas of terrorism and irregular migration. Additionally, assignment of a liaison officer by each Schengen ratifying country to be responsible for coordinating communication and information sharing on terrorism, drug trafficking, organized crime and irregular migration as of 1995 has proven a valuable indicator for EU borders which on the one hand has got blurred and stricken on the other (Karyotis, 2007:5).

As reported by Thompson (2015:6), a forthcoming IOM report titled *How* the *World Views Migration* provides interesting highlights in terms of the public perception towards immigration at global level. Building on the results of the Gallup World Poll, the pipeline report puts forward results of a survey conducted with 183,772 adults between 2012 and 2014. The report asserts that there is a relatively positive consideration of immigration at overall scale. Details of those approaches at regional levels are illustrated in Figure 19.

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[77] "The Schengen Area encompasses most EU States, except for Bulgaria, Croatia, Cyprus, Ireland, Romania and the United Kingdom. However, Bulgaria and Romania are currently in the process of joining the Schengen Area. Of non-EU States, Iceland, Norway, Switzerland and Liechtenstein have joined the Schengen Area". Retrieved from http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/schengen/index_en.htm (date of access 01.05.2015)
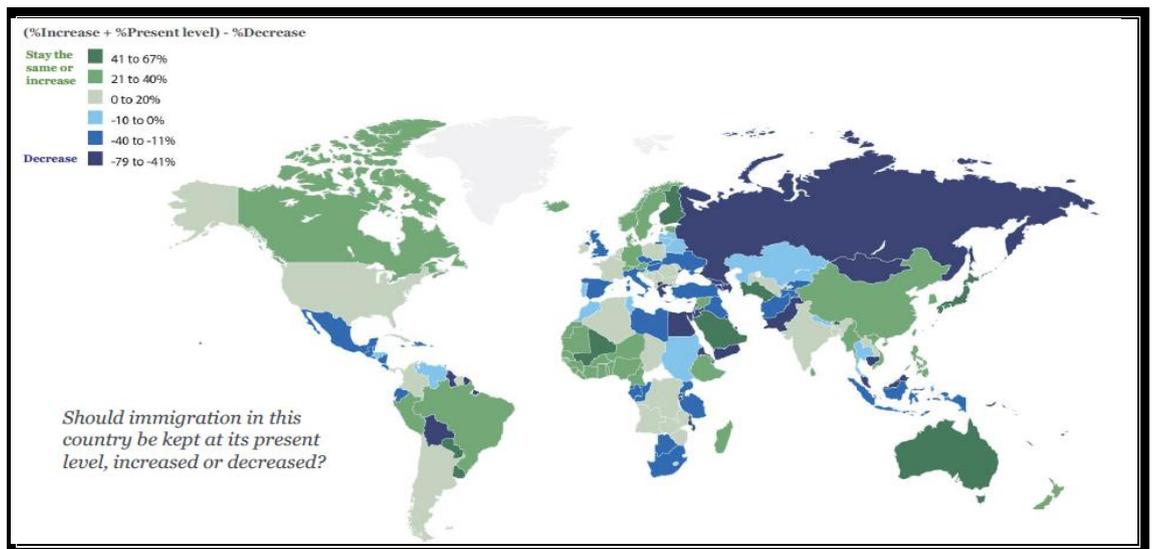
Figure 19: How the world views migration, 2012-2014

Majority of the respondents (% 43.1, *in total*) seems to vote for immigration level to remain at the current level (%21.8) or to be increased (%21.3), while %34.5 respondents voted for decrease in the immigration level to their countries. Among the ones, Europe is the region where the most negative attitudes and perceptions towards immigration appear to exist. IOM-Gallup World Poll results show under Figure 20 that perception of Europeans towards immigration is the most negative one amongst regions of Africa, North America, Latin America and Caribbean, Asia and Ocenia with %51.2.
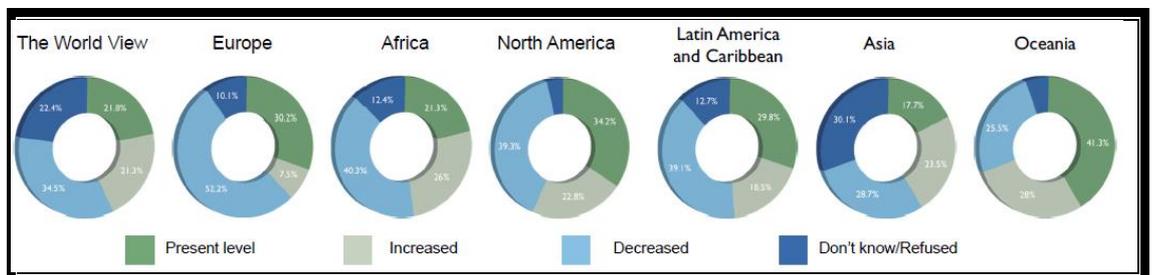
Figure 20:Should immigration (in this country) be kept at its present level, increased or decreased? Regional overview

Inclusion of migration into the agenda of EU requires multi-level cooperation including intergovernmental, supranational as well as regional (Lavenex, 2006). Weinar (2011:15) underlines the limited hope for cooperation on external dimension of EU migration policy as follows;

> It seems that the only hope for better, more focused and coordinated EU external action on migration policy is more European integration. Until then, the lessons learnt from bilateral cooperation among States cannot be used at the supranational level, and multilateral relations on migration will be kept hostages to the old, post-Westphalian paradigm.

Such an approach has been accompanied by enforcement of policies at supranational level and different levels of internalization of those policies by member states. In an effort to put the spotlight on the external dimension of European migration policy which has a direct link to reading of the TR-EU relations on migration as evaluated through the next parts of this study, one would also need to explore the core elements of European common migration and asylum policy.

4.1.1. A Retrospective Snapshot of the Key Phases of European Migration Policy Development

Immigration towards Europe has spanned through three historical phases since the end of Second World War. Those historical phases differ in line with the legal classification of migrants. The first phase had started through immigration from southern neigbouring countries towards industrialized northern ones especially upon invitation for unskilled "guest workers" to be employed in the revitalization efforts in the aftermath of the Second World War. Unification of migrants who have settled in Europe with their families has shaped up the second phase. The last phase which has been identified by the fall of the Berlin Wall in 1989 and collapse of Soviet Union in 1991 has witnessed the new immigratory flows from Eastern Bloc countries who intended to seek asylum in Europe (Lindstrom, 2006:30; Canpolat and Arıner, 2012:12).

Following the last phase of immigratory movements to Europe, a considerable change in the perception towards migrants and asylum seekers has been observed.

After the fall down of centrally planned economies and enhancement of free market system including free movement of goods, labour and capital; a gradually anti-migrant public discourse as well as a threat driven public perception started to evolve against migrants and asylum seekers who were initially considered as people in need of humanitarian assistance or migrant workers. Furthermore they were considered as people who tried to exploit the social protection system or who violated the public order in respective hosting countries (Lindstrom, 2006:30; Canpolat and Arıner, 2012:12).

Building on these gradually diverse profiles of migratory movements affecting the Eurepan borders, Zeilinger (2011:19-21) clusters the evolution of external dimension of European migration policy under four main historical phases. Those include; "inter-governmentalism", "communitarisation or supranationalism", "externalization or extra-territorialization" and "institutionalization" of EU's external policy towards third countries by introducing task-specific policy networks. The following part of this chapter will employ Zeilinger's mentioned categorization of historical phases in an attempt to understand the key characteristics of the European migration policy development.

4.1.1.1.The Phase of Inter-Governmentalism

Inter-governmentalism has been the core framework for the early European common migration and asylum policy before the 1990s. As Balleix (2014:2) puts forward, although Europe thoroughout its history has been affected by diverse forms of migration, evolution of common migration and asylum policy only dates back to late 1970s with its absence from both the Rome Treaty as well as from the Single European Act. It started purely in an inter-governmental nature via the inital steps of 1985 Schengen Convention.

The oil crisis of 1973-74 was the main motivating factor for EU economy to experience a long term recession, whichserved as the basis for the change in perceptions towards migrants. Following this recession, Western European

countries have started to implement more restrictive migration management approach. Within this framework, internal security driven intergovernmental cooperation agreements which included regulations on irregular migration were ratified and those agreements provided the basis for EU's future common migration and asylum policy. The first one of these initiatives was the establishment of "Trevi Group" on December 1st, 1975 during the European Council Rome Summit. As of 1976, the Trevi Group has had periodic information sharing on diverse issues including civil aviation security, terorism and nuclear safety and security, exchanging scientific and technical information through participation by representatives of Ministeries of Interior and Ministeries of Justice of participaing countries. In 1985 the agenda of this cooperation and information sharing platform, the Trevi Group, was expanded to include irregular migration and organized crime; those included Trevi I on counter-terrorism, Trevi II on police cooperation, Trevi III on fight against international crime and Trevi 1992 on abolition of borders (Council of European Union, 2005:7) At a later stage, important security measures affecting the irregular migration management were also taken and those would later be in line with the European Single Act. In 1986, an *ad hoc* group by the Trevi ministers was set up with the aim of harmonization of national procedures on migration and asylum and sharing of information on entry and residence of people of concern (Karyotis, 2007:4-5; Canbolat and Arıner, 2012:12).

In line with those happenings, the 1986 Single European Act prepared the legitimate basis for establishment of the common market coupled with free movement of persons within EU through 1985 Schengen Convention and its Implementation Agreement in 1990. Abolishment ofborders within the EU and efforts for creating of a common market acted as a catalyst for early steps of communitarization around the issues of controlling EU's external frontiers from a security driven approach. Within this framework, gradual increase in the immigratory flows to EU has motivated member states to develop common measures to control them. It was the "Palma Document of 1989" which set out the shift from an ad hoc intergovernmentalist approach to an institutionalized one or in Bunyan's words

"from ad hoc inter-state mechanisms to a permanent European state" (Bunyan, 1993:1) As underlined by Zeilinger (2011:22), the Palma Document called for "system of surveillance at external frontiers […] combating illegal immigration networks and a system to exchange information on people who are 'inadmissible' to the EC" (COM 1989).

The gradual emergence of this security driven approach to migration control triggered development of new tools such as Schengen Information System (SIS)[78] in 1985 which was renewed in 2013 and called (SIS II)[79] in order to better manage information related to people who are not allowed to enter EU territories due to their perception by EU authorities as a threat to the public order and national

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[78] "The Schengen Information System (SIS) is a highly efficient large-scale information system that supports external border control and law enforcement cooperation in the Schengen States. The SIS enables competent authorities, such as police and border guards, to enter and consult alerts on certain categories of wanted or missing persons and objects. An SIS alert not only contains information about a particular person or object but also clear instructions on what to do when the person or object has been found. Specialised national SIRENE Bureaux serve as single points of contact for any supplementary information exchange and coordination of activities related to SIS alerts. The main purpose of the SIS is to help preserving internal security in the Schengen States in the absence of internal border checks. The scope of the SIS is defined in three legal instruments: (a)Regulation (EC) No 1987/2006 (Border control cooperation)The SIS enables border guards and visa issuing and migration authorities to enter and consult alerts on third-country nationals for the purpose of refusing their entry into or stay in the Schengen Area; (b)Council Decision 2007/533/JHA (Law enforcement cooperation) The SIS supports police and judicial cooperation by allowing competent authorities to create and consult alerts on missing persons and on persons or objects related to criminal offences; (c)Regulation (EC) No 1986/2006 (Cooperation on vehicle registration)Vehicle registration services may consult the SIS in order to check the legal status of the vehicles presented to them for registration. They only have access to SIS alerts on vehicles, registration certificates and number plates". Retrieved from http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/schengen-information-system/index_en.htm (date of access 05.06.2015)

[79] "The Schengen Information System II (SIS II): The Schengen Information System (and the second generation of the system - SIS II) is at the heart of Schengen cooperation since 2013. As a key compensatory measure for the abolition of internal border checks the SIS II therefore continues to play crucial role in facilitating the free movement of people within the Schengen area. SIS II allows competent national authorities to issue and consult alerts on persons who may have been involved in a serious crime or may not have the right to enter or stay in the EU. It also contains alerts on missing persons, in particular children, as well as information on certain property, such as banknotes, cars, vans, firearms and identity documents, that may have been stolen, misappropriated or lost. Being a state-of-the-art IT system and one of the largest of its kind worldwide, it will ensure strong data protection. It will consist of three components: a Central System, Schengen States' national systems and a communication infrastructure (network) between the Central and the national systems". Retrieved from http://europa.eu/rapid/press-release_MEMO-13-309_en.htm (date of access 05.06.2015)

security or due to their deportation history because of an irregular entry or stay in Schengen Area (Balleix, 2014:2). Besides SIS II, the Visa Information System (VIS)[80] was also established in 2004 to facilitate exchange of visa information among Schengen States and to avoid "visa shopping".

In 1990 Dublin Convention was signed and besides regulating asylum application procedures for EU member states, it has opened the ground for rejection of an asylum application in all EU member states once it is rejected in one of them (Karyotis, 2007:4). In addition to those conventions, early 1990s also witnessed a historical treaty revision with the entry into force of the Maastricht Treaty (The Treaty on European Union, TEU) on 1 November 1993. Through the Maastricht Treaty, three main pillars of EU were established. Three pillars formed the basic structure of the European Union.

Those pillars included; (1) the European Communities, (2) Common Foreign and Security Policy (CFSP) and (3) police and judicial cooperation in criminal matters (JHA). One of the significant contributions of the Maastricht Treaty was that the intergovernmental work of Trevi Group was incorporated into the third pillar of the EU. Zeilinger underlines that the Maastricht Treaty (2011:23) resulted in an institutionalisation of intergovernmental coordination among member states on Foreign Policy and JHA matters although the third pillar of JHA kept its

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[80] "The Visa Information System (VIS) allows Schengen States to exchange visa data. It consists of a central IT system and of a communication infrastructure that links this central system to national systems. VIS connects consulates in non-EU countries and all external border crossing points of Schengen States. It processes data and decisions relating to applications for short-stay visas to visit, or to transit through, the Schengen Area. The system can perform biometric matching, primarily of fingerprints, for identification and verification purposes". Retrieved from http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/visa-information-system/index_en.htm (date of access 02.05.2015)

intergovernmental nature. The Article K1[81] of the Maastricht Treaty defined the new institutional framework of JHA within the EU.

4.1.1.2.The Phase of Communitarization

End of the bi-polar world order coupled with the demise of the Soviet Union called for diverse migratory flows at international scale. The Single European Act and the Schengen Agreement reinforced consideration of the EU as the land of opportunities for many people who are in need of better livelihoods due to the happenings at global and regional scales. As of 1990s need for a common and supranational migration and asylum policy gradually became a topic of higher priority within the EU due to the emergence of soft security challenges including irregular migration, migrant smuggling as well as trafficking in human beings. Yıldız (2012:86) puts forward that development of common migration and asylum policies within the Union has also been closely linked to the EU's international role in terms of foreign policy, measures of combating irregular migration including border controls and readmission agreements. Such a shift towards requirement of common migration and asylum polices driven by security considerations prepared

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[81] Maastricht Treaty, Title VI Provisions of Cooperation in the Fields of Justice and Home Affairs, Article K1: For the purposes of achieving the objectives of the Union, in particular the free movement of persons, and without prejudice to the powers of the European Community, Member States shall regard the following areas as matters of common interest; (1)asylum policy; (2) rules governing the crossing by persons of the external borders of the Member States and the exercise of controls thereon; (3)immigration policy and policy regarding nationals of third countries; (a) conditions of entry and movement by nationals of third countries on the territory of Member States;(b) conditions of residence by nationals of third countries on the territory of Member States, including family reunion and access to employment; (c)combatting unauthorized immigration, residence and work by nationals of third countries on the territory of Member States; (4)combating drug addiction in so far as this is not covered by 7 to 9; (5)combating fraud on an international scale in so far as this is not covered by 7 to 9; (6)judicial cooperation in civil matters; (7)judicial cooperation in criminal matters; (8)customs cooperation; (9)police cooperation for the purposes of preventing and combating terrorism, unlawful drug trafficking and other serious forms of international crime, including if necessary certain aspects of customs cooperation, in connection with the organization of a Union-wide system for exchanging information within a European Police Office (Europol). Retrieved from http://www.hri.org/docs/Maastricht92/mt_title6.html (date of access 01.06.2015)

the necessary political climate for cooperation among member states to act together under the supranational umbrella of the EU.

With the Maastrict Treaty in 1992, common migration and asylum policy was included in the third intergovernmental pillar whereas after the Treaty of Amsterdam, which came into force on 1 May 1999, it was moved to the first pillar of common policy where the community method was the main framework with the leading roles of the EU institutions. The Treaty of Amsterdam could be considered as the turning point for integration of EU migration management policy into *acquis communautaire.* Through the Treaty of Amsterdam, it was declared that EU is an area of "freedom, security and justice"; a part regulating free movement of people, migration and asylum was included in the treaty; Schengen Agreement was included within the framework of the Treaty of Amsterdam and enforcement of legislation was supported against race and etnicity based discrimination (Geddes, 2008: 212; Canbolat and Arıner, 2012:12)

The period in between these two treaties (1993-1999) was identified as the process where securitized "internal" and "external" migration and asylum policies produced. As Lindstrom (2006:31) and Canbolat and Arıner (2012:14) underline that during this period, besides restrictive policies like "internal" policy visa regimes, carrier sanctions, assignment of focal points at airports; aversive policies including apprehensions, temporary protection, limitations in social assistance and residence permits were implemented. When it comes to external dimension of migration policy implementation, the third countries were requested to share burden in asylum and protection issues through negotiation of readmission agreements which called for the EU migration management system to be executed through core and peripheries. According to this approach, EU member countries were considered as the core; candidate countries and some of the Mediterrenaen countries were included in semi-periphery and countries which do not hold the candidate status yet were included in periphery. Territories of countries in periphery have been considered as buffer zones where unwanted immigrants or asylum seekers would change their directions. External areas beyond the periphery were considered as

places where push and pull factors for regular and irregular migration were tried to be controlled through development aid or financial contributions. Within this context, Lavenex (2006:330) underlines that expansion of the EU migration policy beyond the member states not only called for inclusion of JHA issues with a greater external dimension and comprehensive approach to migration but also increased level of cooperation with the candidate and third countries.

4.1.1.3.The Phase of Externalization

The term *externalization* refers to an obviously executed policy in the immigration and asylum management system of EU. According to Geddes (2008:217), externalization refers to "carrying" the EU borders for controlling immigration beyond the territories of EU, in other words, controlling immigration away from the potential EU destination country. Externalization which could be considered as the complementary part of the securitization policies facilitated the immigration management process to reach out to the territories of third countries.

Following the inclusion of the JHA issues within the EU community method, the area of JHA was supported by multiannual programming. Pascouau (2014:8) asserts that this process has three main functions including; defining the orientations of the policy, identifying the timeframe of the steps to be taken and assessing whether the measures have been adopted. Within this scope, as of entry into force of the Amsterdam Treaty in 1993, three multiannual programmes were initiated namely; Tampere (1999), The Hague (2004) and Stockholm (2009). All these programmes came up with considerable institutional and normative adjustments. Entry into force of the Amsterdam treaty just after the launch of the Tampere programme, adoption of the Hague programme over the Constitutional Treaty discussons and entry into force of the Lisbon Treaty just before the Stockholm programme are all related to aforementioned substantial transformations.

It was initially the Tampere European Council held in October 1999 that acted as a catalyst for formal structuration of external dimension of migration and asylum policy via a comprehensive approach (Sterkx, 2004:8). In the words of Pascouau (2014:8), "the Tampere European Council adopted a short, truly political oriented, forward looking and inspriring conclusions in the areas of freedom, security and justice". Gradual inclusion of external dimension of migration policy supported the idea of developing the EU as an area of fredom, justice and security. However, it is important to mention that as Tampere was the initial step towards streamlining the JHA with the EU level, Collett (2014:2) underlines that such an approach caused 15 different percentions and conceptializations of the intended common policy at that time. A single concept was planned to be adapted to 15 different contexts, however each of them was interpreted in a different way.

Table 9:JHA Programmes and Key Migration and Asylum Policy Priorities

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Tampere Programme (2000-05)

The special session of the European Council at tampere, in October 1999, called on the European Union to develop commin migration and asylum policies. The "fields of action" arising from the meeting included:

- Free movement for anyone legally in the European Union to travel, work, and settle anywhere they wish in the European Union
- Working towards a common European asylum system and a joint European immigration policy
- Recognition and protection of the fundamental rights of everyone living legally in the European Union
- Police and customs cooperation to fight organized crime, illegal immigration and other illicit cross-border or trans-border activities.

The Hague Programme (2005-10)

The Hague Programme called for a new approach to deal with legal and illegal immigration, including the following priorities:

- Fighting illegal immigration and human trafficking, and cooperating with third countries in all fields, including the readmission and return of migrants, to better manage migration flows
- Developing integrated management of the European Union's external borders, creating more effective visa policies
- Setting up a common asylum procedure, including working towards a common procedure and status for refugees
- Promoting immigrant integration, including setting up a European framework for integration

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Table 9 Continued

Stockholm Programme (2010-14)
The Stockholm Programme focused on further coordination of border management, visa and migration and asylum policies:
- Enforcing borders to prevent illegal immigration and cross-border crime, and encouraging cross-border cooperation through measures such as the second-generation Schengen Information System (SIS II) and Visa Information System (VIS II)   - Developing a common migration policy that addresses labour market needs while minimizing "brain drain" effects on origin countries, and including efective integration and return policies   - Establishing the Common European Asylum System (CEAS) by 2012

Source: Collett, E. (2014) Future EU policy development on immigration and asylum: Understanding the challenge, Migration Policy Institute Policy Briefs, Issue No.4, p. 3 Retrieved from http://www.migrationpolicy.org/research/future-eu-policy-development-immigration-and-asylum-understanding-challenge (date of access 01.03.2015)

The Tampere European Council[82] also encouraged development of new modalities of cooperation to strengthen the external dimension of European migration and asylum policy which stands at a point where internal and external security concerns crosscut. To support such an approach, the High Level Working Group on Asylum and Migration was established in 1998. The Feira Council in 2000[83] hosted the adoption of main guidelines for the Tampere Programme which called for

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[82] "Tampere European Council, 15-16 October 1999, Presidency Conclusions, A Common Asylum and Migration Policy, Partnership with Countries of Origin, Article 11. The European Union needs a comprehensive approach to migration addressing political, human rights and development issues in countries and regions of origin and transit. This requires combating poverty, improving living conditions and job opportunities, preventing conflicts and consolidating democratic states and ensuring respect for human rights, in particular rights of minorities, women and children. To that end, the Union as well as Member States are invited to contribute, within their respective competence under the Treaties, to a greater coherence of internal and external policies of the Union. Partnership with third countries concerned will also be a key element for the success of such a policy, with a view to promoting co-development. Article 12. In this context, the European Council welcomes the report of the High Level Working Group on Asylum and Migration set up by the Council, and agrees on the continuation of its mandate and on the drawing up of further Action Plans. It considers as a useful contribution the first action plans drawn up by that Working Group, and approved by the Council, and invites the Council and the Commission to report back on their implementation to the European Council in December 2000". Retrieved from http://www.europarl.europa.eu/summits/tam_en.htm (date of access 02.03.2015)

[83] Santa Maria Da Feira European Council, 19-20 June 2000, Conclusions of the Presidency, Retrieved from http://www.europarl.europa.eu/summits/fei1_en.htm (date of access 02.02.2015)

strengthened border controls as well as signing of readmission agreements with countries of origin (Lavenex, 2004:689).

While following the Tampere Summit, EU agenda has gradually tried to develop a comprehensive policy framework on managing immigration and asylum, it is crucial to mention that 9/11 terorist attack to the USA has had direct impact on changing the EU perception towards immigrants. Following the September 11, management of immigration and asylum has experienced a backlash in line with security concerns (Karyotis, 2007:6).

The impact of September 11 on the EU migration policy could be understood with reference to difference between the EU migration agenda which was enhanced following particularly the Tampere Summit and the one after the attack. Furthermore, before September 11, the European Commission had proposed to EU Council and EU Parliament to reconsider its "zero migration" policy (increasing number of need for skilled and unskilled labour force, aging EU population and racism) but 11 September dropped them out (Karyotis, 2007:6-7). Reconcilation of migrants with terrorism lead EU member states namely Denmark, Italy, Portugal, the United Kingdom to enforce new laws against illegal migrants; and at the Seville European Council of 2002[84], Spain and United Kingdom tried to pull the financial support of those countries together towards developing a joint approach for control of migratory flows into their territories. Furthermore, legal migrants have also been affected by diverse restrictive legal sanctions following backlash in EU migration policy (Lavenex, 2006:342). It was at the Seville European Council that the new modalities of cooperation with third coutries such as readmission agreements, assisted voluntary returns programmes, combating irregular migration as well as strengthened border management were mentioned as potential tools for developing a common migration and asylum policy. It was through the Seville European Council that the *"carrot and stick"* metaphor had started to be used to describe

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[84]Seville European Council , 21-22 June 2002, Conclusions of the Presidency, Retrieved from http://europa.eu/rapid/press-release_DOC-02-13_en.htm?locale=en (date of access 01.02.2015)

EU's applied "positive conditionality" in managing its borders beyond its territories. Moreover this metaphor has also been applied as a foreign policy tool for EU enlargement processes (Smith, 2003).

The Hague Programme of 2004 was adopted during a very security-dominated political climate given the September 11 terorist attack to the USA, the negotiations on the Constitutional Treaty as well as the significant enlargement of 2004. As Pascouau (2014:8) puts forward; "the Hague Programme was the result of these dynamics which ended with the central aim of strengthening the area of freedom, security and justice".

4.1.1.4.The Phase of Institutionalization

Following the Lisbon Treaty (Treaty on the Functioning of the European Union, TFEU) signed in 2009 via the abolishment of the pillar structure, common migration and asylum policy has been mainstreamed into the ordinary legislative procedure (art. 77 to 79 TFEU). Today, the European migration policy is included under the EU shared competences (art. 4 TFEU) and involves border controls, asylum, legal immigration and integration of third country nationals. The Lisbon Treaty not only facilitated the communitarization of EU migration policy but also migration and asylum related issues were embedded into the EU level issues coupled with qualified majority voting in the European Council, co-decision of the European Parliament, and full jurisdiction of the European Court of Justice. For Balleix (2014:2), there are three main reasons that motivate the evolution of European migration policy in our comtemporary world order. Those include;

> (a) improvements in the free movements of persons within the European space made control of its borders as issue of common interest, as all kinds of traffic could benefit from removal of internal borders; (b) the strain felt by Member States tackling the complexity of transnational migration phenomena on their ows; and (c) the fact that immigrants mostly focus on a couple of specific Member States made solidarity between Member States with the borders doubling as EU external borders and the main EU end-destination countries necessary.

The Stockholm Programme was adopted just after the entry into force of the Lisbon Treaty. While the TFEU has called for a major step forward in terms of "communautarisation" of justice and home affairs area, the Stockholm Programme was considered to be disappointing as it focused on reviewing and reforming existing legislation, rather than offering new policy framework in line with the TFEU (Collett, 2014:4). Pascouau (2014:8) emphasized that the Stockholm Programme, given its inclusion of diverse proposals and priorities of the member states, acted as a "Christmas tree" rather than a political document.

Through the phase of institutionalization, we see gradual visibility and expansion of external dimension of European migration policy and its interaction with neighbouring countries via diverse thematic policy fields, be it foreign policy, development, security, human rights and so on. In other words, externalization of European migration policy also calls for its politicization at diverse thematic areas. Within this scope, new modalities of cooperation on migration management with candidate countries as well as third countries prepare the legitimate basis of cooperation via "task-specific policy networks" (Zeilinger, 2011). Concretely speaking, we see that the EU makes particular efforts to institutionalize its external dimension of migration policy via specific institutions such as FRONTEX [85] and EUROSUR[86] (EU Border Surveillance Initiative) as well as cooperation at

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[85] "The European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union was established by Council Regulation (EC) 2007/2004 (26.10.2004, OJ L 349/25.11.2004) having regard to the Treaty establishing the European Community. This Regulation was later amended by the Regulation (EC) No 863/2007 of the European Parliament and of the Council of 11 July 2007 establishing a mechanism for the creation of Rapid Border Intervention Teams and amending Council Regulation (EC) No 2007/2004 as regards that mechanism and regulating the tasks and powers of guest officers. It was last amended by the Regulation (EU) No 1168/2011 of the European Parliament and of the Council of 25 October 2011 amending Council Regulation (EC) No 2007/2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union". Retrieved from http://frontex.europa.eu/about-frontex/legal-basis/ (date of access 01.02.2015)

[86] "Regulation (EU) No 1052/2013 of 22 October 2013, establishing the European Border Surveillance System (Eurosur), specifies "a common framework for the exchange of information and for the cooperation between Member States and the [Frontex] Agency in order to improve situational awareness and to increase reaction capability at the external borders of the Member States of the Union ('external borders') for the purpose of detecting, preventing and combating illegal immigration and cross-border crime and contributing to ensuring the protection and saving the lives

operational level including technical assistance on migration management, capacity building of authorities in candidate or third countries, promoting effective cross-border cooperation, development aid schemes, partnership cooperation agreements (PCA) and strategic partnership agreements which all serve for strenghening EU's normative power beyond the EU in terms of migration policy execution.

It is complementary to mention the Global Approach to Migration and Mobility (GAMM) which was developed in 2005 with the aim of helping policymakers to mainstream immigration priorities into foreign policy (Collett, 2015:5). The GAMM was also renewed in 2011 as an overarching framework of the EU external migration and asylum policy which elaborates the way EU could follow in fostering strategic dialogue and partnership with non-EU countries (MEMO/11/800)[87]. The GAMM has also acted as an instrument for inclusion of migration issues into the overall framework of political and economic relations with countries of origin and transit. Such an approach of politicization and economization of EU migration policies is critical in further reading of EU's relations with the mentioned countries of origin and transit.

4.1.2. Towards A Comprehensive European Agenda on Migration

The post-Lisbon process has called for gradual visibility and mainstreaming of external dimension of EU migration policy over the issues of freedom, security and justice which promoted the EU as a global actor. Following the end of the three pillar structure, transfer of migration related issues up to the community level has served for convincing members states to acknowledge EU's normative power over the external dimension of migration as well. While there has been an increasing

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of migrants ('EUROSUR)". The seat of the agency is Warsaw, Poland, as decided by 2005/358/EC: Council Decision of 26 April 2005 designating the seat of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union". Retrieved from http://frontex.europa.eu/about-frontex/legal-basis/ (date of access 01.02.2015)

[87] Retrieved from http://europa.eu/rapid/press-release_MEMO-11-800_en.htm?locale=en (date of access 02.03.2015)

acceptance on the takeover of the competences by community framework pertaining to migration issues, this has not been coupled with a well defined division of roles and responsibilities of the institutions at the EU level. The cross-cutting nature of many policy areas prepared the legitimate basis for engagement of JHA, External Relations as well as CFSP at different levels and complicated manners. So, lack of well defined divergence between competences and policy areas lead external dimension to remain with limited legitimacy and clarity Wessel, et al. (2011:277).

Despite the communitarization of migration issues via the Treaty of Lisbon, the continued ambiguity and lack of well defined roles and responsibility areas among the EU institutions pertaining to external dimension of migration have served for continuity in the reluctance of member states to leave their power on such an area associated with national sovereignty. So, a new Title V (Article 67-89) that calls for shared competence between member states and the EU has been added to the Treaty of Lisbon. The complicated nature of division of roles among the EU institutions responsible for external dimension of migration policy leads to a competition within those actors namely High Representative for Foreign Affairs, European External Action Service as well as Directorate General on Migration and Home Affairs. Yıldız (2012:95) asserts that; "external dimension of immigration policies remains divided between fragmented competences and interacting policy areas, being strongly linked to both external relation and JHA policies".

Although the Lisbon Treaty consisted of a comprehensive legal framework driven by solidarity among member states, such a vision was not systematized. Thus, it has required respective actors of the field to achieve a concensus on the immediate need for a comprehensive approach to migration management balancing the humanitarian aspects and security concerns (European Parliament, 2015).

The post-Stockholm phase has been remarkable in the EU migration policy making, with a particular focus on freedom, security and justice, as it has been the first and only programming phase which has not been accompanied by a treaty amendment.

In Pascouau's words (2014:9), it has been evolving in a more "normal" context where the Article 68 of the TFEU has been the defining framework. As declared by European Commission on 4th March 2015[88] that;

> As of 1st December 2014, limitations to the judicial control by the Eurpean Court of Justice and to the Commission's role as Guardian to the Treaty over the areas of judicial cooperation in criminal matters have come to an end. This has marked the beginning of a new era for the whole Justice and Home Affairs, with full competence for the Commission to launch infringement proceedings if EU law has not been correctly implemented.

On 26-27 June 2014, European Council[89] published the strategic agenda of key priorities for the next five years (2015-2020). Carrera and Guild (2014:1) criticize the European Council's Guidelines for the area of freedom, security and justice for being driven by the agendas of the national Ministries of Interior and Justice which call for a backlash in terms of "intergovernmentalism" as well as sidelining the EU Charter of Fundamental Rights and rule of law in the area of freedom, security and justice. Further Carrera and Guild (2014:13) put forward that the new guidelines have the potential to "de-Lisbonise" the advancements achieved since the Treaty of Lisbon including strengthening the roles of European Commission, European Parliament as co-legislator and the European Court of Justice.

As Collett (2015:1) underlines that in the aftermath of the European Council's Strategic Guidelines on Justice and Home Affairs and development of a new in-house vision on migration, the Post-Stockholm phase will focus on soft diplomacy, practical cooperation and ensuring the effective implementation of EU level agreed policies at national levels given the outgrowing nature of immigration from the JHA which requires a more cross-cutting institutional response. One of the verifiable

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[88] "European Commission Fact Sheet: Towards a Comprehensive European Migration Policy: 20 years of EU Action" Retrieved from http://europa.eu/rapid/press-release_MEMO-15-4544_en.htm (date of access 05.05.2015)

[89]Retrieved from http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/143478.pdf (date of access 05.05.2015)

indicators of such a high priority given to the subject can be found in the re-organization of the European Commission by the end of 2014 as the DG Home was restructured under the name of DG for Migration and Home Collett (2015:2).

Besides all those institutional happenings over the post-Stockholm phase, 2014 has been the deadliest year with 4,077 and at least 40,000 migrants since the year 2000 who lost their lives while trying to achieve better livelihoods as result of contemporary conflict and fragility experienced at multi regional levels from North Africa to Middle East (IOM, 2014:11)
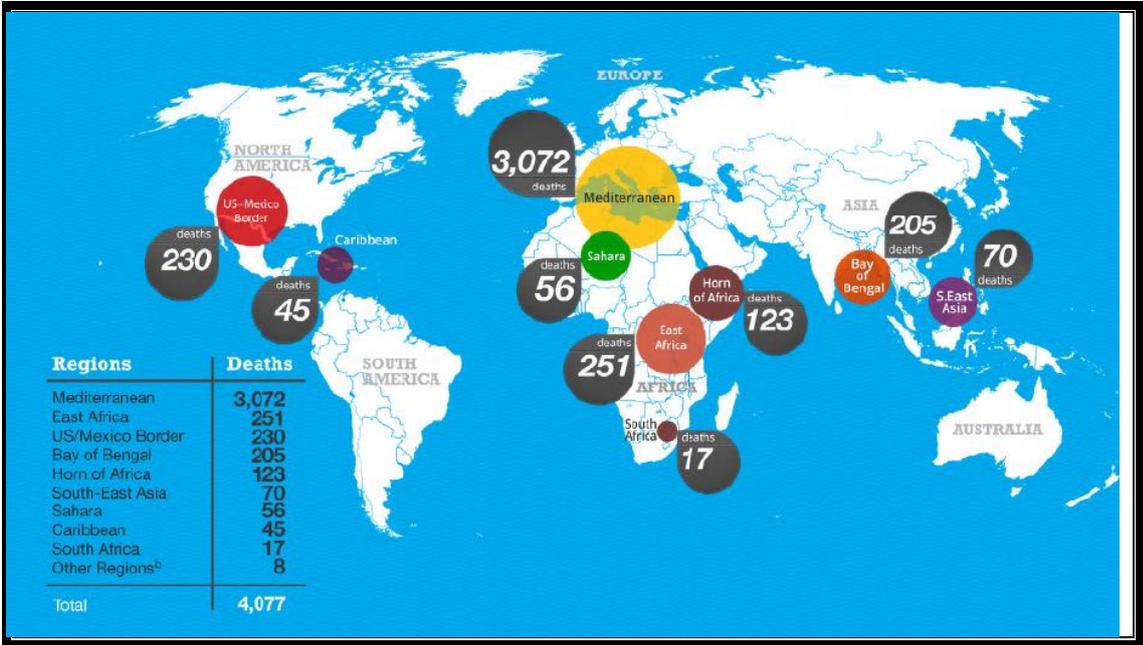
Figure 21:Migrant Border-Related Deaths Around the World, January-September 2014

Source: IOM, (2014). Fatal Journeys: Tracking Lives Lost during Migration, edited by Tara Brian and Frank Laczko, Geneva, p.18 Retrieved from http://publications.iom.int/bookstore/free/FatalJourneys_CountingtheUncounted.pdf (date of access 25.04.2015)

According to IOM Report "Fatal Journeys: Tracking Lives Lost during Migration (2014)", majority of the migrants who lost their lives in Mediterranean Sea reported to be coming from the regions of Middle East and North Africa. Moreover, Figure 21 shows that majority of illegal land and sea border crossings in Mediterranen

witnessed the journeys of Syrians, Afghans and Eritreans. With a simple way of thinking, it can be asserted that majority of migrants who lost their lives in the Mediterranen in 2014 were also from the same nationalities in line with their higher volume.
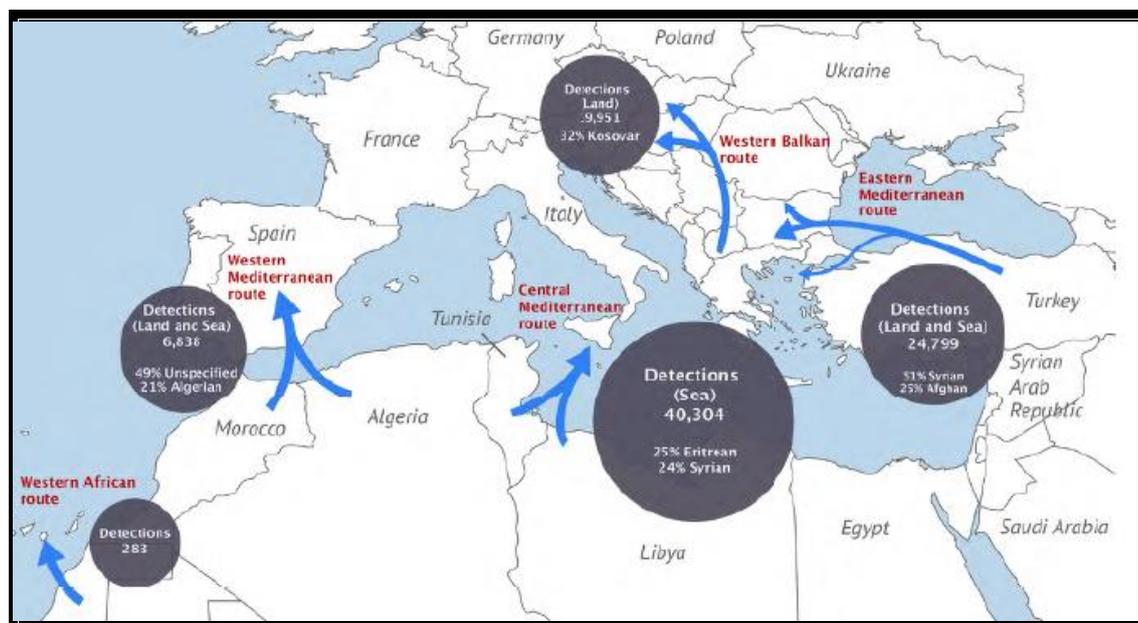
Figure 22:Detections of Illegal Border Crossings Along Selected Routes of Entry into Southern EU and Main Nationalities Detected on These Routes, 2013

Source: Frontex Risk Analysis,2014 in IOM, (2014). Fatal Journeys: Tracking Lives Lost during Migration, edited by Tara Brian and Frank Laczko, Geneva, p.87 Retrieved from http://publications.iom.int/bookstore/free/FatalJourneys_CountingtheUncounted.pdf (date of access 25.04.2015)

All those happenings have a direct impact on consideration and inclusion of migration into the European agenda as a politically charged topic. On 4th March 2015, the European Commission launched its work for a "Comprehensive European Agenda on Migration" which will was presented on 13 May 2015. The cross-cutting nature of external dimension of European migration policy has manisfested itself in the press release of the European Commission dated 13th May 2015 which included views of First Vice-President Frans Timmermans, High Representative Vice-President Federica Mogherini and Migration, Home Affairs and Citizenship

Commissioner Dimitris Avramopoulos[90]. The comtemporary comprehensive approach to migration management is announced as an explicit priority of the European Commission. Such a vision has been structured over four thematic cross-cutting areas of migration. Those include; (a) reducing the incentives for irregular migration, (b) border management – saving lives and securing external borders, (c) Europe's duty to protect: a strong common asylum policy and (d) a new policy on legal migration. The new comprehensive EU agenda on migration carries the ambition of balancing these four main pillars in a coherent and comprehensive manner.

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[90] European Commission Press release: Managing Migration Better in All Aspects: A European Agenda on Migration Retrieved from http://europa.eu/rapid/press-release_IP-15-4956_en.htm (date of access 13.05.2015)

"First Vice-President Frans Timmermans said: "The tragic loss of life in the Mediterranean has shocked all Europeans. Our citizens expect Member States and European institutions to act to prevent this tragedy from continuing unabated. The European Council clearly stated that we need to find European solutions, based on internal solidarity and the realisation that we have a common responsibility to create an effective migration policy. That is why the Commission today proposes an agenda which reflects our common values and provides an answer to our citizens' worries about unacceptable human suffering on the one hand and inadequate application of our agreed common asylum rules on the other hand. The measures we propose will help manage migration better and thus respond to the justified expectations of citizens."Retrieved from http://europa.eu/rapid/press-release_IP-15-4956_en.htm (date of access 13.05.2015)

"High Representative/Vice-President Federica Mogherini said: "The High Representative/Vice-president Federica Mogherini said: "With this bold agenda, the European Union has proven itself ready to address the plight of those escaping from wars, persecution and poverty. Migration is a shared responsibility of all Member States and all member States are called now to contribute to tackling this historical challenge. And this is not only a European but a global challenge: with this agenda we confirm and broaden our cooperation with the countries of origin and transit in order to save lives, clamp down on smuggling networks and protect those in need. But we all know that a real, long term response will come only from fixing the root causes; from poverty to instability caused by wars, to the crises in Libya and Syria. As the European Union, we are engaged and determined to cooperate with the international community on this." Retrieved from http://europa.eu/rapid/press-release_IP-15-4956_en.htm (date of access 13.05.2015)

"Migration, Home Affairs and Citizenship Commissioner Dimitris Avramopoulos said: "Europe cannot stand by whilst lives are being lost. The European Agenda on Migration concretely responds to the immediate need to save lives and assist frontline countries with bold actions, including strengthened presence at sea of Frontex-coordinated vessels, €60 million in emergency assistance and an action plan to crack down on smugglers who take advantage and abuse vulnerable migrants. In a spirit of greater solidarity, we are determined to implement a comprehensive approach that will improve significantly the management of migration in Europe." Retrieved from http://europa.eu/rapid/press-release_IP-15-4956_en.htm (date of access 13.05.2015)

Figure 23:Towards a European Agenda on Migration:The Facts

Source: European Commission Press release: Managing Migration Better in All Aspects: A European Agenda on Migration Retrieved from http://europa.eu/rapid/press-release_IP-15-4956_en.htm (date of access 13.05.2015)

Besides the preparations for finalization and announcement of the comprehensive EU Migration Agenda in May 2015, as a response to the very high number of migrants losing or risking their lives in the Mediterranean, called as maritime migrants, maritime refugees or migrants at sea, Migration, Home Affairs and Citizenship Commissioner Avramopoulos presented a 10 point action plan[91] of the immediate actions to be taken over by EU at a joint meeting of Foreign and Interior

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[91] European Commission - Press Release, Joint Foreign and Home Affairs Council: Ten point action plan on migration Luxembourg, 20 April 2015   Retrieved from http://europa.eu/rapid/press-release_IP-15-4813_en.htm (date of access 22.04.2015)

Ministers, chaired by High Representative / Vice-President Federica Mogherini and held in Luxembourg.

Table 10:Joint Foreign and Home Affairs Council: Ten point action plan on migration

- Reinforce the Joint Operations in the Mediterranean, namely Triton and Poseidon, by increasing the financial resources and the number of assets. We will also extend their operational area, allowing us to intervene further, within the mandate of Frontex;
- A systematic effort to capture and destroy vessels used by the smugglers. The positive results obtained with the Atlanta operation should inspire us to similar operations against smugglers in the Mediterranean;
- EUROPOL, FRONTEX, EASO and EUROJUST will meet regularly and work closely to gather information on smugglers modus operandi, to trace their funds and to assist in their investigation;
- EASO to deploy teams in Italy and Greece for joint processing of asylum applications;
- Member States to ensure fingerprinting of all migrants;
- Consider options for an emergency relocation mechanism;
- An EU wide voluntary pilot project on resettlement, offering a number of places to persons in need of protection;
- Establish a new return programme for rapid return of irregular migrants coordinated by Frontex from frontline Member States;
- Engagement with countries surrounding Libya through a joined effort between the Commission and the EEAS; initiatives in Niger have to be stepped up.
- Deploy Immigration Liaison Officers (ILO) in key third countries, to gather intelligence on migratory flows and strengthen the role of the EU Delegations.

Source: European Commission - Press Release, Joint Foreign and Home Affairs Council: Ten point action plan on migration Luxembourg, 20 April 2015, Retrieved from http://europa.eu/rapid/press-release_IP-15-4813_en.htm (date of access 22.04.2015)

All these very recent happenings and immediate actions taken by EU are very clear examples for a migration reader to observe the increasing priority dedicated to migration policy making at EU context. As a result of conflict and violence in the Middle East, fleeing of people from the region resulted in an historical increase in actual and potential volume of people approaching European territories as well as frustrated EU with the humanitarian, political as well as security challenges they called for. Within this context, in an attempt to elaborate the building blocks of the recently announced European Agenda on Migration as well as the 10 point action plan on migration, we see that the trends of externalization and security driven EU

immigration policy of semipermeable nature has been kept besides EU's declared will for legal migration of skilled and neded migrant labour. In overall terms, the declared new migration agenda of EU hold a pedominantly external dimension focused vision by paying particular attention on involving third countries in its execution. Additionally, the idea of seconding European migration liason officers to EU Delegations in third countries of strategic importance is one of the clearly observable indicators for increased level of importance of migration diplomacy at EU level. Last but not least, declaration of those recent EU level instruments just after the important criticisms about EU for not doing enough in terms of rescue and humanitarian assistance for migrants risking their lives could be also approached as an international cummunication strategy, reputation affirmation activity as well as an effort for union branding.

Here it would be complementary to take a look at the key highlights and views as shared by some of the interviewees on the contemporary EU migration policy. Those selected views are listed below.

> *What we observe from the EU policymaking is that the Commission is usually the progressive actor. Within its communications it's going to put on its agenda unusually much more liberal promises, principles, procedures in contrast to what the nation states would prefer. And then this is called as two-level game. It still holds in my opinion thatthe nationstates have much more restricted preferences. Having the EU promoting a more liberal and progressive agenda gives the nation states and moderate nation states, with respect to migration policy, some kind of reference so that they don't have to go restrictive all the way. But in some countries this doesn't work this way because they are also experienced internally in terms of adverse incidents; 9/11 was more global but London bombings were very local, same for Madrid, whatever happened in each and every country with respect to migration issues, particularly if it involves violence against the citizens of this country, already prepared a context within which countries would become more restrictive (A member of Bilkent University, Department of Political Science and Public Administration, date of interview 21.10.2014)*

> *Although there are EU common migration policy discussions within the European Union right now, the liberalization process of 90s is at the stage of evolving into the context of securitization and inter governmentalism of post 2000s. In other words, the governments are trying to draft migration*

policies in a way to accompany national interests. There is some kind of compartmentalism. (A member of Yeditepe University, Faculty of Law, date of interview 19.11.2014)

Starting with the Dutch politicians even conservative politicians in Europe like Merkel, who have announced their views on Charlie Hebdo, said that this problem could not be solved with the methods employed by Americans but with the methods implemented by the Europeans. They said that such an attack had nothing to do with Islam. The French authorities named these terrorists as "three French terrorists". They believe that this is their internal problem. They do not externalize the problem. You could also say this is the problem of Islam. Sarkozy preferred to do that in his term. Bush as well. The leaders began to use more socioeconomic and political terms. This is a very important development; the media has the tendency to use that, too. (A member of International Relations Department of Bilgi University, date of interview 14.01.2015)

EU consists of many voices. We cannot say there is a single voice. There is also securitization, there is an emphasis on that, but after Lisbon the migration issues have been included in decisions, which require qualified majority rather than majority. Maybe, that illustrates a more positive development. Furthermore, the migration policy of EU is also affected from the governments of member states as well. It is highly affected by the governments in the countries, conservative governments, economic crises and crises in the neighboring countries. (A representative of Delegation of the European Commission to Turkey, date of interview 13.11.2014)

Since we examine Europe in our studies we can easily say that Europe does not have a common migration policy. There are people arguing just the opposite but in fact it really does not exist because each country has its own approach. They employ different ways both for response and for regulation. There is no common policy, which may stem from abundance of member countries. But when we consider the security issue we know that the illegal migrants go to EU primarily from Muslim communities. EU does not have discourse and actions against that, but a reaction can emerge at different levels. The member countries address this on their own behalf in the Parliament or in the European Council. In Europe the issue is considered more in the axis of security. The objective of securing EU external borders and preventing crossings can be understood when we consider the magnitude of the financial burden incurred by the packages, materials sent to us. This is the aim. (A representative of Border Management Bureau of

142

Directorate General on Provincial Administration of Ministry of Interior, date of interview 14.11.2014)

Migration is Achilles' heel for EU. EU has a strict perspective on migration within the context of Fortress Europe. EU needs new and inclusive policies. It is necessary to understand this. Fears of ISIS, radicalization of Muslims within EU are the main concerns. EU migration policy is totally rational. It serves to a purpose. Migrant labor is considered as an economic boost and new blood. For USA migration is a source of soft power. Finally, EU migration policy is not ethical. There are international liabilities. To have a EU-centered approach is not sufficient in terms of international liabilities. The world is no more like it used to be. (A high level representative of Strategic Research Centre of the Ministry of Foreign Affairs, interview date 17.11.2014)

4.2. Where does Turkey stand in its way to EU in terms of migration policy making?

Migration policy has become one of the key defining factors of Turkey's relations with the EU. The expansion and deepening of the external dimension of migration policy in European context has a direct impact on evolution of Turkish migration policy via the instruments of externalization including border management, readmission, visa facilitation as well as alignment of asylum policy. Building on the post-Stockholm development towards a comprehensive EU approach to migration management, EU has the vision of locating migration in the core of its high politics which calls for enhanced level of cooperation with neighbouring countries as well as the third countries. Such a vision of externalization of EU migration policy has the potential to affect Turkey in terms of politicization of its immigration policy via diverse angles from domestic politics to foreign policy besides securization and externalization via calling for Turkey's extended level of cooperation with the main countries of origin as well as playing a bridging role between EU and the respective third countries. It is also important to mention the mobility of foreign fighters joining to ISIL majority of whom reported to be EU nationals of third country origin as the issue becoming one of the core security

challenges that EU is facing. The contemporary security challange has also called for enhanced level of intellingence and security cooperation between Turkey and the EU given Turkey's very trategic transit position. Table 11 shows 12.855 foreign fighters from 95 different countries were banned by Turkey since the issue emerged on international landscape. Moreover, 1.287 foreign fighters from 78 different countries were deported by Turkey.

Table 11:Foreign Figters banned or deported

FOREIGN FIGHTERS (FTF)*	
Number of the FTFs who have banned to enter (From 95 different countries)	12.855
Number of the deported FTFs (From 78 different countries)	1.287

*By 08.04.2015
Source: Directorate General on Migration Management Retrieved from http://www.goc.gov.tr/icerik6/foreign-fighters_915_1024_4750_icerik (date of access 05.05.2015)

Within this scope, the declared four thematic cross-cutting areas of migration by EU all have direct link with Turkey being both a transit and destination country. Thus, transit migration through Turkey as well as EU's concerns related to Turkey on border management have direct impact on the formation of EU migration policy around the concept of securitization which leads to irregular migration becoming the key issue of European migration agenda. In order to manage irregular migration, Frontex was established as the border agency of EU. However, in the contemporary European context, there is a gradual risk for convergence of asylum and irregular migration due to the incoherent implementation of common migration policy at member state levels. One concrete example is the very low numbers of accepted asylum applications by Greece leading to increased volume of irregular migration towards European borders. Following the establishment of Frontex, externalization of migration policy has had two levels of execution, one within EU borders by putting burden on the peripherial members like Greece, Bulgaria and Romania and the latter over the EU's immediate neighbours particularly Turkey. Such an implementation modality has the potential to harm the aimed common migration

policy making at the EU level. Given the potential backlash towards inter-governmentalism driven by security concerns and labour needs in EU migration policy, the mainstream semipermeable policy continues to exist in European context.

Migration has been one of the defining factors of Turkey-EU relations particularly in terms of Chapter 24 "Justice, Freedom and Security" of the accession negotiations. Although the volume of international migration has increased considerably at global scale, it is mainly the needs of the industry machine and maximization of interests that define EU's approach to migration. The mentioned semipermeable migration policy has the ambition to enhance the management of EU borders beyond its territories where Turkey is considered to play a crucial role given the current conflict and fragility in its region which has the potential to mobilize more and more people towards Europe. Withis this scope, a member University of Oxford highlighted that;

> *Turkey hasn't got too many friends in the European Union given the recent developments in Turkey's domestic politics, the rise of religion, and the controversy of Turkey's role in Syria or fueled anti-Turkish sentiment in Europe. Whilst the accession process was going on, the skeptics are on the rise and a fewer people is speaking out. In that sense Turkey is isolated (date of interview 09.11.2014).*

Accordingly, a high level representative of Directorate General on Migration Management of the Ministry of Interior emphasized the importance and added value of EU membership process where migration holds a central place;

> *"In international socialization of Turkey and internalization of norms i.e. in the process of Europeanization migration is a significant area of expertise. (date of interview18.03.2015,Ankara).*
>
> *EU process is the main factor for discussing migration in public, in policies and in politics. 10-15 years past experience, developments with regard to the EU, accession process led Turkey to remember the issue of migration, which is one of the basic challenges of EU. The negotiation process, discussions on the conditions of Schengen, readmission agreement, fight against irregular migration flows to EU, social reaction and concerns, not*

to be able to absorb the migration mass, irregular migration concerns of EU. One of the prerequisites set by EU in the negotiation process with the candidate countries is the argument of fight against irregular migration." (A high level representative of Department of Foreigners of the Directorate General on Migration Management of the Ministry of Interior, date of interview02.12.2014,Ankara)

A high level representative of Strategic Research Centre of the Ministry of Foreign Affairs mentioned this shifting place of migration from periphery to the core through the EU membership process as follows;

"The migration discussions within EU harmonization process are at the center of EU-TR relations. Migration used to be a marginal issue in the periphery. It had international law, economical and sociological dimensions. However, the structure of international politics has changed. Migration issue has become an agenda item of international politics. Migration has become a determinator of international politics." (Interview date 17.11.2014, Ankara)

As comtemporary Turkish migration policy has been institutionalized over the last ten years driven by EU accession process, historical phases of this policy development were evaluated under Chapter III "Evolution of Turkish Migration Policy". Therefore, this part of the study will initially conduct a brief evaluation of the Regular Progress Reports Prepared By the European Commission since 1998, National Action Plan for EU Accession Phase I (November 2014-June 2015) and National Action Plan for EU Accession Phase II (June 2015 - June 2019) from a migration lens. Then, politics and impact of EU's key instruments of externalization for Turkey, namely readmission agreement and , visa libralisation dialogue , will be unpacked building on the feedback received from the interviews conducted.

4.2.1. Unpacking the Essence of Migration Policy Making in the 1998-2014 Regular Progress Reports

The regular progress reports prepared by the European Commission since 1998 for Turkey have been serving a tool for communication and guide for required steps to be taken through Turkey's EU accession process. Those reports including an

evaluation of migration and asylum related policies, recommendations, criticisms have been instrumental for evolution of Turkey's migration policy. It will be complementary to summarize the key highlights of those reports pertaining to *zeitgeist* on migration and Turkey. For sure it would be impossible to consider those reports in an isolated manner from the European migration approach and political climate of those times.

The regular progress reports for Turkey have started to be prepared as of 1998 at a time when the migration and asylum related issues started to be considered as an important policy field of EU accession process due to the gradual increase in the diversity of migratory flows affecting Turkey and their potential impact on Europe.

The first progress report of 1998 categorizes Turkey as a transit country for irregular migrants mainly from Iraq and Asia to Europe as well as mentions that the country refuses to conclude any readmission agreement in this regard. In terms of asylum, Turkey's keeping of geographical reservation to the 1951 Geneva Convention by only granting refugee status for the national of European countries is criticized and lifting of the reservation is put forward as a condition for Turkey's alignment with EU. Finally, increased level of cooperation with Turkey on immigration is particularly suggested by the Commission.

The progress report of 1999 focuses on the increasing number of irregular migrants apprehended at Greek border with over 40.000 migrants apprehended in 1998 while this number was reported to be 30.000 in 1997 and 18.000 in 1996. The main countries of origin of those irregular migrants included Iraq, Afghanistan, Pakistan, Bangladesh and Sri Lanka. Turkey's position as a transit hub was reinforced by the report which emphasized immediate need for expanding cross border cooperation between Turkey and Greece as well as increasing the capacity of accommodation facilities for apprehended irregular migrants. While the Coast Guards, Land forces, Gendarmerie and Police were listed as the responsible actors of combating irregular migration, need for a unified border guard system was mentioned as a requirement for effective coordination in the long run. Turkey's constant refusal of signing

147

readmission agreements was touched upon as a serious difficulty. Training support of IOM in line with the Budapest Process against irregular migration was emphasized which is an indicator of gradual involvement of international actors in the area of migration management in Turkish context. In terms of right to asylum, Turkey continued to be criticized for not lifting its geographical reservation to 1951 Geneva Convention. The role of UNHCR was also mentioned in terms of training support in the area of asylum like the one by IOM in the area of irregular migration. It is important to mention that the need for a specialized department on asylum cases was particularly emphasized in the report since it would allow improvement of conditions in which asylum seekers were held in the country. Finally, the need for strengthening the national capacity to combat human trafficking as well as codification of the crime in Turkish legislation was emphasized.

The progress report of 2000 evaluated the steps taken by Turkey under the "Chapter 24: Co-operation in the field of justice and home affairs". Countering irregular migration, lifting the geographical reservation, aligning the visa list with EU as well as concluding a readmission agreement with EU were the defining elements of the report. Moreover, it was emphasized that the compartmentalized nature of border management paved the way for a management weakness over the borders, therefore an immediate need for strengthening the effective control over the border gates as well as through the borders was underlined. In overall terms, a better and more effective inter-institutional coordination was recommended. As for the asylum, early 2000s witness the development of projects by UNHCR implemented in cooperation with the traditional actors of migration field (Coast Guards, Land forces, Gendarmerie and Police) aiming to build the inter-institutional capacity on asylum.

The progress report of 2001 puts forward that although some progress was made in terms of visa policy via ending of visa free regime for Kazakhstan and Bosnia-Herzegovina and introducing airport transit visas for some countries with a potential of irregular migration, strengthened border management and start of bilateral negotiations on readmission agreements with some countries of origin and

destination as well aschallenges in terms geographical reservation and migrant smuggling and human trafficking continued. Turkey besides being defined as a transit country of irregular migrants was also categorized as a destination and transit country for victims of human trafficking mainly from Romania, Russia, Ukraine, Moldova, Armenia, Azerbaijan and Georgia. Turkey was also criticized for not ratifying the 2000 UN Convention against Transnational Organised Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children as well as its Protocol against the Smuggling of Migrants by Land, Sea and Air which would allow the country to meet the requirements. As per asylum, the report underlined that Turkey in April 2001 shared her willingness to lift the geographical reservation upon provision of support by Community, meeting the conditions as well as building capacity to handle the refugee flows.

The outstanding highlights of the progress report of 2002 included Turkey's efforts to align its visa regime with EU, to increase level of cooperation on countering irregular migration between Turkey and Greece involving the establishment of a working group under the coordination of Ministry of Interior with the aim of preparing a strategy and timetable for harmonization of the Turkish legislative and administrative framework pertaining to migration, asylum and border management. Given the increasing number of apprehended irregular migrants, an agreement between Turkey and Greece on co-operation in combating crime, terrorism, illicit drug trafficking and illegal migration came into force in July 2001. As per the Article 8 of the mentioned agreement, a protocol on implementation of readmission between Turkey and Greece was signed in November 2001. It was reported that bilateral negotiations with both destination and origin countries continued during the reporting period. While irregular migration was the defining factor of Turkey and EU relations in terms of migration, it was also reported that the number of staff working in border provinces and border checkpoints was increased coupled with training support on irregular migration, asylum as well as forged documents. As per asylum, the mentioned inter-ministerial working group was also assigned to focus its efforts on aligning the Turkish asylum policy with EU Acquis. Besides,

some progress was also reported in terms of improvement of conditions of asylum seekers in Turkey particularly in health services. It was also underlined that minimum standards for non-European asylum seekers' access to employment should be ensured.

Visa policy alignment, adoption of the Border Management Strategy as well as the Migration and Asylum Strategies for alignment with the EU acquis were all included in the content of the progress report of 2003. Turkey was encouraged to implement these strategies immediately by establishing a specialized and civilian unit under the Ministry of Interior. Moreover, legislative adjustments were suggested to be implemented for admission of foreigners related to employment, education, long term stay as well as family reunification. Besides these points, the mainstream issues of concern including capacity development in countering irregular migration, sustained negotiations for readmission agreements, protection of victims of human trafficking, lifting of the geographical reservation as well as systematized and improved capacity in refugee status determination and the establishment of an independent appeal procedure were all among the issues addressed.

The progress report of 2004, invited Turkey to align its visa policy supported by a stronger consular services to detect document forgery. Building on the Integrated Border Management Strategy of 2003, Turkey was recommended to finalize the respective National Action Plan for strategy execution towards establishing a non-military unified border agency. Like in the areas of border management, another National Action Plan was suggested to be completed in terms of execution of the Migration and Asylum Strategy adopted in 2003. Readmission agreement continued to be one of the defining points of concern not only for negotiations with EU to start but also for concluding readmission agrements with third countries. In line with the efforts of strategy execution, Turkey was encouraged to work towards establishing a civilian authority for migration issues as part of the National Action Plan to be developed. Sustained legislative adjustments for admission of foreigners related to employment, education, long term stay as well as family reunification

were suggested. Turkey also ratified the the UN Convention on the Protection of the Rights of All Migrant Workers and Members of their Families in June 2004. Moreover, Turkey ratified the Agreement on the legal status, privileges and immunities of the International Organisation for Migration (IOM) in Turkey in October 2003 which provided IOM with legal status facilitating its operations in Turkey. Finally, as per asylum, Turkey's close cooperation with UNHCR continued. Although the geographical reservation was kept, the principle of nonrefoulement was implemented by Turkish authorities both for European and non-European asylum seekers. As per the asylum strategy of 2003, the country was encouraged to finalize National Action Plan on asylum for strategy execution. Development of refugee status determination capacity, improvement of reception facilities and establishment of a civilian authority on asylum issues were strongly recommended.

The progress report of 2005 focuses on free movement of workers, implementation of 2005 National Action Plan, lifting of geographical reservation, combating trafficking in human beings and start of negotiations for EU-TR readmission agreements. The report particularly focuses on immediate need for implementation of the 2005 National Action Plan on Asylum and Migration which foresees establishment of migration and asylum unit under the Ministry of Interior. Negotiations for EU-TR readmission agreement also started in May 2005 which called for gradual inclusion of migration policy in high policy debates in long run. Again Turkey's preservation of geographical reservation remained as an issue of utmost importance. Finally, identification and protection of victims of trafficking, essence of cross-border cooperation to combat this worst form of violation of human rights were also included as priority topics in the report.

The progress report of 2006, underlined some improvements in the fields of external borders and Schengen. A National Action Plan towards the implementation of Turkey's Integrated Border Management Strategy was adopted in March 2006. However, some shortcomings in terms of management of borders in a compartmentalized manner as well as need to support the human resources capacity

continued. Visa policy alignment process was reported to make limited progress. In terms of migration, the National Action Plan on Asylum and Migration started to be implemented coupled with shortcomings or prolonged processes related to operationalization of the administrative capacity. Irregular migrants were apprehended and readmission negotiations preserved their importance through the reporting period. As per asylum, the 10 days time limit for assessing of an asylum application was lifted. Capacity development of reception centers, ensuring the equal access of asylum seekers to fair procedures and development of a new legislation supported by a civilian administration were suggested. Efforts towards full implementation of the 1951 Geneva Convention and its 1967 Protocol continued and vision to lift the geographical reservation by 2012 was set.

The progress report of 2007 declared that limited progress was made in the area of migration. Efforts for effective implementation of the National Action Plan on Asylum and Migration continued in close cooperation with relevant ministerial representatives. Legal reforms on migration and asylum were included in the document titled "Turkey's Harmonisation Programme to EU Acquis". Irregular migration and readmission remain in the agenda despite the decrease in the number of apprehended irregular migrants. During the reporting period, Turkey ratified the bilateral readmission agreement with Syria that was signed in 2001. Turkey continued its negotiations for bilateral readmission agreements with Pakistan, Sri Lanka, Jordan, Uzbekistan, Lebanon and Libya. On the side of TR-EU negotiations for readmission, no concrete step was taken forward. Regarding the labour market integration of foreigners, there was some progress achieved following the enactment of Law on Work Permits of Foreigners No.4817. In the realm of asylum, cooperation between Turkey and UNHCR continued with a particular focus on supporting the access of asylum seekers to reliable information in their language.

The progress of 2008 reported some steps forward in the area of migration through establishment of a high level working group by the National Task Force on Asylum and Migration. The mentioned working group consisting of key agencies working on border management and irregular migration aimed to improve inter-institutional

coorperation via common risk analyses. While Turkey proposed to conclude a readmission agreement with Afghanistan, the negotiations with EU have continued at a slow pace since December 2006. Irregular migration continued to stay in the agenda given the increasing need for improving the detention and deportation practices via providing the migrants with approapriate information on such decisions about their situation in their own language. Moreover, the need for improving the conditions and facilities of removal centers as well as irregular migrants' access to free legal aid, to asylum procedures, to interpretation services, to psychological, to medical assistance and to educational and recreational activities were emphasized. The lack of available training materials for respective officials working on migration was underlined as a gap. As per asylum policy, progress was reported to be quite slow coupled with sustained geographical reservation. UNHCR and the Ministry of Interior cooperation continued via focusing on decentralisation of decision-making related to asylum cases. The work by Ministry of Interior towards improving administrative capacity and aligning asylum procedures continued via the initial steps to establish a specialized asylum unit given the increasing number of asylum claims. Finally, visa policy, border management and counter trafficking were also other areas where the progress was limited.

The progress report of 2009 started to offer limited but dedicated steps forward in the area of justice, freedom and security. The first important achievement was the establishment of the Asylum and Migration Bureau under the Ministry of Interior which was directly assigned to prepare the necessary legislative and administrative infrastructure in the areas of migration and asylum building on the National Action Plan of 2005. This was a milestone achievement marking the start of a new phase in the history of Turkish migration policy. Irregular migrations, improvement of execution of asylum policy, visa policy alignment as well as integrated border management and cooperation with FRONTEX were also the key issues during the reporting period. In terms of Turkey-EU readmission agreement, Turkey accepted to resume formal negotiations that were blocked since 2006.

The progress report of 2010 underlined the key achievements following the establishment of the Bureau on Asylum and Migration which started its efforts to prepare the required legislative framework as of October 2008. An amendment made in the Article 79 of the Turkish Penal Code related to migrant smuggling increased the sentences for migrant smugglers in July 2010. A circular on countering irregular migration, regulating conditions of removal centers as well as practices of apprehension and depotation was issued in March 2010. IOM and UNHCR continued to support the efforts by the Bureau on Asylum and Migration. One of the defining issues of this reporting period was judgment issued by the European Court of Human Rights (ECtHR) related to two main cases namely; the judgement in Abdolkhani and Karimnia v Turkey and Z.N.S. v Turkey[92],, where the Court ruled that Turkey was in breach of the European Convention on Human Right in terms of detention and deportation practices.

The progress report of 2011 underlines the significant progress in Turkey-EU readmission agreement. It is reported that preparations continued to draft the legislation on asylum and migration supported by IOM, UNHCR as well as the European Commission. Irregular migration continued to remain as a priority given Turkey's transit and destination position. As per asylum, the number of satellite cities increased from 31 to a total of 51. Improvements in the areas of visa policy and border management remained limited. Thus, adoption of a law on the establishment of new Border Security Agency and inter-agency cooperation remained as key issues to be addressed.

One of the key achievements of the progress report dated 2012 was that the Law on Foreigners and International Protection was submitted to the Parliament in May 2012 given its significance as being the full fledged and single legislative framework regulating migration management from a human rights point of view. The pending adoption process slowed down the respective administrative measures

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[92] For more information on decisions of European Court of Human Rights and European Commission of Human Rights, please see http://www.goc.gov.tr/icerik6/list-of-echr-decisions_913_1001_1002_icerik

to be taken particularly related to irregular migration. The Syrians' spillover and Turkey's provision of humanitarian assistance for Syrian refugees were appreciated through the report. However, alignment of Turkish asylum law with the EU acquis was still underlined as one of the key requirements. Further, Turkey's need for capacity development in terms of preventing irregular migration as well as full implementation of the existing readmission obligations were underlined as areas of high priority. In overall terms, alignment with EU Acquis was reported to be at an early stage in the areas of justice, freedom and security.

The progress report of 2013 declared a good progress made by Turkey in the area of justice, freedom and security with a particular focus on the valuable efforts by Turkey pertaining to Syrians in Turkey. Adoption of the Law on Foreigners and International Protection was also another topic of such good progress as it has called for a coherent, single and human rights based legislative framework in the area of migration and asylum. The need for effective implementation of the adopted legislation was mentioned as a key priority of migration agenda. Besides those achievements, conclusion of the EU– Turkey Readmission Agreement and the full implementation of the existing readmission obligations were underlined as the issues of utmost importance. No progress in visa policy and need for better inter-institutional coordination in border management were reported as urgent needs. In terms of combating human trafficking, identification and protection of victims, authorities were invited to step up. In overall terms, alignment with EU Acquis was reported to be at an early stage in the areas of justice, freedom and security.

The progress report of 2014 underlined a very good progress in the area of justice, security and freedom despite the conflict and fragility in the region. Turkey's continued efforts and humanitarian assistance for Syrians as well as Iraqis were applauded. Besides the very challenging environment, Turkey's progressive steps forward in terms of implementation of the Law on Foreigners and International Protection and the establishment of the General Directorate for Migration Management (GDMM) were reported as significant achievements. Furthermore, the need for implementing secondary legislation was identified as an immediate

need for sustainability of the recently institutionalized legislative and administrative framework. Another challenge was reported to be the immediate need for institutionalization both at central and provincial levels under the umbrella of DGMM. Signature of the Turkey-EU readmission agreement and launch of the visa liberalization dialogue were also reported as significant achievements of the reporting period. Border management continued to be one of issues of concern in terms of need for effective and unified management. In overall terms, alignment with EU Acquis was reported to be moderately advanced in the areas of justice, freedom and security.

4.2.2. Turkey's New EU Strategy and National Action Plan for EU Accession

Building on the developments in EU accession process, under the leadership of the 62nd Government, Turkey's EU Strategy was shared with public by Mr. Volkan Bozkır, Minister for EU Affairs & Chief Negotiator on 15 September 2014. The Strategy with its ambition to revitalize Turkey-EU relations via cornerstones of determination, continuity and effectiveness has three main parts. Those include; determination in the political reform process, socio-economic transformation in accession process and EU communication strategy.

Further Mr. Volkan Bozkır, Minister for EU Affairs & Chief Negotiator announced on 30th October 2014 that National Action Plan for EU Accession was prepared covering two phases in line with the new EU Strategy. Phase I of the National Action Plan focused on alignment of primary and secondary legislation as well as institutional structuring related to negotiation chapters for the period from November 2014 to June 2015. Those included;

Table 12:National Action Plan on EU Accession Phase I (November 2014-June 2015), Current Situation in the Accession Negotiations, Envisaged Benchmarks under Chapter 24

1. In the context of the Action Plan for the alignment with the acquis on migration and asylum, Turkey should adopt a detailed roadmap for legislative alignment and institutional enhancement (including recruitment and training of specialised staff) to upgrade considerably the infrastructure required to accommodate asylum seekers, refugees and irregular migrants waiting for their return. This roadmap should clearly include the priorities covering the short, medium and long term and provide a realistic plan (with budgetary calculations). This roadmap should reflect a clear priority setting covering the short, medium and long term. In the roadmap, Turkey should indicate how and when it intends to fully implement the Geneva Convention and its Protocols, including lifting the "geographic limitation" currently in force.

2. Turkey should complement its Integrated Border Management Action Plan with a roadmap containing concrete actions, targets, realistic deadlines, responsible authorities and an estimated budget for each of the actions requiring important investments. The roadmap should cover issues related to enhancing inter-agency cooperation, legislative alignment, institution building - including as a final aim to have a professional body in charge of the control and surveillance of Turkey's borders - and an appropriate human resources policy.

3. Turkey should pursue readmission negotiations with the EU Commission at a steady pace in view of concluding them.

4. Turkey should adopt a multi-annual and multi-disciplinary strategy to fight organised crime, in line with the EU strategic concept on tackling organised crime. The strategy should be accompanied by an action plan with targets, clearly defined guaranteed results, responsible institutions, realistic deadlines and budget estimation, where major investments are required. The strategy should cover the various typologies of cross border crime such as trafficking in human beings, drugs and counterfeited goods.

Source: http://www.ab.gov.tr/files/napisonwebeng.pdf

Minister Mr. Volkan Bozkır announced on 1st December 2014 the Phase II[93] of National Action Plan for EU Accession focused on the primary and secondary legislation as well as institutional structuring related to negotiation chapters for the period from June 2015 to June 2019.

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[93] http://www.abgs.gov.tr/files/pub/nap-ii-en.pdf

Table 13:National Action Plan on EU Accession Phase II (2015-2019), Current Situation in the Accession Negotiations, Envisaged Benchmarks under Chapter 24

1. In the context of the Action Plan for the alignment with the acquis on migration and asylum, Turkey should adopt a detailed roadmap for legislative alignment and institutional enhancement (including recruitment and training of specialised staff) to upgrade considerably the infrastructure required to accommodate asylum seekers, refugees and irregular migrants waiting for their return. This roadmap should clearly include the priorities covering the short, medium and long term and provide a realistic plan (with budgetary calculations). This roadmap should reflect a clear priority setting covering the short, medium and long term. In the roadmap, Turkey should indicate how and when it intends to fully implement the Geneva Convention and its Protocols, including lifting the "geographic limitation" currently in force.

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3. Turkey should pursue readmission negotiations with the EU Commission at a steady pace in view of concluding them.

4. Turkey should adopt a multi-annual and multi-disciplinary strategy to fight organised crime, in line with the EU strategic concept on tackling organised crime. The strategy should be accompanied by an action plan with targets, clearly defined guaranteed results, responsible institutions, realistic deadlines and budget estimation, where major investments are required. The strategy should cover the various typologies of cross border crime such as trafficking in human beings, drugs and counterfeited goods.

Source: http://www.abgs.gov.tr/files/pub/nap-ii-en.pdf

The essence of the National Action Plan on EU Accession lies at the heart of continuity of the political reforms as well as the social-economic transformation. Once the political blockages are abolished, the efforts through the National Action Plan will provide Turkey with the opportunity to have the relevant chapters be opened and closed in short span of time in line with the results planned to be

158

achieved through the implementation of the National Action Plan as reported by Mr. Bozkır[94]

4.2.3. EU Instruments for Migration Policy Externalization and Their Impact on Turkey

At a time of witnessing the greatest human mobility and the crisis situation in Mediterranean with migrants' "fatal journeys", (IOM,2014) migration has become one of the core policy items in European context with its external dimension calling for an enhanced cooperation with third countries to better manage and govern migration with its diverse angles. Within this scope, Turkey being the immediate neighbour as well as a candidate for EU holds a strategic importance in terms of execution of the recently announced European Migration Agenda with its emphasis on irregular migration, border management, asylum policy and legal migration. Here it becomes critically important to evaluate how and in what way the European migration policy has been affecting Turkey via its instruments of externalization. In order to shed the light on such an impact, it will be complementary to recall the key highlights revolving around the issue of Europeanization which has a considerable scholarly work including diverse levels of Europeanization from adoption of instruments via a more technical and pragmatic manner in mainstreaming and internalization of European norms as well as values[95]. Radaelli (2003:35-8) defines the phases of Europeanization under four main categories including; *retrenchment, inertia, absorption and transformation.* From a constructivist point of view, t one of the contemporary and wider explanations of the term defined by Radaelli (2003: 30) ;

> Processes of (a) construction (b) diffusion and (c) institutionalisation of formal and informal rules, procedures, policy paradigms, styles, 'ways of doing things' and shared beliefs and norms which are first defined and consolidated in the making of EU decisions and then incorporated in the logic of domestic discourse, identities, political structures and public policies .

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[94] http://www.ab.gov.tr/files/000etkinlikler/uep_ii__asama_konusma.pdf

[95] Lavenex/Uçar (2004), Schimmelfenning (2007), Lavenex (2006),Radaelli (2003), Weber (2010)

The process having a wide span of phases, actors, normative and operational requirements is not a very clearly defined framework that would work in the same manner for each one of the actors involved. Thus, the process in itself is driven mainly by phases of "conditionality", "socialization", "differentiation" and "joint ownership" (Weber, 2010). Therefore, as underlined by Jactenfuchs and KohlerKoch (2004:109), one needs to bear in mind the domestic policy changes and changes at the European level in terms of where they converge and diverge. Besides the mentioned interaction between domestic and supranational levels, it is also important to mention the "mutual nature" of such an interaction which involves both top-down and bottom-up approaches. So through the process of Europeanization, as Börzel (2002: 193-214) asserts, "downloading" of EU normative framework to be reflected into the national levels as well as "uploading" of the national policies to the EU level coexist via mentioned interaction. However, it is crucial to monitor the outcomes of such an interaction in terms of how the process of Europeanization is manifested in different national settings including non-EU member states given the gradually evolving external dimension of European migration policy which invites not only the candidate but also the third countries. While reading of the nature and level of Europeanization in Turkish context, Schimmelfennig's clustering of EU impact beyond the member states as outlined by Figure 24 provides a comprehensive and multidimensional framework for such an analysis from the *Logic of consequences.*

| | Intergovernmental | | Transnational | |
	Direct	Indirect	Direct	Indirect
Logic of consequences	(1) Conditionality Intergovernmental incentives Compulsory impact Compliance	(2) Externalization Competition Negative externality	(3) Transnational incentives Connective impact	(4) Transnational externalization Competition
Logic of appropriateness	(5) Socialization Intergovernmental social learning Constructive impact Communication	(6) Imitation Lesson-drawing Enabling impact Unilateral emulation	(7) Transnational socialization Transnational social learning	(8) Societal imitation Enabling impact

Figure 24:Mechanism of EU impact beyond the member-states

In an effort to unpack the Europeanization of Turkey's immigration policy, Tolay (2012b:49) offers a critical reading via formulating this process as a "non-traditional form of Europeanization" referred as "Critical Europeanization" where she locates Europeanization of Turkey's immigration policy at the *logic of consequences* given the usage of Europeanization process by Turkey as a leverage in terms negotiating readmission agreements, visa liberalization as well as lifting of the geographical reservation to Geneva Convention.

Moreover Tolay (2012b:41) asserts that Turkey has been experiencing quite a genuine process of Europeanization by distancing herself from European practices, being selective in terms of adoption of the values and concerns as well as following a "*Turkish*" approach towards asylum and migration driven and characterized by traditional values and norms such as being protecter of oppressed. Rumelili (2004:29-30) also evaluates Turkey's EU membership process by highlighting the constant resistance and reluctance by Turkish authorities in terms of the EU conditionality. As underlined by Tolay (2012b:45),, such reluctance has also manifested itself in Turkey's efforts for abolishing of visas with countries some of which are in negative list of Schengen building on Turkey's neo-Ottoman ideology. Within this scope, Turkey has been having bilateral relations with countries particularly in MENA region and since 2007, Turkey has lifted visa requirements with Morocco, Tunisia, Jordan, Syria, Libya, Albania, Russia, Lebanon and Serbia and has been pursuing discussions with Qatar, Malaysia,Bahrain and Kyrgyzstan (Tolay, 2012b: 45-46). Here it is interesting to question this genuine standing point of Turkey which on the one hand continues its ambition and efforts through the EU membership process and pursues, on the other hand, its *sui generis* relations in terms of a diverging visa regime from the EU that is more linked to the Turkey's contemporary foreign policy vision of being a proactive trading state (Kirişçi, 2009)

For İçduygu (2014 et. al.:248) Turkey experiences an analogue transformation in its migration and asylum practices rather than a comprehensive one. This can be interpreted as absorption and limited transformation in terms of implementation of EU directives in domestic politics. The mentioned "*Turkish way of*

Europeanization" has also been a subject of discussion which has manifested itself in the interviews conducted within the scope of this study. In some of the interviews with high ranking representatives of Directorate General Of Migration Management, it was stated that;

> *Human rights approaches of EU and Turkey differentiate in migration policies. For example, the understanding of integration is different for Turkey and for EU. (date of interview 18.03.2015,Ankara)*

> *It is quite challenging to keep the visa policy at the same standards by many states; Schengen, Eurodac: One to one implementation is very difficult for the countries that were included in the system later. The states have their specific conditions. They have their geographical and historical realities. Just like visa liberalization. It is very diificult to implement it in the borders. This is valid for Turkey, too. Turkey has historical neighbourhood relations. A visa policy close to the European Union's standards to the extent possible that does not damage the relations with the neighbours must be implemented in a way not to cause deterioration of relations. (A high level representative of Department of Foreigners of the Directorate General on Migration Management of the Ministry of Interior, date of interview 02.12.2014,Ankara)*

> *"Superior norms are distinct in the fields of migration and visa but original measures and policies must be developed by each country in the axis of its own realities and conditions. Migration management cannot be sustained with solely security policies but security cannot be neglected. There should be a balance. It is necessary to minimize the damages of irregular migration incurred to public order and public safety." (A high level representative of Department of Foreigners of the Directorate General on Migration Management of the Ministry of Interior, date of interview 18.03.2015, Ankara)*

Besides these points, essence of Turkey's EU membership was formulated by one of the members of parliament who is also one of the high representatives of EU Harmonization Commission of the Turkish Grand National Assembly as follows;

> *The efforts and negotiations by Turkey on the road to EU accession are quite significant. By the help of negotiations and harmonization efforts, Turkey aims to catch up with the EU standards. But the important thing is not only to access these standards but also to ensure the sustainability of the attained standards. Right at this point membership to EU by Turkey is vital for ensuring sustainability. (date of interview 07.01.2015,Ankara)*

A high level representative of Department of Protection of Victims of Human Trafficking of the Directorate General of Migration Management of the Ministry of Interior focused on the Ottoman heritage in migration policy making as follows;

We have similarities with the UK. Turkey is not an island but a peninsula. We have been continuously exposed to migration. In terms of protection of borders we can express this; a unity but even the unity got disrupted when the time came. If we think it as a single country the public health began to deteriorate with the impact of irregular migration. Additionally, implementation of migration quotas for their own interests, inviting everyone with the intention of labor exploitation is wrong migration management in this sense. Now it appears as return migration. Maybe we have always seen the issue from the genre / culture of Ottomans; as a continuation of them, in a humanitarian way. We considered it as a phenomenon. With the philosophy of Rumi, we said come, come whoever you are. We managed this; we were able to succeed in managing this. I think our migration policies conveyed quite different messages to the world encouraging them to have a warmer look at the world or at least to the countries of the third world. It was also a significant factor for Turkey to become a leader starting with the Muslim world. (date of interview 04.12.2014, Ankara)

A professor of Labour Economics and Industrial Relations of Ankara University underlined that;

The migration policy in Turkey has not turned into a political tool of foreign policy yet since an integrated approach in migration management has not been institutionalized. But I think there exists a significant potential in that. Right at this point it is up to Turkey's own perception, own positioning and approach since the influential actors of foreign policy formation in Turkey such as USA does not give importance to migration policy but EU does. EU does because the migration issue can directly affect its interests, security and internal politics. (date of interview 19.09.2014, Ankara)

As defined by Kirişçi (2007:4) Turkey's foreign policy vision has been changing from a national security driven "zero-sum" approach to a "win-win" one which also manifests itself in Turkey's increasing level of interaction with actors of outer world on migration related issues. Such an interaction has also called for Turkish governmental institutions to have an increased level of cooperation with

international non-state actors including UNHCR, IOM, ICMPD as well as international non-governmental organizations. In short, these are all valid factors which have contributed to Europeanization process of Turkish migration policy. Moreover, one may say that such an international as well as inter-institutional cooperation has emerged as a modality and principle of migration management which has called for internationalization as well as regionalisation of Turkish migration policy via mentioned migration management approach.

4.2.3.1. Turkey – EU Readmission Agreement and Visa Facilitation: An Example on Convergence of Domestic and Foreign Policy

Within the scope of this study with its focuson politics of immigration policy making in Turkey; irregular migration and readmission agreement between Turkey and EU offer a solid subject of analysis in terms of gradual consideration of the issue as a foreign policy tool and an area of external relations not only for EU but also for Turkey. The increasing volume of irregular migration towards Europe as a result of the regional conflicts particularly in Middle East and North Africa reached an escalating level of hesitations by EU in terms of how to manage and how to govern this contemporary phenomenon. To that end, one of the core pillars of the European Agenda on Migration announced as of 13th May 2015 was "Reducing the incentives for irregular migration" with its strong emphasis on return and readmission[96].

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[96] "Key actions envisaged under the "Reducing the incentives for irregular migration" pillar of the European Agenda on Migration include; (a)addressing the root causes through development cooperation and humanitarian assistance, (b) making migration a core issue for EU delegations, (c)an action plan on smuggling in May 2015, (d) stronger action so that third countries fulfill their obligations to readmit their nationals, (e) adoption of a Return Handbook and monitoring of the implementation of the Return Directive, (f) reinforcement and amendment of the Frontex legal basis to strengthen its role on return". Retrieved from http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/communication_on_the_european_agenda_on_migration_en.pdf (date of access 14.05.2015)

EU readmission agreements (EURAs)[97] have been one of the pioneer instruments of external dimension of EU migration policy with its focus on countering and downscaling irregular migration. However, concluding RAs require quite tough and complicated process coupled with prolonged negotiations between the requesting states and the requested ones (Trauner and Kruse, 2008:17) This prolonged nature of negotiations has required EU to offer some incentives including visa facilitation or visa liberalisation for requested states, the third countries, to attract their attention and motivate willingness to conclude RAs. As underlined in Table 14 the complicated negotiation process calls for multi-dimensional costs for requesting states besides the potential and actual benefits. In line with the increasing importance of migration in European agenda, concluding of RAs has become an instrument of conditionality for all countries whether holding a candidate status or still in its accession process (Apap et.al, 2004:9)

Table 14:Benefits and cost of a common policy on readmision for requesting states (member states of the EU)

Benefits	Cost
*"Fighting against illegal migration" by facilitating return *Reducing the potential internal movements of immigrants *Reducing the imbalance in the distribution of immigrants between member states *Perceiving greater negotiating weight of the community, especially vis-a-vis "problem states" such as Russia and China *Establishing migration control in third countries Stimulating negotiation of readmission between third countries *Complementing safe third country policies Building reception capacity in third countries	*Need to demonstrate nationality and/or the travel route of the immigrant, which are not always available *Expansive financial and technical assistance to non-EU countries *Assistance provided to the non-EU countries (i.e., border surveillance equipment) might be used with ulterior motivations *Regarding asylum seekers: the length of asylum procedures may prevent the use of readmission agreements for implementing expulsion after rejection

Source: Coleman, European Readmission Policy in İçduygu and Aksel (2014:342)

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[97] Implementation of EURAs at Community level dates back to 1995 when the guiding principles were adopted in line with the Title IV of the Treaty Establishing the European Community. It was the Amsterdam Treaty that called for negotiations and conclusion of EURAs with third countries at the EU level through the transfer of competences in line with the principle of reciprocity requiring that all contracting states to conduct necessary preparations so as to readmit both their own nationals and third country nationals within the same terms. Retrieved from http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV:l33105 (date of access 01.02.2015)

However for the requested states, as seen under the Table 15, costs of a readmission agreement may be much higher that the potential benefits.

Table 15:Benefits and cost of a readmision agreement for requested states

Benefits	Cost
*"Fighting against illegal migration" and prospective decline in the number of irregular migrants *Membership prospects *Trade/economic partnership prospects *Visa facilitation/visa liberalization prospects *Having good relations with the EU (the EU uses "stick" of blocking certain agreements of the readmission is not accepted) *"Burden sharing" mechanisms, including financial and institutional assistance	*Becoming a "buffer zone" between the countries of origin and the European member states, and prospective increase in the number of irregular migrants *Need for border and migration capacity building (i.e., institutional infrastructure, communication, technical equipment, staff, education, facilities) *Need for reforming the legislature in line with the readmission agreement *High costs of returning third country nationals to country of origin *Socio-economic issues especially in high density migration regions, i.e., integration, education, health, social security, etc. **Regarding the return of own state nationals:** costs of losing remittances, especially for dependent economies, potential trigger for internal migration and increased unemployment **Regarding the return of third country nationals:** potential trigger for unsustainable return policies in case returned immigrant who would retry entering the EU **Regarding the return of asylum seekers:** potential human rights violations in case *bona fide* asylum seekers are deported to an unsafe third country **Regarding smuggling and trafficking:** readmission agreements are claimed to be not able to dissuade such networks Negative attitudes by the public opinion, which may lay as an obstacle especially during election periods

Source: İçduygu and Aksel (2014:362-363)

EU, in line with its external dimension of migration policy as well as its neighbourhood policy that foresee enhanced cooperation with third countries, has an increasing tendency to negotiate and conclude RAs with transit countries due to their position between developing and developed countries (İçduygu and Aksel, 2014:341). At this point, Turkey comes into the picture qualifying the aforementioned features of being a transit country for irregular migration to EU as well as a candidate which has a prolonged experience of RA negotiations with EU.

Given the increasing strategic importance of Turkey for EU in terms reducing irregular migration, Turkey has signed several readmission agreements with diverse countries (Figure 25). RAs in principle regulate return of irregular migrants apprehended in a country or in a group of countries back to their countries of origin

or to the last transit country before their entry into the mentioned destination countr(ies). In line with the Article 108(1/a/6) of the Law on Foreigners and International Protection No. 6458, Directorate General of Migration Management has been assigned to *"implement the provisions related to third country nationals and stateless persons set out in readmission agreements to which Turkey is a signatory".*

Readmission Agreements	Date of Signature	Date of Announcement by Official Gazette
Syria	10-Sep-01	24 June 2003
Greece	8-Nov-01	5-Aug-02
Kyrgyzstan	6-May-03	17-Feb-04
Romania	19-Jan-04	27-Oct-04
Ukraine	7-Jun-05	4 July 2008
Russia	18-Jan-11	15-Mar-11
Belarus	29-Mar-13	5-Dec-13
Moldova	1-Nov-12	24-Jan-14
European Union	16-Dec-13	2-Aug-14

Figure 25:Signed and Enacted Readmission Agreements of Turkey[98]
Source: Directorate General of Migration Management

Turkey has also signed five readmission agreements pending for enactment since 2010.

Readmission Agreements	Date of Signature
Pakistan	07 December 2010
Nigeria	2-Feb-11
Bosnia Herzigovina	16-Feb-12
Yemen	20-Oct-12
Montenegro	18-Apr-13

Figure 26:Signed Readmission Agreements of Turkey[99] with Pending Enactment
Source: Directorate General of Migration Management

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[98] Information shared by DGMM over a workshop on EU-Turkey RA on 09 March 2015, Ankara.

[99] Ibid.

Within this scope, conclusion of a readmission agreement between Turkey and EU has been one of the defining factors of the Chapter 24: Justice, Freedom and Security of the Turkey's EU Accession mainstreamed through the progress reports by European Commission. The Turkey-EU RA was signed on 16 December 2013 in Ankara and announced in the Official Gazette (No. 29076) upon approval of the cabinet on 21 July 2014 and came into force on 1st October 2014.

Moreover, the Prime Ministry Regulation titled "Readmission Agreement" No. 2014/6 dated 16/04/2014 requested governmental institutions to provide Directorate General of Migration Management with any kind of legislative, financial, administrative and technical support through the preparations for execution of readmission agreement in accordance with its aim of combating irregular migration.

In parallel, a visa liberalization dialogue was also launched between the EU and Turkey. The dialogue aims to lift the visa requirement for Turkish nationals travelling to the Schengen area for a short-term visit[100].

According to the Article 24(3);

> The readmission obligation for third country nationals or stateless persons becomes applicable only three years after the entry into force of the whole agreement. During that period that obligation will be applicable to stateless persons and third country nationals coming from those third countries with which Turkey concluded readmission agreements. During the same period the bilateral agreements between Turkey and Member States remain applicable in the relevant parts.

So the Turkey-EU RA will start to be implemented as of 1st October 2017 for third country nationals or stateless persons.

According to the Article 24(3);

> The Agreement shall not apply to third country nationals or stateless persons as referred to Articles 4 and 6 who have left the territory of the Requested State more than five years before the Requesting State's competent

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[100] Retrieved from http://ec.europa.eu/dgs/home-affairs/e-library/documents/policies/international affairs/general/docs/turkey_first_progress_report_en.pdf (date of access 03.01.2015)

authorities has gained knowledge of such persons unless the conditions required for their readmission to the Requested State as stipulated by Articles 4 and 6 can be established by means of documents.

So Turkey will be subject to readmit Turkish nationals, third country nationals or stateless persons who have been apprehended since 1st October 2012. Within this scope, the potential volume of the readmission requests[101] requires Turkey to prepare its legislative, administrative as well as physical infrastructure before the RA gets fully operational. The mentioned infrastructure consists of; (a) enhancement of legislative capacity[102]; (b) enhancement of administrative and institutional capacity[103]; (c) enhancement of technical capacity[104] and (d)

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[101] According to the final Report from the Commission to the Parliament and the Council on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap (COM, 2014, 646); "The number of third-country nationals, arrived directly from the territory of Turkey, found trying to illegally cross the EU external borders or illegally staying within the EU The number of third-county nationals arriving directly from Turkish territory into the EU amounted to 56201 in 2011, 36307 in 2012, and 24 262 in 2013. The number of third-country nationals, arrived to the EU or trying to cross the external borders of the EU, coming directly from the territory of Turkey, that were found with illegal travel documents The number of people (including Turkish and third-country nationals) coming directly from Turkish territory that were found at any EU border crossing point with illegal documents amounted to 629 in 2011, 927 in 2012 and 1693 in 2013. The numbers are increasing. The largest proportion of these people (84% of the total, in 2013) had arrived from Turkey by plane". Retrieved from
http://ec.europa.eu/dgs/home-affairs/e-library/documents/policies/international-affairs/general/docs/turkey_first_progress_report_en.pdf p.37, (date of access 03.05.2015)

[102] In terms of legislative capaciy; (a)preparation of secondary legislation for identification of procedure and principles for implementation of RA, (b) enhancing cooperation with countries of origin for irregular migration, (c) enhancing cooperation with EU member states, (d) enhancing cooperation at inter-institututional level are listed as core priorities by DGMM over a workshop on EU-Turkey RA on 09 March 2015, Ankara.

[103] In terms of administrative and institutional capaciy; (a)establishment of a new directorate responsible for RAs under DGMM, (b) establishment of a joint readmission committe, (c) assignment of focal points, (d) organziation of a specialised law enforcement unit, (e) building of the capacities of existing removal centers and construction of new ones, (f) development of nationality identification mechanisms, (g) enhancement of assisted voluntary return programmes, (h)establishment of conselling centers are listed as core priorities by DGMM over a workshop on EU-Turkey RA on 09 March 2015, Ankara.

[104] In terms of technical capacity; (a) establishment of a database and (b) Turkey's integration into the EU visa system are listed as core priorities by DGMM over a workshop on EU-Turkey RA on 09 March 2015, Ankara.

enhancement of human resources capacity[105].

Building on the interviews conducted with the key governmental and non-governmental representatives, the core issue lying at the heart of all discussions related to EU readmission aggreement is the need for establishment of necessary mechanisms which would help to ensure immediate return of the readmitted irregular migrants from EU back to their countries of origin. Within this mentioned three years preparation process there is immediate need for capacity building in terms of readmisson from EU, temporary accommodation of people of concern as well as their return to their countries of origin.

Given the fact that the ongoing visa liberalisation dialogue is directly linked to the effective implementation of EURA, timely mobilization of both EU and national resources for operationalization of the above mentioned capacity development as well as organization of immediate and fruitful negotiations with key countries of origin become crucial.

4.2.3.1.1. Key Historical Highlights behind the Turkey-EU Readmission Agreement and Visa Liberalisation Dialogue

Upon European Council's authorisation of the European Commission, the EU asked Turkish authorities to start negotiations on an EU-Turkey readmission agreement in March 2003[106]. Upon this proposal by the EU, Turkey replied via Turkish Ministry of Foreign Affairs declaring its willingness to negotiate the EURA after one year in March 2004 to avoid any possible criticism towards Turkey before the Brussels European Summit held on 16-17 December 2004. Once the negotiations were formally launched on 27 May 2005 in Brussels, initially four rounds of

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[105] In terms of human resources capacity; (a) development of human resources capacity, (b) organization of trainings for staff, (c) establishment of a specialized team on detection of fraud documenst, (d) establishment of risk analysis units are listed as core priorities by DGMM over a workshop on EU-Turkey RA on 09 March 2015, Ankara.

[106] 2003 Regular Progress Report for Turkey, Retrieved from http://www.ab.gov.tr/files/AB_Iliskileri/Tur_En_Realitons/Progress/Turkey_Progress_Report_200 3.pdf (date of access 01.04.2015)

negotitaions took place till 7 December 2006 when the fourth round was concluded. As mentioned by the representative of Political Affairs Department of the Ministry of EU in a worksop held on readmission in Ankara on 09 March 2015 "as a response to rising indifference by European Commission in terms of Turkey's hesitations on sharing of the burden between EU and Turkey, the negotiations were paused after the fourth round in December 2006 for three years". İçduygu and Aksel (2014:535) explain the reasons behind this standby period under two headings. First was related to Turkey's interest in postponing the readmission of third country nationals until a period of concluding bilateral readmission agreements between Turkey and main countries of origin. The second, Turkey's denial of opening of its ports and airport to ships and planes from the Republic of Cyprus caused freezing of the negotitations under "Chapter 8: Competition Policy".

As a result of several high level political consultations between EU and Turkey, negotiations restarted in 2009 upon EU's preparation and submission of a new draft to Turkey on 17 December 2009[107]. Just aftermath of the submission of a new draft RA, eighth Meeting of the Accession Conference at Ministerial Level with Turkey[108] was organized on 21 December 2009 in Brussels where Turkey declared its willingness to put forward the necessary efforts to comply with the requirements of the RA in order to ensure visa free movement of Turkish nationals in Schengen area. The formal negotiations continued to take place via three rounds on 19 February and 19 March in Ankara and finally on 17 May 2010 in Brussels. A meeting which could be considered as a validation meeting was also organized at chief negotiators level on 14 January 2011 in Ankara. All these efforts resulted in ending of the negotiations and preparation of a draft text which would then be subject to consultations on both sides.

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[107] Proposal for a Council Decision of [...] concerning the conclusion of the Agreement between the European Union and the Republic of Turkey on the readmission of persons residing without authorisation /* COM/2012/0239 final - 2012/0122 (NLE) Retrieved from http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52012PC0239 (date of access 02.03.2015)

[108] Retrieved from http://europa.eu/rapid/press-release_PRES-09-386_en.htm?locale=en (date of access 02.03.2015)

Despite the ending of negotiations by January 2011, the EURA could only be signed on 16 December 2013. The main reason for such a delay in signing of the RA revolved around the continued uncertainty in terms of the necessary steps to be taken towards visa liberalisation dialogue.

The previously agreed text was endorsed during the 3071st Justice and Home Affairs Council meeting held in Brussels. However, it did not progress in the same manner on Turkish side due to the Council conclusions[109] in terms of visa liberalisation where Council declared to; "...take note of the Commission's intention to initiate a dialogue on visa, mobility and migration with Turkey and invites the Commission to regularly report to the Council".

Such a decision by Council on visa liberalisation for Turkey was found to be inappropriate given Turkey's expectations for having a parallel line of inquiry between the signing of EURA and starting of visa liberalisation dialogue. Turkey's approach to some extend manifested itself in the Council conclusions on Developing Cooperation with Turkey in the Areas of Justice and Home Affairs held on 21 June 2012 in Luxembourg. In terms of visa liberalisation Council[110] declared to;

> Invite the European Commission, in parallel to the signature of the readmission agreement between Turkey and the EU, to take steps towards visa liberalisation as a gradual and long term perspective within the above mentioned cooperation framework. Such cooperation should be established on the basis of an Action Plan and progress would be founded on a performance based approach and conditioned on an effective and consistent implementation by Turkey of those requirements vis-à-vis the EU and its Member States. Such requirements should in particular, while upholding international obligations, include an effective and full implementation of the readmission agreement vis-à-vis all Member States and effective

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[109]Retrieved from
http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/jha/119501.pdf (date of access 02.03.2015)

[110]Retrieved from
http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/lsa/131103.pdf (date of access 01.02.2015)

cooperation on JHA issues with all Member States, a better management of mixed migration flows at its borders, and further alignment with the EU acquis, especially in respect of the visa policy and those third countries whose nationals constitute a significant source of the mixed migratory flows towards the EU and as regards reciprocity, as well as its asylum legislation.

Upon Council's acknowledgement of importance Turkey attaches to facilitating the travelling of its nationals to the EU territory and to the opening of a perspective of liberalisation of the visa regime in its conclusions, the previously agreed text was initialled by both Parties on 21 June 2012 in Brussels. Following the initialled text, European Commission drafted the "Roadmap towards a Visa-free Regime with Turkey" in line with the Council's conlusions of 21 June 2012[111]. Turkey, upon receipt of the roadmap, prepared an "Annotated Roadmap towards a Visa-free Regime with Turkey"[112] on 12 July 2013 and shared with the EU for their perusal. The Annotated Roadmap included Turkey's comments and questions within the text as shared by the Commission in an annotated manner. It was only on 16 December 2013 that the First Meeting of the EU-Turkey Visa Liberalization Dialogue[113] was held in Ankara where the "Roadmap towards a Visa-free Regime with Turkey" was evaluated. Here it is critical to mention some points of divergence related to approaches adopted by EU and Turkey. One concrete example manifests itself related to information shared by both parties at the official websites of Turkish Ministry of Foreign Affairs and Directrate General on Migration and Home Affairs of the EU Commission. As a follow up to First Meeting of the EU-Turkey Visa Liberalization Dialogue in 2013, Agreed Minutes and the Annotated Road Map

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[111] Retrieved from http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/lsa/131103.pdf (date of access 10.10.2014)

[112] Retrieved from http://www.mfa.gov.tr/data/agreed%20minutes%20ve%20annotated%20roadmap.pdf (date of access 05.03.2015)

[113]Retrieved from http://www.ab.gov.tr/files/ardb/evt/FIRST_MEETING_OF_THE_EU-TURKEY_VISA_LIBERALIZATION_DIALOGUE.pdf (date of access 02.02.2015)

were shared by Turkish Ministry of Foreign Affairs through a press release informing the public on the signing of the RA as well as the outcomes of the first meeting. Agreed Minutes particularly underlined that;

> The Turkish authorities reacted to this presentation by expressing comments and questions on some of the requirements included in the Roadmap. These comments and questions were annotated in the margin of the Commission's text (see annotated Roadmap in annex). The two sides discussed the comments expressed by the Turkish side on the Roadmap. The Commission side noted that these comments were of various nature and degree of relevance; and therefore had to be addressed in different manner. In any case it recognized their importance and accepted to take them into serious consideration and discuss them. On this basis, the two sides agreed that the Visa Liberalization Dialogue would be conducted on the basis of the annotated Roadmap.

Despite the information announced by Ministry of Foreign Affairs on the application of the annotated roadmap as a reference for negotiations, General on Migration and Home Affairs of the EU Commission uses the initially prepared roadmap on the Commission's website with no mentioning of the annotated road map. Building on this background, annotated versus initial roadmap offer a potential framework of readmission negotiations between Turkey and EU.

4.2.3.1.2. The Way Forward on Execution of Turkey-EU Readmission Agreement and Visa Liberalisation Dialogue

EU-Turkey Readmission Agreement, Visa Liberalisation Dialogue as well as EU Accession process hold cross-cutting and inter-related structure given the issues under their scope. The (Annotated) Roadmap addresses Turkey's legislative and operational obligations under four main pillars including; (a) documents security; (b) migration and border management, (c) public order and security; (d) fundamental rights.

The first report from the Commission to the European Parliament and the Council on progress by Turkey in fulfilling the requirements of its visa liberalisation

roadmap[114] was published on 20 October 2015 (COM/2014/646). The report underlined the progress made by Turkey as well as areas where reforms and cooperation are needed. The Table 16 highlights the summarized issues through the report.

Table 16:Most Prominent Issues Raised by EU where Reforms and Cooperation are needed for Visa-free Regime with Turkey

<div style="border:1px solid">

On document security, Turkey will need to start issuing new passports that include biometric data, in line with the EU *acquis*, and develop effective information sharing and cooperation with EU Member States in detecting forged and fraudulent travel documents.

On migration management, Turkey will need to ensure the effective and comprehensive implementation of the new Law on Foreigners and International Protection, including through adopting appropriate secondary legislation, and will need to complete the setting up of the General Directorate for Migration Management.

Measures should be taken in Turkey to make progress on setting up a more modern, effective and integrated border management system, and to ensure the strengthening of the visa system, as well as the development of stronger border cooperation with EU Member States.

The EU-Turkey readmission agreement entered into force on 1 October 2014. The EU expects now its full and effective implementation vis-à-vis all Member States. Meanwhile, the bilateral readmission obligations already in place between Turkey and the EU Member States should be more effectively respected.

On public order and security, the Turkish authorities need to sign, ratify, and start implementing several international conventions, to implement them on the basis of a cooperative approach, to adopt national legislation in line with European and international standards, and continue the reform of Turkey's justice system, in view of safeguarding its independence and efficiency. This will help support Turkey's law enforcement agencies in the fight against organised crime, and help develop police and judicial cooperation with their counterparts in the EU Member States.

Progress on data protection, in particular, will allow, *inter alia*, for improved relationships with Europol and Eurojust.

In the area of fundamental rights, Turkey should continue to revise anti-terrorism legislation and work on ensuring that this legislation is implemented, in line with provisions in the ECHR and the case-law of the European Court of Human Rights. Turkey will also need to adopt and implement a comprehensive strategy and action plan to improve the situation for people with Roma heritage living in Turkey and will need to adopt legislation to prevent discrimination and facilitate social inclusion.

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Source: The first report from the Commission to the European Parliament and the Council on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap, (COM/2014/646), p.39-40

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[114] Retrieved from http://ec.europa.eu/dgs/home-affairs/e-library/documents/policies/international-affairs/general/docs/turkey_first_progress_report_en.pdf (date of access 04.04.2015)

Most of the areas where reforms and cooperation are needed upon the feedback by EU Commission have been included in Turkey's New EU Strategy and National Action Plan for EU Accession. In terms of burden sharing as a guarantee for execution of both EURA and (Annotated) Roadmap, two defining frameworks have been mainstreamed through this preparation process. Those included; (a) article 23[115] of the EURA titled "technical assistance" and (b) joint Declaration on technical assistance[116]. Within this framework, mobilization of available EU funding mechanisms for effective implementation of readmission agreement with the aim of ensuring burden sharing between the both parties would be one of the key aims to be pursued by Turkey given the need for technical and financial assistance for capacity building in diverse sectors including legislative,

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[115] "Article 23 Technical assistance: Both parties agree to implement this Agreement based on the principles of joint responsibility, solidarity, and an equal partnership to manage the migratory flows between Turkey and the Union. In this context, the Union is committed to making available financial resources in order to support Turkey in the implementation of this Agreement in accordance with the attached joint declaration on technical assistance. In doing so, attention will be devoted in particular to institution and capacity building. Such support is to be provided in the context of the existing and future priorities jointly agreed by the European Union and Turkey". Retrieved from http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0239:FIN:EN:PDF (date of access 03.05.2016)

[116] "Joint Declaration on technical assistance: Turkey and the Union agree to intensify their cooperation to meet the common challenge of managing migration flows and to tackle irregular migration in particular. By doing so, Turkey and the Union will express their commitment to international burden sharing, solidarity, joint responsibility and common understanding. This cooperation will take into account geographical realities and build on Turkey's efforts as a negotiating candidate country. It will also take into account Council Decision 2008/157/EC of 18 February 2008 on the principles, priorities and conditions contained in the Accession Partnership with the Republic of Turkey and the 2008 National Programme of Turkey for the Adoption of the EU *acquis*, in which Turkey accepts and is prepared to implement the full EU *acquis* in this area upon accession to the Union. In this context, the Union is committed to making available reinforced financial assistance in order to support Turkey in the implementation of this Agreement. In doing so, attention will be paid in particular to institution and capacity building to enhance Turkey's capacity to prevent irregular migrants from entering, staying and exiting its territory, as well as its reception capacity for the intercepted irregular migrants. This could be achieved through, amongst others, purchase of border surveillance equipment, establishment of reception centres and border police structures, and support to training activities, in full respect of the current rules governing EU external assistance.In order to support continued full and effective implementation of this Agreement, EU financial assistance, including a sector support programme in the area of integrated border management and migration, will be developed according to modalities to be defined together with the Turkish authorities and, beyond 2013, within and in accordance with the next EU financial perspectives". Retrieved from http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2014.134.01.0003.01.ENG (date of access 01.01.2015)

administrative, institutional, technical as well as human resources. One would also need to bear in mind that once the Commission agrees that all requirements are fulfilled by Turkey and proposes amendment to the EC Regulation 539/2001 then the Commission's proposal will be voted by qualified majority by the Council of the European Union and the European Parliament.

A representative of Norwegian Embassy shared his vision on the possibility of a visa free regime for Turkey as follows;

> *I think Turkey is playing its parts in getting a better migration system. This is a part of the accession process. Of course the visa liberalization dialogue, visa free entry to Europe ...It is more important for Turkey than being a member of the Union. I think it is possible but depends on the conflict in the neighboring countries whether or not there will be a spillover to Turkey. If there is a more violent atmosphere in Turkey, that would make it impossible to have a visa free system with EU. (date of interview 07.11.2014)*

4.2.3.1.3. Evaluation of Execution of Turkey-EU Readmission Agreement and Visa Liberalisation Dialogue

Turkey considers the EURA as a product of real politics. In order to ensure sustainability of the EU membership process, Turkey prefers to manage the negotiation tool instead of denying it. Within this scope, execution of Turkey-EU Readmission Agreement and Visa Liberalisation Dialogue offers a quite challenging experience for Turkey both at domestic and transnational levels. Those multi-level engagements require first, an enhanced international cooperation among the countries affected by the phenomenon of irregular migration including destination, origin as well as transit considering that it is not the responsibility of one state only. Second, essence of comprehensive approach comes in the picture in terms of the need for building up of administrative, legislative and operational processes. And third, development of the institutional and administrative capacity of the requested state through admission processes is required. A high level representative of Directorate General of Visa and Consular Affairs of Ministry of Foreign Affairs stated that;

Turkey's model of readmission agreement is both a risk and an opportunity. It has to be undertaken with negotiations, migration diplomacy, content, implementation modality and mutual consultation.(date of interview 06.11.2014,Ankara)

A high level representative of Directorate General Of Migration Management of the Ministry of Interior also underlined that;

One way of fighting against irregular migration is readmission. EU has undertaken the visa liberalization or visa facilitation process with the countries it concluded readmission agreements simultaneously until now. The carrot-stick relationship was set. The readmission agreement brings burden on Turkey. It is necessary to differentiate an issue. On one side the readmission agreement brings new burden but on the other it notifies us about several things that have to be done including our own border security. If people are entering into our country through illegal means and exit from as well then at this point we have ethical responsibility. It is not only border security but the need to manage irregular migration. Let us ponder on this. This country is our home. Everyone has a home to live in. If someone enters in our home from the door or the window, it will not be possible to just watch it without doing anything. As the responsible institutions of the country; as law enforcement, as DGMM we have to manage irregular migration. If we fail to do this and our neighbor suffers then we have ethical responsibility.(date of interview 18.03.2015,Ankara)

A high level representative of Ministry of European Union underlined that;

Everyone was talking about the readmission agreement in 2002. We said that Turkey was not a damping state. In each meeting from ambassadors to assistant experts everyone was pronouncing the same thing. "Turkey shall not be a damping state." We came to this point saying that you would damp the migrants to Turkey. What did EU do? EU said the package will be endangered if you did not do any projects on that. We continued these negotiations because we thought that we were aligning with EU at the same time. (date of interview 12.11.2014,Ankara)

İçduygu and Aksel (2014:339) underline that the very nature of Turkey's EURA negotiation process has revolved around not only the domestic politics and concerns on influencing public opinion via elections but also foreign policy. Given these endogenous as well as exogenous factor, negotiation process of EURA has been a highly politically charged subject through Turkey's EU accession process.

A representative of Delegation of the European Commission to Turkey highlighted the very nature of negotiations in terms of their increasing visibility in political terms as follows;

> *Migration in EU is directly affected from the conservative governments, government policies and economic crises. First of all, it is not static. It is a very dynamic process. Does it create a controversy? Of course, it is quite a sensitive topic for Turkey. A very significant issue and a tough negotiation area. There are points that Turkey has right to protect its national interests but migration has an aspect that cannot be solved without international cooperation. In such isolation it looks like the national interests cannot be solved. There will be a search for balance. The checks and balances will continue as a negotiation process. Existence of a negotiation process in the field of migration is actually the proof of more visibility and more discussions on the issue at political level. (date of interview 13.11.2014,Ankara)*

A high level representative of United Nations also evaluated the politicization tendency at two levels including Turkey-EU relations and Syria Crisis;

> *Migration has always been politicized in all through the history. The politicization still continues and Syrian conflict is a great example to that. We need to see the changing position of EU member states. In Turkey the debate has not changed so much in accession part that is still dominated by technocratism. This is a policy which continues to follow a certain track but it has been shifted at the member state level. (date of interview 24.03.2015,Ankara)*

Moreover, İçduygu and Aksel (2014:360) try to draw the attention on the periods when the government accepted to start readmission negotiations which date back to 2011 just before the general elections whereas the agreement was signed in 2013 prior to 2014 local elections. Such a manoeuvre seems to be adopted with a vision that readmission agreement coupled with visa free debate would have the potential to attract public opinion resulting in Justice and Development Party's electoral win. This has been a valid example of instrumentalization of readmission agreement within the domestic politics. Moreover, in İçduygu and Aksel's words (2014:361) above mentioned efforts and consultations have all showed "strategic use of "migration diplomacy" as a bargaining tool over and during the membership negotiation process between the EU and Turkey".

Not surprisingly, the same election periods had also witnessed the criticisms by opposition parties particularly Republican People's Party who tried to direct the attention of the general public to the burden side of readmission agreement rather than the visa liberalisation[117]. Republican People's Party also prepared a report titled "A New Turnout in Turkey-EU Ralations: Readmission Agreement and Visa Exemption" in January 2014[118]. The report criticized and blamed the Justice and Development Party for making a propoganda out of the readmission agreement and misleading the public opinion via using the visa libareralization dialogue as if it has come true. Within this scope, politicization of migration issues both at domestic policy level as well as foreign policy level could be mentioned as an emerging trend in contemporary Turkish migration policy.

A representative of Political Affairs Division EU Delegation to Turkey underlined diverse interpretations on the RA as follows;

> *It is necessary not to mention many disaster scenarios. It is obvious that the readmission agreements do not have such devastating effects as feared. One should not be that pessimistic. We need to be realistic and a diplomatic leap is needed. But when we take a look at the government; for example I have heard Mr. Davutoğlu's speeches. He announced the visa liberalization. The government uses visa liberalization discourse as if it had happened. It has been explained as the success of the government. It has a long history. It is for sure that the government has a share in this success. I do not undermine that but this is offered as a promise to the public opinion oras a success. It is very interesting. In the meetings I attend I notice that the academicians are more concerned. But Ministry of Foreign Affairs announced the liberalization as a major success. There are different approaches. (date of interview 13.11.2014,Ankara)*

On the other hand representative of the Helsinki Citizens Assembly emphasized the emerging bargain leverage by Turkey;

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[117] Retrieved from http://www.cnnturk.com/dunya/chpden-geri-kabul-anlasmasi-elestirisi (date of access 01.03.2015)

[118]Retrieved from http://www.chp.org.tr/Public/1/Yayinlar/rapor_suriye-ve-irak-krizleri_turkiyenin-odedigi-fatura_1.pdf (date of access 10.03.2015)

When we think from an EU perspective it is necessary to see the dual approach. Liberalization of Turkey, emergence of civil authority in the field of human rights, laws regulating human rights and implementation…These are important. Encouraged by EU for the contribution of civil society and in the framework of capacity enhancement the efforts are significant. But on the other hand these are the developments that should not be considered independently from the raising walls of EU. These have to be evaluated together. There are more sovereigns in Europe. If I support the neighboring countries in becoming refugee-receiving countries, which abide by the human rights then the individuals would apply for asylum in these countries. That is the bargain leverage. (date of interview 18.11.2014,Istanbul)

There are also several challenges in terms of execution of readmission agreement as raised by diverse interviewees. The first one is that, Turkey puts considerable efforts to strengthen its return policy via enhanced readmission cooperation with the main countries of origin. According to Article 57 (3) of Law on Foreigners and International Protection;

The duration of administrative detention in removal centres shall not exceed six months. However, in cases where the removal cannot be completed due to the foreigner's failure of cooperation or providing correct information or documents about their country [of origin], this period may be extended for a maximum of six additional months.

Building on this explanation by the Law, a third country national irregular migrant admitted from EU shall be subject to stay in a removal center for the period of maximum one year. During this period, in case the readmission process cannot be concluded between Turkey and the county of origin, then the person will required to be released. Therefore, Turkey would need to strengthen its return capacity through enhanced level of negotiation with countries of origin. Given the "*carrot and stick*" metaphor, Turkey will also need to formulate its own bargaining tools while negotiating readmission agreements with diverse countries of origin. So, Turkey will need to decide on the types of "carrots" to offer at diverse geo-political settings.

A second challenge revolved around the utilization of potential and actual sources of national and international funding for protection, care, accommodation and return expenses of admitted irregular migrants. In line with the article 23 of the

EURA, Turkey will need to pursue an active dialogue and follow up with EU to operationalize available funding mechanisms.

A third challenge manifests itself, related to the definition of border within the EURA. According to Article 1 (p);

> "Border region" of the Requesting State shall mean an area within its territory extending inwards up to 20 kilometres from the external border of the Requesting State, whether or not the border is shared between the Requesting State and the Requested State as well as the sea ports including customs zones and international airports of the Requesting State.

In line with the definition of "border region", Article 7 (4) focuses on the accelerated procedure as follows;

> [....] if a person has been apprehended by the Requesting State in the border region after having entered illegally and directly from the territory of the Requested State, the Requesting State may submit a readmission application within three working days following this person's apprehension (accelerated procedure).

In EURA context, Turkey being the requested state has been apprehending majority of irregular migrants while entering Greece from Edirne. The mentioned accelerated procedure has the potential to standstill the potential asylum applications of migrants who are apprehended while entering EU on irregular basis. If those people are apprehended in the "border region", this would call for accelerated readmission procedure for readmission application by requesting state. This situation brings forward the question related to mixed flows of migrants. In a mixed flow of apprehended irregular migrants i.e. within Greece border region, to what extent would it be reliable to conduct an immediate vulnerability assessment within the mentioned three days? Considering that Greek migration management system does not have a very promising profile, what kind of proof mechanisms would need to be developed in order to ensure exact geographical point of apprehension be it border region or beyond the border? In such a case, would the readmission agreement result in a situation where law and politics interlock?

182

An interviewee who is a professor of law of Istanbul University explained the potential implication of an accelerated procedure as follows;

> *They will request it. Turkey will accept in 5 days or notify the reason of rejection. After that notification if there is an argument and certain evidence that the individual has entered from Turkey then Turkey has to accept in the end. There should be strong evidence to argue that the entry was done from another point than Turkey. But if an individual has been apprehended within 20 kilometers of Greek-Turkish border then he has not entered Greece from the south. Because there is no logic in entering Greece from the south and then to come to the north to our border. Therefore, Turkey will have to accept. This is the reality and has to be admitted. One of the criticisms especially by human rights organizations, which can create problems in Turkey – EU relations is human rights; such and such agreement prevents this; prevents these individuals to become refugees in Europe. (date of interview 19.11.2014,Istanbul)*

There have also been critical points of view in terms of execution of the EURA. According to a high level representative of United Nations in Turkey, the RA does not have very much of a possibility of implementation. In his words;

> *This agreement has been one of the most critical documents between the EU-Turkey in the last few years; of course for Turkey it is important. Without implementing the readmission agreement, no hope for the visa free regime. This agreement it has been signed but I am not convinced it will ever be implemented in a serious way. On the side of EU, the issues have been dramatically changed. Of course, the fact that there are considerable pockets of ISIL-sympathizers in Turkey itself, make the possibility for visa free regime impossible. Certain categories of people, of course not the whole but it is a fact. The readmission agreement, taking back people who have passed to Europe is not going to happen. I think that while a lot was made in signing this agreement, but the implementation is not… It is basically not going to be moving very quickly. (date of interview 24.03.2015,Ankara)*

Another critical point of view was shared by an interviewee who is a professor of law of Istanbul University. He explains Turkey's potential challenges as follows;

> *Similar decisions to the decision against Belgium by European Court of Human Rights will be rendered against Turkey from now on. These issues will be brought to agenda arguing that the human rights are poor in Turkey for the irregular migrants and asylum seekers. These states have been convicted with the allegations that the individuals sent from Belgium to Greece could have been subject to maltreatment and torture. There can be*

convictions against Turkey on the same basis. But Turkey's situation could be a bit more problematic because Turkey will try to return these individuals either to their countries of origin or to the countries they actually came from. The real thing is; EU is now throwing the ball to Turkey. Turkey will try to do the same. Turkey has undersigned readmission agreements with many countries and negotiations are ongoing with many other countries for the conclusion of readmission agreements. One of these countries is Syria. Therefore, it is not possible for Turkey to take someone and return him/her to Syria. If Turkey tries to do so this will again be an invitation for the European Court of Human Rights. (date of interview 18.11.2014,Istanbul)

A representative of Association for Solidarity with Asylum Seekers and Migrants also asserted that;

For the security of Europe, Turkey has been transformed into an instrument at this point. Now EU has adopted policies away from these rights but requests Turkey to work harder so as to give more. (date of interview 24.11.2014,Ankara)

184

CHAPTER V

5. READING THE IMPACT OF SYRIA CRISIS ON TURKEY FROM A MIGRATION LENS

Syria Crisis and its impact on migratory movements affecting Turkey have been the major component of Turkish migration policy besides the EU accession process of 2000s. It is no doubt that the massive influx of Syrians to Turkey has made the Turkish migration policy more visible and more debated both at national and international contexts. However, such an increasing visibility of migration issues just around the Syria Crisis carries the possibility of limiting, deepening and politicizing the scope of migration policy discussion which would disrupt Turkey's vision of a comprehensive approach to migration management.

The volume and political context of Syria Crisis has triggered consideration of migration issues at a political level. Syrians' mobility has captured public attention for several reasons: (a) the volume is very high, it is even the highest volume of asylum influx in the world history after the World War II, (b) it happened at a time when Turkey was trying to redefine its role in the Middle East, (c) 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, (d) EU and international community is pushing Turkey to ensure that migration dimension of Syria Crisis is governed better and better management of migration as well as its borders.

While considering the Syria Crisis and migration nexus, it would be beneficial to approach the issue within two periods. The first would cover the period till the Arab uprisings in the Middle East Region at a time that witnessed Turkey's rising power in the region through articulation of its soft power. The second would cover the period of Arab uprisings and onwards where Turkey tried to revitalize its significance in the region through Syria Crisis. Majority of the interviewees over

the semi-structured interviews shared a common vision according to which they agreed with Turkey's limited foresight in terms of predicting the scope of Syria Crisis. It was particularly mentioned that Turkey's foreign policy execution towards Syria gave birth to an outcome which has a huge internal impact.

In the words of an associated professor of Department of Political Science and Public Administration of Hacettepe University, Turkey's approach to Syria Crisis was evaluated as follows;

> *This is a humanitarian problem but in essence a political case. This is not specific to Syria alone but it is the part of the crisis between Syria and Turkey. The prediction of Turkey about the issue was wrong and the prediction was based on this assumption: the Syrian administration would not be able to resist and they would leave in a short time. Let us stay in close proximity so that we can have a voice in shaping the future of that country. Turkey wanted to be a rule setter. (date of interview 01.10.2014,Ankara)*

A representative of Embassy of United Kingdom shared her vision on the Turkey's foreign policy and migraton policy nexus towards Syria Crisis as follows;

> *The foreign policy in the axis of migration executed by Turkey has two motivating reasons: (a) the effort to correct the wrong in foreign politics (b) the concern to sustain Turkey's image as a strong country. It is necessary to see this not as an internalized, calculated, planned policy based on risk analyses and based on years but as an obligatory extension of foreign policy. (date of interview 13.11.2014,Ankara)*

A member of parliament from Republican People's Party evaluated Turkey's approach to Syria Crisis as follows;

> *The crisis of Syria was interpreted wrongly by Turkey. Under the shadow of an Islamist and Pax Ottoman perspective the Syrian Crisis was misevaluated. (date of interview 24.02.2015,Ankara)*

A high level representative of Strategic Research Centre of the Ministry of Foreign Affairs puts the emphasis on multi-dimensional side of the phenomenon by referring that;

186

On the other hand, Iraq and Syria did not remain as the migration movement. It is a subject beyond the migration. It is a multi-dimensional subject due to fall of Syrian regime, lack of a state, ISIS's filling the gap, the war between the ISIS and PYD, mobilization of PKK oriented Kurdish people in Turkey, its effect on resolution process in Turkey and on the relations of Turkey with the USA, Iran, Iraq and Russia. (date of interview 17.11.2014,Ankara)

Given this background, Turkey's post-2010 Syria policy has had a direct impact on evolution of migration policy. Even the massive influx of Syrians to Turkey due to its "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 2014. In the words of a high level representative of Directorate General of Migration Management;

The newly established Directorate has had to give the reflexes of a fifty year old governmental institution due to this urgent call for policy response. (date of interview 18.03.2015,Ankara)

Given this background, this chapter aims to explore the impact of Syria Crisis on Turkey in terms of migratory movements and their implication at diverse policy fields. Building on the 47 semi-structured interviews conducted with the representatives of key governmental, non-governmental and international institutions as well as academics, this chapter will be dedicated to offer an analysis of the information and observations gathered related to emerging issues on Syria Crisis-migration nexus in Turkey. Therefore, it will be complementary to recall the key highlights on historical evolution of Turkey-Syria relations which will provide a baseline in reading the politics of Syria Crisis from a migration lens.

5.1. Turkey-Syria Relations at a Glance

Turkey and Syria relations offer an interesting case study for the scholars of International Relations due to their tense fluctuations over the years. Positioning of the two parties during the Cold War has been one of the defining factors for the above mentioned tension which has also characterized Turkey's foreign policy towards Syria that revolved around alienation and controlled tension (Aras and

Polat, 2008:509). The issue of Hatay, disputes around distribution of the Euphrates and Syria's support for PKK over 1990s have all acted as catalyst for keeping the tension between these two countries alive. However, such struggles gradually get replaced by a promising warming up of the relations as of 2000s, peaked over the period between 2005 and2010 and a sudden backlash came forward as of 2011 which called for gradual annihilation of the relation between the two parties. Such fluctuations over a short span of time were coupled with their spill over effect on the transformation of political climate as well as inter-actor dynamics in the region.

In an attempt to describe the change in Turkey-Syria relations, Hinnebusch, (2013:1-3) offers clustering of the relations into several phases. The first phase of *deterioration of relations* from mid-80s to 1998 was marked by water dispute and Syrian support for PKK. Particularly conclusion of Adana Agreement on 20 October 1998 has been considered as a historical turning point for Turkey-Syria relations with its scope of establishing cooperation against PKK[119]. Effective implementation of the agreement called for gradual normalization of relations over diverse fields be it political affairs, economy as well as security and culture.

The phase of *gradual normalization of relations* from 1998 to 2010 was defined from normalization to acceleration of relations towards amity and alliance. This period was characterized by mutual efforts to normalize and revitalize relations as a result of successful implementation of security agreement and witnessed several high level mutual visits at Presidential, Prime Ministerial and Foreign Ministerial levels that flourished the cooperation grounds at numerous policy areas. Besides all those promising happenings, the major issue marking this phase was development of a joint critical approach by Turkey and Syria against Iraq war and destruction of the central government in Iraq. As underlined by Han (2013:61) this was a turning point in US-Turkey relations via Turkish Parliament's voting against allowing the US forces to deploy troops from Turkish soil on 1 March 2003 which would in long run result in a very costly intervention by USA to Iraq.

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[119] http://www.mfa.gov.tr/relations-between-turkey%E2%80%93syria.en.mfa

Other major achievements over this period included; the signing of Joint Political Declaration on establishing High Level Strategic Cooperation Council (HLSCC) in September 2009 which was followed by the first meeting of the HLSCC at ministerial level on 13 October 2009 in Gaziantep and Aleppo and a prime ministerial meeting in December 2009. This cooperation ground by HLSCC acted as a platform for signing of 50 agreements and memorandum of understandings between Turkey and Syria on diverse areas including security, commerce, health, waters, education, transportation and so on[120]. Conclusion of the Visa Exemption Agreement in October 2009 coupled with the Free Trade Agreement signed in January 2007 had an enriching effect via increasing volume of bilateral trade, investment as well as tourism. As reported by the Ministry of Foreign Affairs, the trade volume rose from 796 million USD in 2006 to 2.5 billion USD in 2010 between the two parties. During this phase Turkey-Syria relations were considered to be a "model" for neighbourhood and cooperation (Erdoğan, 2015:71).

For sure all these achievements were driven by the "New" Turkish Foreign Policy as promoted by Justice and Development Party with its discourse structured over the Ottoman heritage and the "modern" standard-bearer of political Islam as well as the declared willingness and motivation in bringing together the ex-Ottoman lands and its hinterland (Han, 2013:61).

Such a "spring" with blossoming multi-sector level cooperation called for its "autumn" as of Syrian Uprising of 2011 which has hosted the current phase of *regression toward enmity* in Turkey-Syria relations. The major events marked this phase have gradually securitized relations between the two countries. Within this scope, at the early stages of uprising, Turkish leaders made particular efforts to convince Bashar al-Asad to conduct political reforms which were not well taken on Syria side. Relations became gradually tense over the years which resulted in a historical mass influx from Syria to neighbouring countries including Jordan,

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[120] Ibid

189

Lebanon, Egypt and Turkey which has been hosting the majority of (*nearly 2 million*) and 7.65 million[121] Syrians displaced due to crisis.

Given this retrospective snapshot of Turkey-Syria relations as well as the evolving approaches in Turkish foreign policy, Syria has turned out to be a very interesting subject of analysis from a constructivist point of view when one considers the fluctuating foreign policy vision over diverse phases which are directly linked to Turkey's perceptions of self and other, friend and enemy as well as threat and opportunity.

Han (2013:67) particularly points out the "full circle" that Turkish foreign policy has come given the last decade underlining Turkey's efforts to mobilize Western allies to agree on a joint vision of intervention towards Syria rather than following a unilateral point of action. Turkey's efforts included advocacy for establishing a buffer zone, a safe haven and a supply corridor like the previously operationalized one in Northern Iraq over the Gulf Crisis which have not received the expected support neither by US nor by EU due to the potential economic burden would it require.

Here it would be complementary to provide some highlights related to impacts of Turkey's Syria policy on Turkey-US relations since 2011. The Hürriyet Daily's Washington correspondent, Tolga Tanış (2015:198-9) in his book "Potus ve Beyefendi" (Potus and the Gentleman) categorizes those impacts under five phases. According to Tanış (2015:198-9); (1) this first phase, as of 2011, witnessed a period when the US was trying to convince Turkey for designing the Kürecik radar base of critical importance for the US national security so it was a time with high level bilateral relations. In terms of Syria, the US was hesitant and it was not considered as an issue of equal importance compared to Iran or Iraq. Thus, US preferred Turkey to lead the process, (2) the second phase as of 2012 remarks initial tensions between Turkey and the US due to the increasing number of refugees and spillover risk of

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[121] https://www.afad.gov.tr/TR/IcerikDetay1.aspx?ID=16&IcerikID=747

the crisis to the neighbours. However, during this phase, the US still has the idea that regime in Syria would be over in a short span of time, (3) the third phase coincidences to a time just after the 2012 Presidential elections in the US and due to the prolonged nature of the crisis the US starts to question the possibility of spillover effect of the radical groups as well as the foreign fighters. This is also a period in which the US included El-Nusrah Front[122], which is one of the opponents fighting to end the Asad regime, in its terror listing, (4)the fourth phase, witnesses a sharp change in the US' strategy towards Syria as a result of the chemical weapon attack which took place on 21 August 2013. This is a phase when the US became convinced that Asad regime in Syria would remain, thus Syria Crisis has become a matter of counter terrorism for the US to combat with alias of al-Qa'ida, (5) and the last phase has started as of ISIL's invasion of Mosul on 10 June 2014. This phase being a major breaking point coincidences a time when direct relation between the US and PKK originated Kurdish groups started in addition to the beginning of negotiations with Iran for its nuclear programme. So during this phase, major security threat consideration of the US has revolved around ISIL and its allies who are fighting against Asad regime rather than the regime itself. At a time of softening of relations between the US and Iran, Asad regime would turn out to be a compromise for Iran which would leave Turkey sidelined in its ambition to overthrow Asad regime in Syria.

Having mentioned those ups and downs in approaches developed by Western actors, there is a gradual difference becoming visible related to their motivations for involvement in Syria Crisis. In actual terms, upon emergence of ISIL with its blood-curdling actions, increasing numbers of foreign fighters majority of whom are third country nationals of EU origin, changing regional dynamics with almost no nation-state left in the Middle East and the possibility of filling the gaps emerged

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[122] http://www.state.gov/r/pa/prs/ps/2012/12/201759.htm

in the region by non-state actors with their radicalized approaches have all contributed to diversified approaches to be developed by diverse actors. All those happenings have also contributed to an approach change by the above mentioned Western actors towards the regime in Syria in a moderate manner as a way to struggle with ISIL. While this gradual approach change on Western part is dominated by anti-ISIL vision, it has been a point of divergence with Turkey where the country continued to dominate its foreign policy discourse towards Syria by focusing on anti-Asad sentiment also having anti-ISIL elements.

Given those regional dynamics, Turkey has continued its efforts to surpass the Syria Crisis by actively involving in Friends of Syria Group which has been established as a response to veto by Russia and China over the UN Security Council resolution in condemning Syria[123]. While the first meeting of the Friends of Syria Group was organized on 24 February 2012 in Tunisia, the second one was organized in Istanbul on 1 April 2012. Turkey has also become one of the eleven members of Friends of Syria Core Group. According to Erdoğan (2015:71) all these efforts have shown Turkey's very clear interpretation of the link between solution of the Syria Crisis and expelling of Asad from the management. Moreover, the unpredicted insurgency of Asad and the regime in Syria by evaluating the international conjuncture has resulted in Turkey's being a party to the crisis as well as a victim of the crisis due to the refugees and multi-dimensional security threats. These developments have all not only left Turkey alone over its strategy which called for a solution in Syria crisis by overthrowing Asad but also called for huge volume of financial burden on Turkey's shoulders in terms of accommodation, protection, care and service delivery for Syrians in Turkey.

5.2. Syrians on the Move in the Aftermath of the Arab Uprising

World has witnessed fleeing of people out of Syria which is a country of asylum itself for over 1 million Iraqi and 500,000 Palestinian refugees at a time. The

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[123] http://www.un.org/apps/news/story.asp?NewsID=39935#.VV9TXfmqqko

increasing tension, continued conflict and violence have all turned into a civil war as of March 2011 due to the anti-regime protests in Syria (Sethi, 2013:25). The UN High Commissioner for Refugees reported on World Refugee Day, 20 June 2014 that the number of refugees, asylum-seekers and internally displaced people worldwide has, for the first time in the post-World War II era, surpassed 50 million people[124]. António Guterres, the UN High Commissioner for Refugees, underlined that the Syria crisis "has become the biggest humanitarian emergency of our era, yet the world is failing to meet the needs of refugees and the countries hosting them."[125] As reported by Erdoğan (2015:2), in the last three and a half years, as a result of Syria crisis, 150-200 thousand people lost their lives; 6-9 million people had to leave their homes; 4 million Syrians had to seek asylum in other countries. The total number of internally displaced people (IDPs) in Syria was reported to be 7.6 million by IDMC[126]. The majority of Syrians were hosted by neighbouring countries including Turkey, Lebanon, Jordan and Iraq. Turkey has been hosting the biggest number of Syrians, 1,759,846, as of 6 May 2015. However, it is Lebanon which hosts the highest percentage of Syrians compared to its population which was nearly 6 million as of July 2014.

Table 17:Total Persons of Concern/Registered Syrian Refugees

Egypt , Iraq, Jordan and Lebanon (registered by UNHCR in Lebanon)	**2,193,310 million** Egypt: 134,329 Iraq: 248,367 Jordan: 627,287 Lebanon: 1,183,327
Turkey (registered by Government of Turkey)	**1,759,846**
North Africa (registered in North Africa)	**24,055**
Total Persons of Concern/Registered Syrian Refugees	**3,977,211**

Source: UNHCR as of 06 May 2015

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[124] Retrieved from http://www.unhcr.org/53a155bc6.html (date pf access 03.05.2015)

[125] Retrieved from http://www.unhcr.org/53ff76c99.html (date pf access 03.05.2015)

[126]Retrieved from http://www.internal-displacement.org/middle-east-and-north-africa/syria/figures-analysis (date pf access 03.05.2015)

Table 18:Demography of Syrian Refugees

Male	Age	Female
9.2%	**0-4**	8.7%
10.9%	**5-11**	10.3%
6.6%	**12-17**	6.3%
20.9%	**18-59**	24.1%
1.4%	**60+**	1.7%

Source: UNHCR Retrieved from http://data.unhcr.org/syrianrefugees/country.php?id=224 (date of access 02.5.2015)
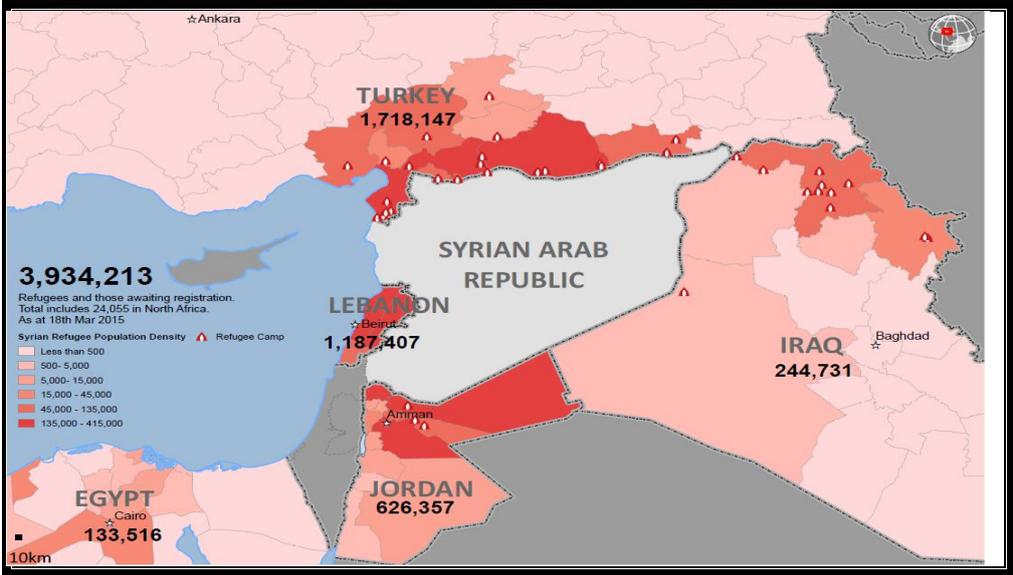
Figure 27:Syrian Refugees in the Region by 18th March 2015

Source: UNHCR Retrieved from http://data.unhcr.org/syrianrefugees/country.php?id=224 (date of access 02.5.2015)

Having mentioned the huge numbers hosted by the neighbouring countries of Syria, the number of Syrians arriving the Europe seeking international protection remains comparatively low, with around 5% of Syrians who look for better livelihood and a safe haven in Europe. According to the data by UNHCR which are consolidation of data from 37 European countries provided monthly to UNHCR, total asylum applications number was 253,859 between April 2011 and March 2015 and 138,016

in 2014 only. Given these quite limited numbers compared to mentioned hosting countries in the region, Europe is very much criticized and called for sharing of the burden rather than securitizing its borders as a response to this *greatest humanitarian crisis* of our time.

Table 19:Cumulative Syrian Asylum Applications in Europe (From April 2011-March 2015)

Country	Number	Country	Number
Sweden	58,455	Switzerland	7,703
Norway	3,677	Spain	4,009
Finland	609	Portugal	184
Denmark	10,744	Italy	2,019
Estonia	30	Malta	857
Latvia	83	Hungary	9,078
Lithuania	26	Slovenia	186
Poland	507	Croatia	352
Germany	73,312	Bosnia Herzegovina	99
Netherlands	12,719	Montenegro	2,357
Belgium	5,347	Albania	119
Luxemburg	147	Greece	2,286
United Kingdom	6,621	TFYRM	1,35
Ireland	84	Romania	2,081
Czech Republic	253	Cyprus	2,45
Slovakia	56	Serbia and Kosovo	15,037
Austria	12,558	Bulgaria	12,591
France	5,855	Iceland	14

Source: UNHCR http://data.unhcr.org/syrianrefugees/asylum.php

80,759 total places made available since 2013ᵃ

47,059 total places in Europe

Number of confirmed pledges

● Resettlement

● Other Forms of Admission

Other forms of admission vary from resettlement and can include, for example: humanitarian admission, private sponsorship, scholarships for students, humanitarian visas, expanded opportunities for family reunification, medical evacuation and labour migration schemes.

NORWAY 2,500
SWEDEN 2,700
FINLAND 850
U.K. OF GREAT BRITAIN AND NORTHERN IRELAND
DENMARK 140
LUXEMBOURG - 60
NETHERLANDS - 500
IRELAND 421
90
GERMANY 30,000
POLAND 100
BELARUS 20
BELGIUM 300
AUSTRIA 1,500
HUNGARY 30
FRANCE 2,400
SWITZERLAND - 5,200
LIECHTENSTEIN - 25
PORTUGAL 93
SPAIN 130

ᵃIncludes Australia (5,600), Brazil (6,053), Canada (11,300), New Zealand (100), USA (10,527 submissions to date) and Uruguay (120). It also incorporates 4,700 visas issued under a Swiss temporary extended family reunification programme (Sep-Nov 2013); 90 arrivals under the United Kingdom of Great Britain and Northern Ireland's Vulnerable Persons Relocation scheme; 111 persons accepted under Ireland's Syrian Humanitarian Admission Programme; and 1,400 asylum visas issued by France, which enables Syrian refugees to travel to France for the purpose of applying for asylum. Argentina has also created a humanitarian visa programme.
*Serbia (and Kosovo: S/RES/1244(1999)) The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Creation date: 09 Feb 2015   Sources: UNCS, Data as provided by UNHCR national focal points and compiled by the Resettlement Service   Produced by FICSS

Figure 28:Resettlement and Other Forms of Admission of Syrian Refugees in Europe (February 2015)

Source: UNHCR http://data.unhcr.org/syrianrefugees/asylum.php#

196

5.2.1. Syrians in Turkey: How did it start? Where it is heading to?

One of the high level representatives of UN High Commissioner for Refugees over an in-depth interview evaluated Syria crisis and its political implications by offering four points analysis;

> *I would like to make four comments. (1) How long the regime will last? Since day one, political regime in Syria will not come down. No fall down. Despite the governments, media, etc. Why? (2) The crises in Syria are not about Bashar Al-Assad. Opposition wants him to leave. It is not about him. What it is about? It is about the end of the concept of nation state in the Middle East. (3) Since 2011, latest developments… Syria is sick. When a country is sick, it is like a human body. Syria's sickness may spread to other states in the region. Sickness of Syria will spread through people walking on their feet. Sickness will come by. (4) We see a systemic destruction of the Syria-Turkey border. What is happening at the external border of your neighbour is a matter of national security for your country. What is happening at your own border is not only a matter of national security but also is a matter of survival for you. This is the current issue for Turkey. (date of interview 27.11.2014,Ankara)*

Turkey is the main country that has been directly affected by Syria crisis with the largest number of refugees. Although Turkey has been a traditional country of asylum throughout history, the "open door policy" has catalysed arrival of massive influx into its territories. As of May 2015, it is estimated that 1,759,846 Syrians have arrived in Turkey majority of whom, nearly 77 percent, are women and children as reported by the Disaster and Emergency Management Presidency (AFAD), the main governmental institution assigned as the coordinator for Turkey's response to Syria refugee crisis. As reported by AFAD, the total number of Syrians staying at accommodation centres is 259,788 as of 18 May 2015[127].

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[127] https://www.afad.gov.tr/TR/IcerikDetay1.aspx?ID=16&IcerikID=848
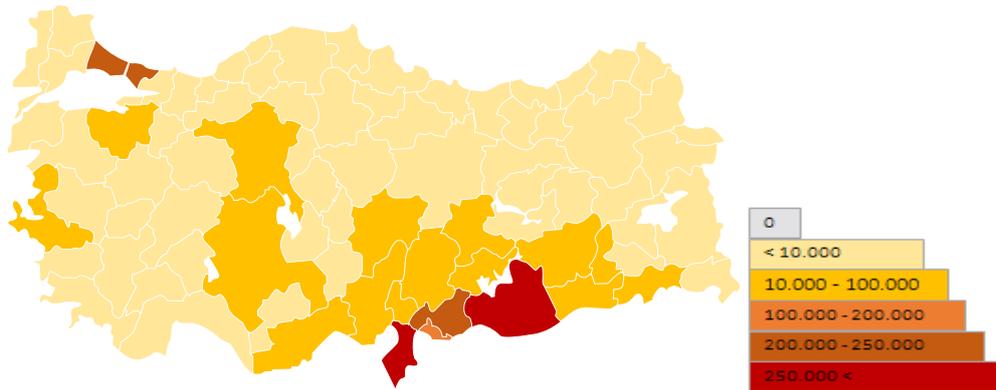
Figure 29:Syrians in Turkey as of March 2015

Source: Disaster and Emergency Management Presidency (AFAD) as of 17 March 2015, 3RP Launch Event
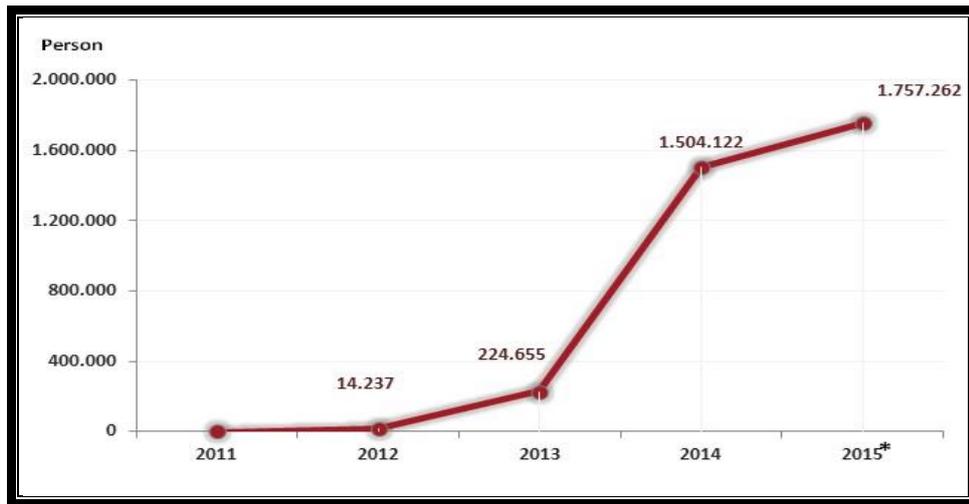
Figure 30:Biometric Registrations of the Syrian Nationals who are put under protection within the scope of the Temporary Protection Regulation

Source: Directorate General of Migration Management, as of 01.04.2015

The current Syrian population in Turkey could be categorized under two main clusters; (a) the ones staying at the temporary accommodation centres or called as *camps* which include 19 tent cities and 6 container cities located in ten provinces in Turkey. Those provinces are Hatay, Gaziantep, Şanlıurfa, Kilis, Mardin, Kahramanmaraş, Osmaniye, Adıyaman, Adana and Malatya, (b) the ones staying

out of the camp in urban settings representing the majority, 85 percent, of the total Syrians in Turkey.

Table 20:General Information on the Syrian Nationals who are put under protection within the scope of the Temporary Protection Regulation

ACCOMMODATION CENTERS (25 ACCOMMODATION CENTERS in 10 PROVINCES)*		
	HATAY	15.210
	GAZİANTEP	41.483
	KİLİS	36.797
	ŞANLIURFA	99.355
	KAHRAMANMARAŞ	17.277
SYRIAN ARAB REPUBLIC	OSMANİYE	9.200
	ADIYAMAN	9.897
	ADANA	10.961
	MARDİN	6.869
	MALATYA	7.632
	TOTAL	254.681
NUMBER OF SYRIANS OUTSIDE TEMPORARY ACCOMMODATION CENTERS		1.502.581
TOTAL NUMBER OF SYRIANS in OUR COUNTRY		1.757.262

Source: Directorate General on Migration Management, as of 01.04.2015

Under the coordination of AFAD, a regulation No. 62 titled "Regulation on Receiving and Sheltering the Syrian Arab Republic Citizens and Stateless Persons Living in the Syrian Arab Republic, Who Entered Turkey for the Purpose of Mass Sanctuary" was prepared in March 2012 which provided the legislative and administrative framework for operations related to Syrians staying in Turkey. This directive has also been the main legal instrument which provided Syrians with temporary sheltering. Under a circular dated 09.09.2913 and no.2013/8 published by AFAD, Syrians have been provided with free primary health care. As of late 2014 through another circular, this service was expanded to cover Iraqis fled to Turkey after the Kobane crisis According to The Disaster and Emergency Management Presidency, Turkey spent 5.6 billion USD for humanitarian assistance to Syrians while the total amount raised by international community was 356 million USD[128]. According to Global Humanitarian Assistance Report of 2013,

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[128] https://www.afad.gov.tr/TR/IcerikDetay1.aspx?ID=16&IcerikID=747

Turkey was declared to be the third largest government donor of official humanitarian assistance with US$1.6 billion for humanitarian emergencies[129].

Table 21:Humanitarian aid(by GNP)   **Table 22:Humanitarian aid in 2013**

RANK	COUNTRY	RATIO
1	**Turkey**	**0,21%**
2	Kuwait	0,20%
3	Luxembourg	0,15%
4	Sweden	0,14%
5	Denmark	0,12%
6	Norway	0,12%
8	United Kingdom	0,07%
14	Qatar	0,03%
15	United States of America	0,03%
17	Germany	0,03%
18	United Arab Emirates	0,02%

RANK	COUNTRY	AMOUNT
1	United States of America	4.700.000
2	United Kingdom	1.800.000
3	**Turkey**	**1.600.000**
4	Germany	949.000
5	Sweden	785.000
6	Canada	691.000

Source: Disaster and Emergency Management Presidency (AFAD) as of 17 March 2015, 3RP Launch Event

Source: Disaster and Emergency Management Presidency (AFAD) as of 17 March 2015, 3RP Launch Event

It is important to mention that at the beginning of the crisis Turkey rejected to accept any international assistance by underlining its confidence and capacity to deal with the emerging humanitarian needs. Turkey wanted to be in the driver seat on her own.

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[129] http://www.globalhumanitarianassistance.org/countryprofile/turkey

A representative of Human Resources Development Foundation explained Turkey's reluctance to accept international assistance via two reasons;

> *Failure to include the international organizations immediately in the process in the Syrian crisis is not the first time for Turkey. In 1999 Gölcük earthquake, in 2011 Van earthquake the State had a similar reflex. In Gölcük earthquake this government and party did not exist at all. The state has the same reflex whenever there is a crisis in which international intervention is possible. In addition to the similarity of state reflexes of post and pre-AKP, another reason of such reflex against the migration movements that occurred after the Syrian crisis avails itself in the new Turkish foreign policy. Since Turkey claims to be a regional leader it would be possible to handle the problems as a major state if the crisis lasted for a short time. With such an approach the dimensions of the assistance were set and camps for nearly 200.000 people were established in line with that image. It is not an easy organization and it still continues. Providing 3 meals a day, accommodation, heating, health, clothing, education for more than 4 years. (date of interview 18.11.2014,Istanbul)*

However, as the crisis prolonged and financial, social and political burden increased, Turkey's mentioned standing point started to get shifted by mid-2012 at the time when the Turkish government declared the very limited support received from international donors since the beginning of the crisis. Erdoğan (2015:11-2) underlines five key factors lying at the heart of the limited support by the international community. (a) Turkey has been hesitant and therefore reluctant to accept any international support at the initial phases of the crisis in case of a potential intervention which would cause political and security problems due to Turkey's support for the opposition in Syria, (b) the second reason has been the disagreement on the modality of support offered by international community while Turkey wanted to be the sole coordinator of the crisis and requested to have in-cash grant but the UN and other internationals organizations proposed to give in-kind support, (c) the third factor has been that the perception of international actors revolved around the idea of Turkey with its high-standard camps, so called five star camps, and very organized camp management capacities seemed to be not in need of support by international community which took the other hosting countries in the region on the spot for assistance, (d) the fourth one has been originated from political and security reasons due to Turkey's relations with the opposition in Syria;

the country wanted to allow limited scale of interaction between Syrians staying in Turkey and international organizations and other countries because of its sensitivity over security of Syrians, (e) and the last reason was about short-sightedness in the sense that Turkey could not foresee the scale of Syria crisis in terms of numbers as well as duration.

Table 23:Total Funding Requirement (USD)[130]

	Refugee component	Resilience component	Other*	Total 2015
Egypt **	211,130,327	168,633,269	-	379,763,596
Iraq	317,808,854	108,232,478	-	426,041,332
Jordan ***	889,038,530	916,287,754	1,062,774,000	2,868,100,284
Lebanon ****	1,419,048,853	724,206,229	-	2,143,255,082
Turkey	460,717,975	163,371,500	-	624,089,475
Regional	123,202,608	5,026,058	-	128,228,666
Total	3,420,947,147	2,085,757,288		

Source: Regional Refugee&Resilience Plan 2015-2016 In Response to the Syria Crisis, Regional Strategic Overview, p.9
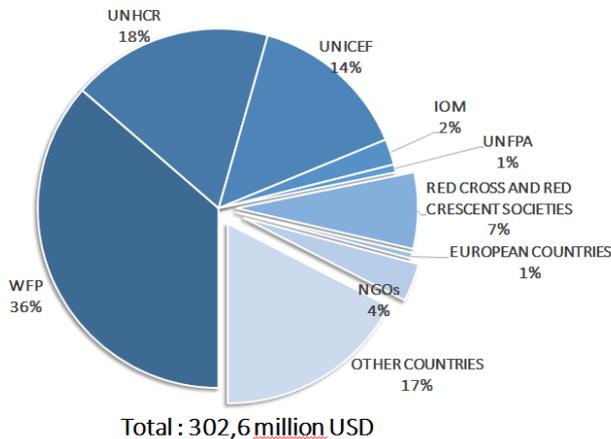
Figure 31:International Aid to Turkey as of March 2015

Source: Disaster and Emergency Management Presidency (AFAD) as of 17 March 2015, 3RP Launch Event

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[130] The total funding requirement for 2015 (refugee and resilience) was announced as 5,506,704,435
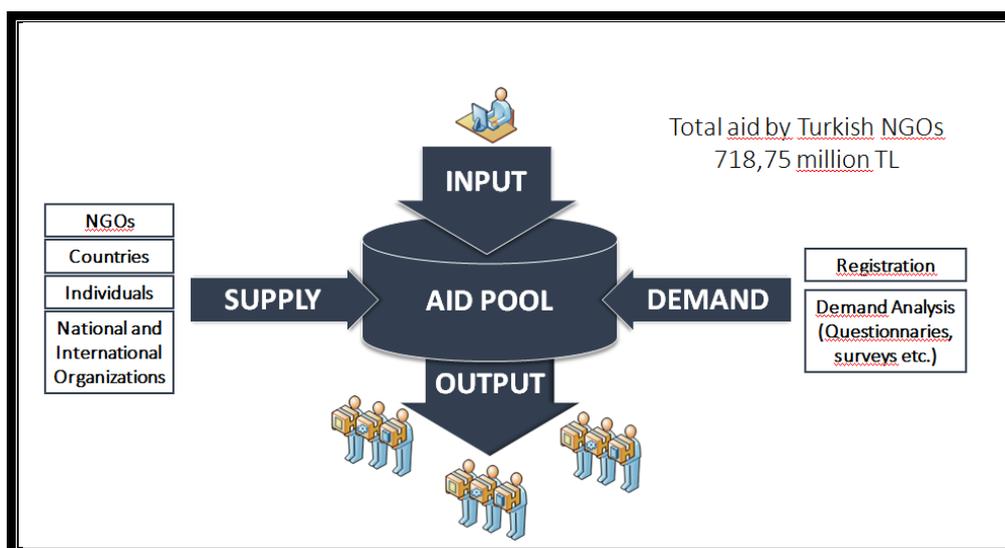
Figure 32:Turkey's Disaster Aid System as of March 2015

Source: Disaster and Emergency Management Presidency (AFAD) as of 17 March 2015, 3RP Launch Event

Today, Turkey is not only subject to the increasing number of refugees with their financial burden, but also increasing security, politics and social-fabric related challenges which have limited Turkey's response to the crisis. Meera Sethi, IOM Chief of Mission to Turkey (2015)[131], summarized those challenges that Turkey has been encountering under five main points;

(a)Cooperation between the EU, Turkey and the wider international community is critical in addressing the humanitarian response; the need for burden sharing is paramount. Countries can further support the Turkish government in devising a long-term policy toward building resilience of Syrian refugees, (b) Involvement of NGOs and INGOs was limited in Turkey in the beginning of the crisis however we are witnessing a change in that approach where more NGOs are supporting the relief efforts mainly for Syrians living outside the camps. This is important given the acute needs of the urban refugees, (c) Strengthening coordination mechanism at all level

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[131] "Peace Processes and Durable Solutions to Displacement" Workshop held in Ankara on 17-19 April 2015 by British Institute at Ankara (BIAA) in partnership with the University of Kent and Saint Mary's University.

(central/local), Government/UN, UN/NGOs in order to have a coherent approach and addressing the gap in the humanitarian assistance is always instrumental in the delivery of aid, (d) As the effect of the crisis spills over the region and beyond, appropriate humanitarian and resilience policies should be designed to address its impacts on social, economic and security level, (e)The need for states to lay greater emphasis on protection and ensure the respect of human rights to all population is crucial.

Within the scope of above mentioned profile, there are some prominent features emerging related to Syrians in Turkey since their initial arrive in Turkish territories as of April 2011. Erdoğan also highlights them (2015:40-3) under eight main points. Those include that; (1) majority of the Syrians live in urban settings rather than temporary accommodation centres, (2) according to figures by UNHCR, more than half of the Syrian population in Turkey are children who are individuals below the age of 18 and 75 percent of the total Syrians in Turkey are women and children, (3) registration of Syrians has been a major challenge for Turkish authorities whereas Directorate General of Migration Management in cooperation with AFAD and technical support by UNHCR launched its efforts for registration as of 2013 and majority of the people of concern have been registered by later 2014. Registration holds a critical importance for protection, security as well as service delivery purposes during their stay in Turkey, (4) as a result of the attacks by ISIL, there has been a considerable increase in the number of Syrians fleeing to Turkey as of August 2014 which led to increasing number of urban refugees in diverse provinces. Ministry of Interior has also the data on the out of camp population, (5) due to the cross border movement of Syrians including both the camp and out of camp populations; there are constant fluctuations in data that lead some limitations in reliable data collection and gathering, (6) there is constant tendency and possibility for increasing the volume of the phenomenon due to the ongoing conflict and fragility in the region, (7) besides the mentioned children and women dominated profile of Syrian population, there is also the recent phenomenon of increasing birth rates among Syrians in Turkey which was reported to be over 30,000 by September 2014, (8) the last five years have also witnessed the changing ethnic and religious

profile of Syrians who fled to Turkey. While majority of the Syrians arrived till the end of 2013 who were mainly Sunni Arabs, attacks by ISIL had a direct impact on the ethnic and religious profile of Syrians seeking asylum in Turkey. As of 2014, Turkey has started to host Kurdish, Yezidi, Armenian, Asuri as well as Nusayri populations which have changed the demographic profile of Syrian prone areas throughout the country. In the words of an associated professor of Department of Political Science and Public Administration of Hacettepe University;

> *Syria Crisis turned into a crisis gone through Turkey. A portfolio as "persecuting Muslims" appeared in addition to the "persecuted Muslims". Turkey also became a victim of that situation. ISIS attacked Kobane all of a sudden and Turkey could not stop it. Moreover, it has a direct cost for Turkey because after Kobani's fall, it accepted 150.000 people to the country. (date of interview 01.10.2014,Ankara)*

A high level UN representative also reaffirmed the limited possibility for revitalization of the relations between Turkey and Syria.

> *With Syria, certainly with the Assad regime, and the government of the Syrian Arab Republic, I do not think it is possible to repair them politically. Turkey's hope that that the Assad regime will go away is only a hope that seems less and less likely. It is hard to see the relationship's future. As many of the Western countries come to terms with Assad regime and that they are now beginning to talk again with the regime. People are concerned that the ISIL and DAESH are much worse evils than Assad, people try to learn lessons from American invasion of Iraq and what is happening in Libya today to ensure that the vacuum created will be filled by Al Qaeda, Al Nusra Front and ISIL. So, actually getting rid of Assad right now is not main focus of the most of the world except Turkey. That is not going to happen easily. And, Turkey has to come to terms but I think that the bridges were burnt and they are not repairable. Moreover, Turkey policy towards the ISIL has been ambivalent. It is a policy messaging by the policy makers were consistently, PYD and PKK and Assad were more evil than ISIL; which has not been shared by the international community. (date of interview 24.03.2015,Ankara)*

A high level representative of Directorate General of Migration Management underlined Turkey's approach for keeping the human rights based migration management approach as their priority and continued as follows;

It should not be solely based on a securitization approach. Accepting the Syrian mass will definitely necessitate a securitization approach. The priority of Turkey in mass movements is to sustain an approach based on protection of human rights, right to live and public order. Simultaneous approach is significant. The hardest part is relevant with the migration management and this is the preference of Turkey. In Turkey a complete de facto situation occurred which flourished automatically within neighbourhood relations in the framework of humanity. In future we can have perfect evaluation and identification. The humanitarian ground was ensured by Turkey since it was left amidst mismanaged countries. Acceptance of integration: decision of the political will. Expectation: Ending of the crisis and returning of the people to their home countries. (date of interview 02.12.2014,Ankara)

Also a member of parliament from Republican People's party underlined the essence of integration efforts for Syrians in Turkey as follows;

Despite the events in the region surrounding Turkey if Turkey wants to improve its influence area, its soft power then Turkey can only do this on the axis of acceptance and integration of the Syrians. When the process in Syria is disposed of and when the people go back to their home countries in order to be efficient actors in the restructuring process they have to be equipped with humane, physical, cultural and social skills. When we think of the demographic structure of Turkey with a majority of youth population the possible footprint on Syria by Turkey in the long run can be upon the investments made in Syrians today. The human element has to be underlined. The efforts of Presidency of Turks Living Abroad and Relative Communities to facilitate Syrians' continuation of university education in Turkey are important and valuable. Otherwise a lost generation will be detrimental both for Turkey and Syria. From the perspective of traditional security discourse it will lead to demolition of public peace or have a negative impact on it. (date of interview 24.02.2015,Ankara)

Last but not least, it is complementary to mention the key highlights on perception side of the issue in Turkish context. Demir (2015:14) in his policy paper "Migration Policies, Social Concerns and Syrian Refugees in Turkey" puts a particular emphasis on the gradually emerging anti-Syrian sentiment among Turkish public

opinion disagreeing with the overall policy on Syrians. Figure 23 shows the key highlights as consolidated by Demir (2015:14) on the results of the recent surveys conducted.

Table 24:Syrian Refugees and the Public Opinion in Turkey

- According to the Transatlantic Trends 2014 survey,[11] 67% of Turkish people do not approve government's immigration policies.
- Metropoll Survey[12] for December 2014 shows that 66.8% of people in Turkey disapprove government's Syria policy.
- A study of Economic and Democratic Studies Center (EDAM)[13] reveals that majority of Turkish people (%86,2) wants no more Syrian people and even expect them to be sent back immediately.
- Transatlantic Trends 2014 survey[14] finds that 77% of Turkish people are concerned about Syrian refugees, and 66% of them support restrictive immigration policies.
- Findings of the Social Acceptance and Integration Survey of Hacettepe University[15] underline the fact that Turkish people perceive refugee crisis as a humanitarian problem. However, majority of people (%76.5) is highly worried about potential problems they may pose.
- A survey conducted by Global Policy and Strategy in 2015, refugee problem has been listed in one of the most important concerns of Turkish people.[16]

Source: Demir, O. (2015:14) "Migration Policies, Social Concerns and Syrian Refugees in Turkey", Global Policy and Strategy, Global Policy Paper 1, April 2015

A member of parliament from Republican People's party evaluated the key drivers leading to fluctuations in public opinion as follows;

> *A significant migration phenomenon is being experienced in Turkey, which was triggered by the Syrian Crisis. The countries that have witnessed such events before have been faced with further social response. Negative and positive. Such phenomenon is a significant source of unrest within the society. Then it becomes central in public discussions. It gains importance in the media and political discussions. The political parties take stance and even anti-systemic political parties or political parties willing to demolish the status quo try to build up politics on the same axis. We cannot see this in Turkey. It has its positive and negative outcomes. It is a grey phenomenon. There are countries in which only 5000 Syrian refugees create a national problem. In Turkey the number of Syrians is 1.7 million. Some countries do not have discussions on 5000 Syrians. This is a positive situation from a rights based perspective but we should not deceive ourselves. This positive situation is not the outcome of a conscious preference. It is the outcome of lack of information and lack of interest. It is a position that we do not have certainty on its sustainability. Different social dynamics can clash each other anytime. The relation that works on the axis of sympathy today might turn into anti-sympathy in future because it has*

never worked on the axis of empathy until now. The first pillar of empathy is to have knowledge. The lay people in Turkey do not know how many Syrians live in Turkey right now. They do not know about the illegal migrants in Turkey other than the Syrians. They do not know the amount of public funds used or the rights provided to the Syrians. It has another dimension. Since the concept of accountability has not been developed in Turkey; since the citizens do not consider themselves as taxpayers they do not think that the State is accountable for these taxes to the citizens. For these reasons, we do not see the racist, xenophobic, antimigrant moves in this migration. The mentioned anti-migrant approach has a dimension nourished by stigma and prejudice. We also notice conscious citizens asking about how the public funds have been used. They sometimes get involved in rightist political discussions to voice their requests. At this point for individuals like us; with a right-based perspective the irrational extreme politics, radical politics, politics of hatred have a rationality to a significant extent in itself. Europe talks about the rationality of its politics. There is a rationale in extreme right, too. Since such knowledge, such culture does not exist in Turkey, in the short term the situation is easier. In terms of manageability... There are significant means offered to the refugees. But these are all precarious. (date of interview 24.02.2015,Ankara)

5.2.2. Legislative Framework Pertaining to Syrians in Turkey

As a result of the gradually enhancing impact of Syrian Crisis on Turkey, the fourth year after the first entry of Syrians in April 2011 was over by April 2015. . There is no doubt that this prolonged and unpredicted nature of the impacts of crisis has caused several complexities in Turkish context be it registration, accommodation, provision of services, protection and the first and foremost has been the provision of legal status which would then allow the rest of the complexities to be solved.

Early times of the crisis were characterized by the common belief by Turkish authorities on the fall down of the regime in Syria in a short span of time which had an impact on Turkey's decisions to establish temporary accomodation centres with a certain capacity in the neighbouring provinces under the coordination of AFAD. The perception and expectation of temporary stay of Syrians in Turkey have manifested itself in the common rhetoric of "*guests*" preferred to be used by Turkish authorities. Such rhetoric has had many implications as well as subliminal messages

including; (a) underlining the "*hosting/house owner*" position of Turkey, (b) expecting Turkish public to show a decent hospitality towards the "*guests*" fleeing to Turkey to avoid any possible tension in social fabric, (c) and highlighting the temporary nature of the situation as "*guests*" would go back to their "*home town*" after a "visit". However, the past four years have led many scholars and authorities to question this unexpected "*longer*" stay of those "*guests*" by evaluating the "*limits of hospitality*" (Kirişçi, 2013) as well as developing the required legislative and administrative framework so as to provide Syrians with their rights and needs.

It is worth mentioning all these happenings came at a time that Turkey was having a historical migration reform process with the establishment of Directorate General of Migration Management (DGMM), enactment of the Law on Foreigners and International Protection and institutionalization of migration management system throughout the country via taking over the responsibilities of migration management from police to provincial directorates of DGMM as of April 2013. Even the increasing numbers of Syrians fleeing to Turkey have not demotivated parliamentary commissions over their meetings pertaining to the new law and the Law on Foreigners and International Protection enacted by April 2013 at a time of witnessing the greatest human mobility with its actual and potential impact on Turkey after the World War II.

Within this scope, a well-known academic of migration studies at University of Oxford listed two reasons why the law making and enactment process has not become politicized;

> *(a)The law making process was coordinated at a technocratic level and it was kept out of the political radar of the any of the political parties. (b)The role of policy entrepreneur, the DGMM. Once the radar was so busy dealing with other issues that mobility of people was not considered as something unmanageable thereby not politicized adversely and went smoothly. (date of interview 09.11.2014,Ankara)*

Despite the escalating nature of the crisis, Turkey also continued to keep its "open border policy" coupled with sustained humanitarian assistance provided. These are all very unique examples of humanitarian approaches and there is a genuine part which has been appreciated and publicized both at regional and global scales.

A high level representative of Strategic Research Centre of the Ministry of Foreign Affairs underlined Turkey's success in overcoming the massive influx despite unpreparedness;

> *Turkey was caught unprepared. 2 million people came. Our people will not react against this. The state was not caught unprepared but there was not any infrastructure. Turkey succeeded in very important things. It was not unsuccessful but unprepared. The role of the Prime Ministry Disaster and Emergency Management Authority (AFAD) cannot be ignored. Please, look at the other camps in the region. The example of Jordan has bad conditions. Turkey adopted a selfless manner. Besides, it acted like making it up as you go along. (date of interview 17.11.2014,Ankara)*

The immediate need for provision of a legal status for Syrians fleeing to Turkey has also called for an urgent development of institutional and operational capacity of DGMM in a very short span of time. One may say that, Syria crisis and unpredicted human mobility have acted as a catalyst and laboratory for immediate operationalization of DGMM in addition to the AFAD which has been in the process since the beginning in line with the emergency and disaster management side of the issue.

As elaborated in Chapter III, 1951 United Nations Convention Relating to the Status of Refugees (Geneva Convention) and the 1967 United Nations Protocol Relating to the Status of Refugees (New York Protocol) have been the main instruments of the international migration law in the field international protection. Turkey signed the Geneva Convention in 1961 as well as the New York Protocol in 1968.

Besides the above mentioned international instruments, enactment of the Law on Foreigners and International Protection No.6458 with its human rights based nature and its ambition of converging with international standards on migrants' rights and international protection, has been very timely in terms of provision of a national primary legislative framework for status of Syrians. The law has called for new categories namely refugees, conditional refugees, subsidiary protection as well as temporary protection under the Part Three "International Protection". The principle of non-refoulement has been the main building block of the law in terms of international protection.

The principle of non-refoulement is defined by Article 4(1) as follows;

> No one within the scope of this of this Law shall be returned to a place where he or she may be subjected to torture, inhuman or degrading punishment or treatment or, where his/her life or freedom would be threatened on account of his/her race, religion, nationality, membership of a particular social group or political opinion.

Given the mentioned categories, refugee is defined by Article 61(1) as;

> A person who as a result of events occurring in European countries and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his citizenship and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of that country; or who, not having a nationality and being outside the country of his former residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it, shall be granted refugee status upon completion of the refugee status determination process.

Conditional refugee is defined by Article 62(1) as;

> A person who as a result of events occurring outside European countries and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of that country; or who, not having a nationality and being outside the country of former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it, shall be granted conditional refugee status upon

completion of the refugee status determination process. Conditional refugees shall be allowed to reside in Turkey temporarily until they are resettled to a third country.

Building on this definition, it is possible to say that previously used refugee/asylum seeker distinction was kept by the new Law due to Turkey's geographical reservation to Geneva Convention. This new legislative framework formulated the definition of conditional refugee in line with the previously used asylum seeker definition referring to people of non-European origin. However, the new Law also suggested a new category of international protection which is the subsidiary protection as it is defined by Article 63(1) as;

> A foreigner or a stateless person, who neither could be qualified as a refugee nor as a conditional refugee, shall nevertheless be granted subsidiary protection upon the status determination because if returned to the country of origin or country of [former] habitual residence would: a) be sentenced to death or face the execution of the death penalty; b) face torture or inhuman or degrading treatment or punishment; c) face serious threat to himself or herself by reason of indiscriminate violence in situations of international or nationwide armed conflict; and therefore is unable or for the reason of such threat is unwilling, to avail himself or herself of the protection of his country of origin or country of [former] habitual residence.

The Law however under Section Four "Other Provisions on Temporary Protection and International Protection" has brought forward the category of temporary protection which has been the main legislative framework for legal status of Syrians in Turkey. Temporary protection is defined by Article 91(1) as;

> Temporary protection may be provided for foreigners who have been forced to leave their country, cannot return to the country that they have left, and have arrived at or crossed the borders of Turkey in a mass influx situation seeking immediate and temporary protection. (2) The actions to be carried out for the reception of such foreigners into Turkey; their stay in Turkey and rights and obligations; their exit from Turkey; measures to be taken to prevent mass influxes; cooperation and coordination among national and international institutions and organisations; determination of the duties and mandate of the central and provincial institutions and organisations shall be stipulated in a Directive to be issued by the Council of Ministers.

The main motivation for inclusion of the category of temporary protection within the Law has been the likelihood of mass migratory flows as Turkey has quite valid experience throughout her history. Given Turkey's geographical reservation to Geneva Convention and the potential and actual volume of mass migration to Turkey, this new category of international protection has been the defining framework in Turkish migration policy towards Syrians. The main logic for such a protection stems from the chaotic, complex and emergency nature of mass migratory movements which require legislative framework for provision of immediate protection and operationalization of the principle of non-refoulement. After including temporary protection in her legislative framework, Turkey has taken a major step forward by leaving the EU behind in terms of humanitarian approach. The concept of temporary protection has been debated to clarify whether it can be a method of international protection. In terms of its legal justifications, EU has a Council Directive[132] "2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof" which has been the initial instrument since the Geneva Convention did not define temporary protection as a method but some countries formulated such a protection in their domestic law.

As a result of the increasing volume of the Syrians' spillover to Turkey, the Council of Ministers of the Republic of Turkey issued the "Temporary Protection Regulation"[133] on 22 October 2014 in line with the Article 91 of the Law on Foreigners and International Protection. According to Provisional Article (1) of the Temporary Protection Regulation, the regulation applies to Syrian nationals, as well as stateless persons and refugees from Syria. After this regulation came into force,

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[132]Retieved from http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:212:0012:0023:EN:PDF (date of access 02.03.2015)

[133]Retieved from http://www.resmigazete.gov.tr/eskiler/2014/10/20141022-15-1.pdf (date of access 02.03.2015)

regulation No. 62 titled "Regulation on Receiving and Sheltering the Syrian Arab Republic Citizens and Stateless Persons Living in the Syrian Arab Republic, Who Entered Turkey for the Purpose of Mass Sanctuary" was outlawed. In line with the Article 3(f) of the Regulation, temporary protection was defined as;

> Protection status granted to foreigners, who were forced to leave their country, cannot return to the country they left, arrived at or crossed our borders in masses or individually during the period of mass influx, to seek urgent and temporary protection and whose international protection requests cannot be taken under individual assessment.

One of the very common criticisms (Çorabatır, 2015) has revolved around the undefined duration of the temporary protection[134]. The Article 10[135] of the Regulation while assigning the Council of Ministers for content of the temporary protection decision does not specify the duration, however according to Article 15[136] the Council of Ministers was assigned with the responsibility for restriction or suspension of temporary protection status.

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[134]http://www.zaman.com.tr/yorum_suriyelilerin-haklari-ve-kalis-sureleri-nasil-duzenleniyor_2256278.html#

[135] "Content of the temporary protection decision, Article 10(1) Council of Ministers' temporary protection decision shall contain; a) Who will be covered under temporary protection, b) Effective date and, if deemed necessary, the duration of temporary protection, c) Conditions for extending and ending temporary protection,ç) Whether temporary protection will be implemented country-wide or in a specific region, d) Matters on which decisions may be taken and which may be followed up on by the Board pursuant to Article 105 of the Law, e) Matters regarding decisions on limiting or suspending admissions into our country within the scope of temporary protection pursuant to Article 15 of this Regulation, e) Other subjects deemed necessary. (2) Following the Council of Ministers' temporary protection decision, individual decisions, which may be taken on persons benefiting from temporary protection, shall be taken by the Directorate General"

[136] Restriction or suspension of admissions into our country under temporary protection Article 15(1) Council of Ministers may take a decision to restrict or to temporarily or indefinitely suspend temporary protection measures in implementation, in case conditions amounting to a threat to national security, public order, public security or public health emerge.(2) The decision under Paragraph (1) shall also determine the provisions to apply, following this decision, to those who were previously granted temporary protection, as well as other measures to be implemented for those, who wish to arrive in country in a mass influx or individually to seek temporary protection following the date of entry into force of this decision.(3) In situations provided under Paragraph (1), Ministry of Foreign Affairs may call for support through relevant international organisations in relation to measures targeting mass influx situations, which may be implemented throughout and beyond the borders of our country, upon receiving the opinions of the Ministry and relevant public institutions and organisations.

An associated professor of Department of Political Science and Public Administration of Hacettepe University, commented on the duration of the temporary protection the as follows;

> *Not to abolish the geographical limitation in Geneva Convention by Turkey is a strategic step. It diminishes the motivation of the other countries, too. The Council of Ministers introduced a new provision in the Temporary Protection Regulation. If Turkey cannot handle the burden then it can terminate temporary protection. There is no coercion by international law, too. There is no liability to ensure international protection. (date of interview 01.10.2014,Ankara)*

A high level representative of Directorate General of Migration underlined the essence of temporary protection in Turkish context;

> *In mass migration flows when emergency response is needed temporary protection is ensured under the Law. Individual asylum in 1951 Convention is due to lack of possibility to include certain acts. The concept of temporary protection is not temporary in terms of the rights. Social assistance and the rights are the same under international protection. It has a different formula in terms of operations since accelerated registration is not possible. (date of interview 02.12.2014,Ankara)*

A professor of Department of Sociology of the Middle East Technical University explained the factors leading to debate on integration as follows;

> *When there is no time limit in temporary protection, the doors will be opened for integration. Citizenship issue arises as an interesting issue. Will there be a population of 2 million, who are protected, employed, entitled to right to education but not citizens? A group rewarded due to victimization? Afghanis are more disadvantaged. Syria was a strong state with stability. It was a country hosting significant number of refugees in the region. At this point the people coming from Syria have different accumulations in terms of human capital. (date of interview 24.09.2014,Ankara)*

A professor of law of Istanbul University explained the potential evolution of citizenship debate as a follow up to prolonged temporary protection and integration as follows;

> *About the citizenship of Syrians there is an interesting situation. According to Law on Foreigners and International Protection there is a practice similar to Green Card. Individuals who stay 7 years in Turkey can be*

entitled to residence permit without time limit. But refugees, individuals under temporary protection and conditional refugees cannot apply. However, according to Law on Citizenship, individuals who stay for 5 years in Turkey can apply for citizenship and there is no limitation in the Citizenship Law stating that these people cannot apply. When this is the situation, the right to apply can arise but automatic citizenship will not be available. If the decision is negative then the applicant has the right to file a lawsuit. Citizenship through marriages will be witnessed. (date of interview 19.11.2014,Istanbul)

Having mentioned the provision of Syrians with legal status, the prolonged stay of those people of concern with their growing numbers with the newcomers as well as the newborns have catalysed the debate on "social integration" besides the "legal integration". Majority of Syrians after getting registered by Turkish authorities have gained their legal status in Turkey which has provided them with accommodation health and education services. However, given the mentioned prolonged stay in the country, emerging needs of this population started to be more visible both at provincial and national levels. Within this scope, Article 96(1) of the Law on Foreigners and International Protection started to be debated with its vision of mutual harmonization between foreigners, applicants and international protection beneficiaries and the society. It is also interesting to highlight the divergence of the Law from EU practices via consciously preferring to use the concept of "harmonization" rather than commonly used European version of "integration". Article 96(1) elaborates harmonization as follows:

> Article 96 (1) The Directorate General may, to the extent that Turkey's economic and financial capacity deems possible, plan for harmonization activities in order to facilitate mutual harmonization between foreigners, applicants and international protection beneficiaries and the society as well as to equip them with the knowledge and skills to be independently active in all areas of social life without the assistance of third persons in Turkey or in the country to which they are resettled or in their own country. For these purposes, the Directorate General may seek the suggestions and contributions of public institutions and agencies, local governments, non-governmental organisations, universities and international organisations. (2) Foreigners may attend courses where the basics of political structure, language, legal system, culture and history of Turkey as well as their rights and obligations are explained. (3) The Directorate General shall promote the

courses related to access to public and private goods and services, access to education and economic activities, social and cultural communications, and access to primary healthcare services and, awareness and information activities through distant learning and similar means in cooperation with public institutions and agencies and non-governmental organizations.

This very recent debate around the issue of harmonization as well as gradual involvement of Syrians in the informal labour market have both called for respective further regulations to be operationalized. A professor of Department of Sociology of Middle East Technical University put particular emphasis on the emerging competition in the labour market as follows;

> *It is a natural outcome that the Syrians who could not integrate in Turkey look for different life opportunities, better conditions. The migration potential of Syrians from Turkey concerns the transatlantic actors significantly. When we talk about integration of the Syrians who stay in Turkey, a serious competition will emerge. Competition and conflicts but not as crime. The competition possibilities in the market. Competition in economic and labour markets. (date of interview 24.09.2014,Ankara)*

In terms of labour market integration of Syrians, a proposal was drafted and submitted to the Parliament by the Ministry of Labour and Social Security in terms of the sectors and provinces where Syrians could be allowed to work. Due to the pending Cabinet Decree, Syrians still work on informal basis although the Temporary Protection Regulation allows their employment in Turkey. Another harmonization effort was coordinated by the Prime Ministry Presidency on Turks Living Abroad and Relative Communities pertaining to Syrians' higher education engagement by providing facilitated scholarships. The Presidency has announced to provide scholarships for 5000 Syrians over the next five years which also puts forward a clear indicator of the vision of even longer stay in the country[137]

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[137] http://www.trthaber.com/haber/egitim/5-yilda-5-bin-suriyeli-ogrenciye-burs-177931.html

5.2.3. Inter-Institutional Framework Pertaining to Syrians in Turkey

Turkey's institutional response to Syria Crisis has adopted an evolving approach in line with the nature of crisis itself. When we recall the early times of the crisis when the Syrians first arrived in Turkish territory in April 2011, it was the AFAD which was assigned as the lead governmental entity to be responsible for overall coordination of the temporary accommodation centres/camps. Besides AFAD, Turkish Red Crescent has also been deeply engaged in the process and took part in the establishment of the tent cities. However, due to the emerging specific needs of the people of concern, diverse governmental institutions were involved into the process. Those institutions included; Ministry of Interior, Ministry of Foreign Affairs, Ministry of Health, Ministry of National Education, Ministry of Food,Agriculture and Livestock, Ministry of Transportation, Ministry of Finance, The Turkish General Staff, Governorates in the region, Religious Affairs Administration, Undersecretary of Customs, Turkish Red Crescent as well as Prime Ministry General Coordinator Office for Syrian Asylum Seekers and the Coordinator Governor in Gaziantep[138].
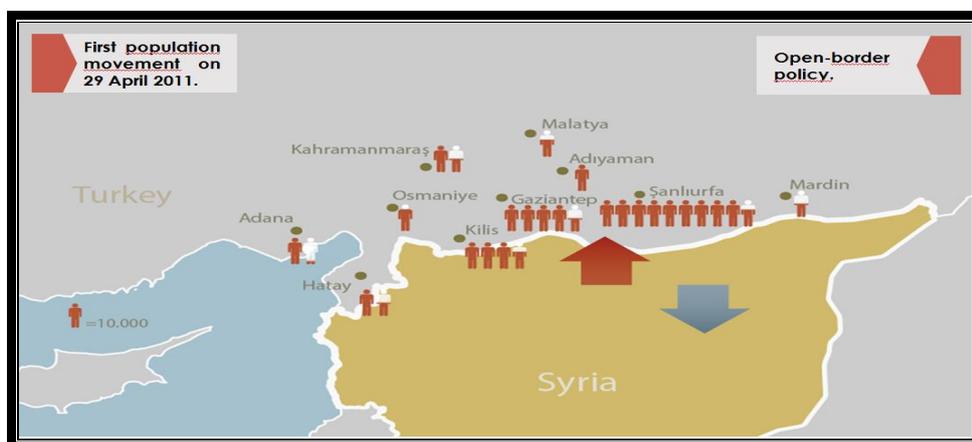
Figure 33:Mass Population Movements to Turkey

Source: Disaster and Emergency Management Presidency (AFAD) as of 17 March 2015, 3RP Launch Event

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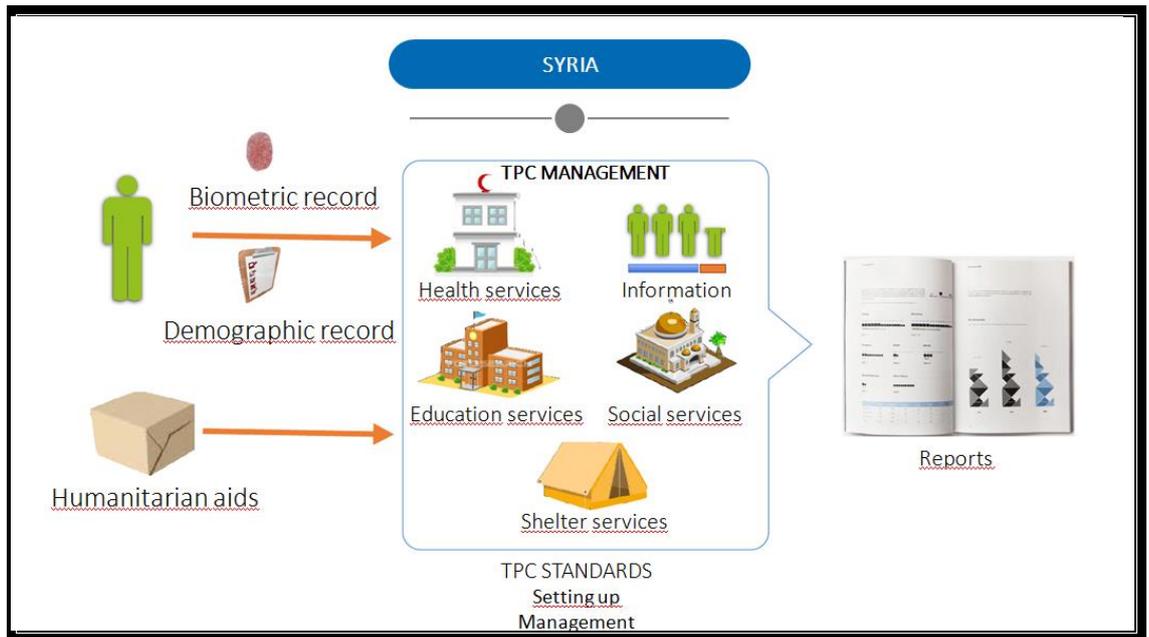
Figure 34:Temporary Protection Management System in Turkey

Source: Disaster and Emergency Management Presidency (AFAD) as of 17 March 2015, 3RP Launch Event

AFAD Circular on Coordination of the Services Related to People under Temporary Protection No. 2014/4 dated 18 December 2014 defined the key services to be coordinated by AFAD as per Article 26[139] of Temporary Protection Regulation. The services provided by AFAD include; accommodation, food, health, security, social activities, education, worship, translation, communication, banking and other relevant services in cooperation with relevant ministries, public institutions and

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[139] Services to be provided to Persons Benefiting from Temporary Protection, Services, Article 26 (1) Health, education, access to labour market, social assistance and services, interpretation and similar services may be provided to foreigners under this Regulation. Principles and procedures regarding services to be provided to foreigners under Paragraph (1) of Article 8 shall be determined by the Board.(2) Other services which are not covered under Paragraph (1) may be provided by public institutions and organisations depending on their capacity.(3) Foreigners under this Regulation may, by the virtue of their Temporary Protection Identification Documents, conclude subscription agreements for other services including electronic communication services. (4) Provision of services by the relevant ministries and public institutions and organisations under this Regulation shall be carried out in coordination with AFAD.

Turkish Red Crescent both in container cities as well as tent cities in ten provinces and 25 temporary accommodation centres.

A representative of the US Embassy in Ankara evaluated the emerging tasks performed by AFAD and its relation with the Directorate General of Migration Management over the Syria crisis as follows;

> *In terms AFAD, I may say as the Syria spillover started by the end of 2010 it was only the DGMM as the only bureau and legislation was not prepared. The crisis was told to be over in a very short period of time. Not only by Turkey but also by the international community, it was just considered to be an emergency crisis issue and AFAD was directly the disaster management institution which was assigned to coordinate that issue given the lack of the DGMM as well as the consideration of the nature of the issue. At a later stage, it has turned out to be an asylum crisis bringing influx of people, 1.6 million, it started to involve different government entities and in the beginning of the process as you remember, Turkish government said, "No, I do not want any help from international community and I will deal with it". On the other hand now we see a Turkey which seeks for international community for burden sharing, increasing of the quotas etc. (date of interview 14.11.2014,Ankara)*

After AFAD's engagement into the process as of the early arrivals of Syrians, it was the Directorate General of Migration Management (DGMM) which gradually took over the overall management of the migration in Turkey following the enactment of the Law on Foreigners and International Protection by April 2013. Besides the Law and Temporary Protection Regulation, AFAD has continued to provide active operational coordination support whereas DGMM has acted as the main governmental central authority on migration management which also includes coordination of affairs related to temporary protection of Syrians. DGMM has been actively involved in the registration efforts of Syrians in order to make sure that they benefit from services and distributed more than 400.000[140] "Registry Information Leaflets" to the relevant institutions for completion of Syrian registrations procedures.

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[140] http://www.goc.gov.tr/icerik6/registry-information-leaflet_914_1017_4685_icerik

Figure 35:Registry Information Leaflet (Front page)

Source: Directorate General on Migration Management, Retrieved from.

Having mentioned the very active operational role played by AFAD so far, it is also worth mentioning that the majority, 85 per cent, of Syrians have become urban refugee living outside of the temporary accommodation centres. Such trend calls for immediate enhanced engagement of DGMM through its provincial directorates which were announced to be fully operational as of 18 May 2015[141].

5.2.4. Regional Refugee and Resilience Plan (3RP) 2015-2016

United Nations (UN) has been the leading international actor in addition to the governmental and local authorities as well as national and international NGOs which have been putting tremendous effort to address the emerging needs due to the ongoing crisis in Syria for more than four years. Within this scope, UN, in close cooperation with its governmental and non-governmental partners, has been working towards generating the needed the in-cash and in-kind support since the early times of the crisis. Initially, Syrian Humanitarian Assistance Response Plan

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[141]Retrieved from http://www.goc.gov.tr/icerik6/we-are-taking-over-the-provincial-organization-on-18-may_914_1017_5768_icerik (date of access 18.05.2015)

(SHARP) included in the Syria and the annual Regional Response Plans (RRPs) developed for hosting neighbouring countries represented the main operational framework for mobilization of international aid.

However, the prolonged nature of the crisis and unpredicted longer stay of Syrians in the neighbouring countries, namely Turkey, Lebanon, Jordan, Egypt and Iraq have brought forward the resilience-building as a key component to be mainstreamed into the overarching frameworks as of 2015. According to the UN (2014:7) resilience refers to;

> the ability of individuals, households, communities and societies to cope with the adverse impacts of shocks and stresses, to recover from them, and to work with communities and national and local governments to bring about transformational change that supports sustainable human development.

Given this background and as a result of consultations at global, regional and national levels, United Nations Development Programme (UNDP) and United Nations High Commissioner on Refugees (UNHCR) together have taken the lead for a new type of overarching framework which has been called Regional Refugee and Resilience Plan (3RP). Such an effort towards combining the humanitarian assistance and resilience component has the ambition to address the needs of refugees and impacted communities as well as to support those people of concern to benefit from national service delivery systems. Therefore, 3RP has been promoted by UN as being a country driven and regionally coherent framework (UN, 2014:3). Given this background, 3RP for 2015-2016 was prepared and announced at national levels in March 2015. It was prepared in close cooperation with the national authorities in Egypt, Iraq, Jordan, Lebanon and Turkey with the vision to ensure protection, humanitarian assistance and strengthen resilience (3RP, 2015:3). 3RP (2015:8) has two main strategic objectives as follows;

The 3RP Refugee protection and humanitarian component will address the protection and assistance needs of refugees living in camps, in settlements and in local communities in all sectors, as well as the most vulnerable members of impacted communities. It will strengthen community-based protection through identifying and responding with quick-impact support for communal services in affected communities.

The 3RP Resilience/Stabilization-based development component will address the resilience and stabilization needs of impacted and vulnerable communities in all sectors; build the capacities of national and sub-national service delivery systems; strengthen the ability of governments to lead the crisis response; and provide the strategic, technical and policy support to advance national responses.

According the 3RP 2015-2016, Turkey,despite generosity of the Turkish Government, has been challenged and is in need of support at diverse sectors particularly education and health. 3RP 2015-2016 for Turkey aims to support Turkish Government in its response to Syria Crisis as well as to provide necessary assistance for impacted communities and national and local systems to cope with the challenges driven by the crisis. The international aid is expected to support basic needs, public water and waste management, health care, education and livelihood initiatives in cooperation with the participating partners[142] under the interlocutory of Turkish Government (3RP Turkey, 2015:4).

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[142] Partners in the response: AFAD – Republic of Turkey Prime Ministry Disaster and Emergency Management Presidency, DGMM – Directorate General of Migration Management, FAO Food & Agricultural Organization, GAP RDA – GAP Regional Development Administration, Governorate of Gaziantep, ILO International Labour Office, IOM International Organization for Migration, ISKUR – Turkiye Is Kurumu (Turkish Employment Agency), Ministry of Development, Ministry of Family and Social Policies, Ministry of Food, Agriculture and Livestock, Ministry of Foreign Affairs, Ministry of Health, Ministry of Interior, Ministry of Labour and Social Security,, Ministry of National Education, Ministry of Science, Industry and Technology, SSAFs – Social Assistance Foundations, TRSC – Turkish Red Crescent Society, UNDP United Nations Development Programme, UNFPA United Nations Population Fund, UNHCR United Nations High Commissioner for Refugees, UNICEF United Nations Children's Fund, UNIDO United Nations Industrial Development Organization, WFP World Food Programme, WHO World Health Organization
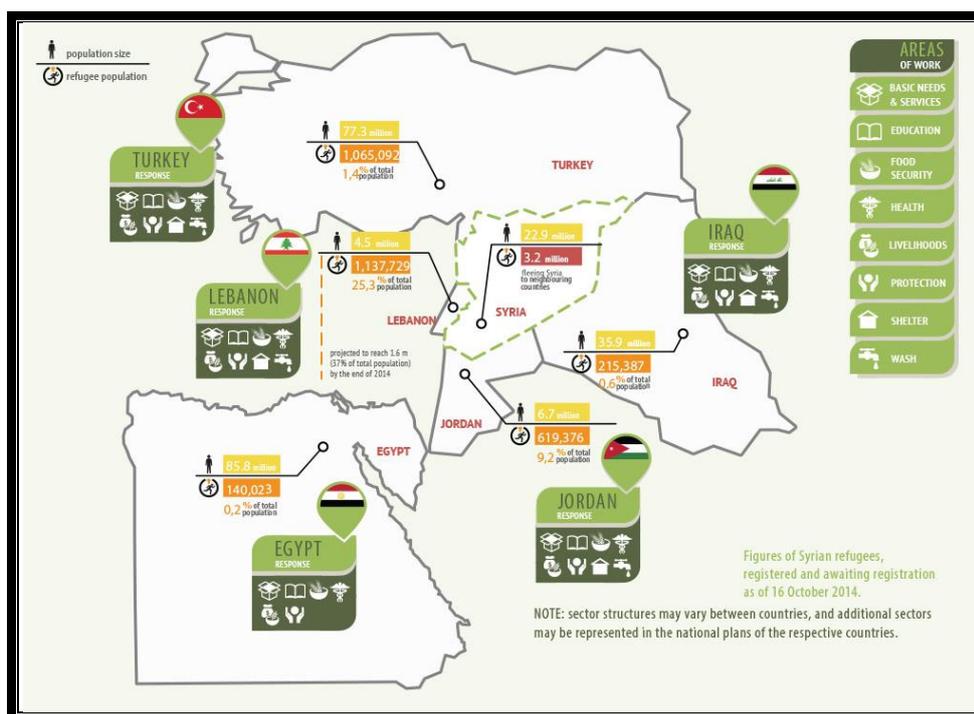
Figure 36:Needed Sectors of Assistance

Source: Regional Refugee and Resilience Plan (3RP) 2015-2016 http://www.3rpsyriacrisis.org/wp-content/uploads/2014/11/map-infographic-v2.jpg

Table 25:Country Requirements Summary (by agency)-Turkey

AGENCY	TOTAL JAN -DEC 2015 (US $)		
	REFUGEE	RESILIENCE	TOTAL
FAO	1,850,000	8,150,000	10,000,000
ILO	4,000,000	4,800,000	8,800,000
IOM	14,690,000	5,170,000	19,860,000
UNDP	4,000,000	54,750,000	58,750,000
UNFPA	19,542,500	712,000	20,254,500
UNHCR	226,929,400	64,909,500	291,838,900
UNICEF	46,170,000	14,180,000	60,350,000
UNIDO	0	10,000,000	10,000,000
WFP	104,045,515	0	104,045,515
WHO	1,350,000	700,000	2,050,000
PARTNERS	38,140,560	0	38,140,560
TOTAL REQUIREMENTS	**460,717,975**	**163,371,500**	**624,089,475**

Source: Regional Refugee and Resilience Plan (3RP) 2015-2016 Turkey p.88

Table 26:Country Requirements Summary (by sector)-Turkey

SECTOR	TOTAL JAN-DEC 2015 (US$)			TOTAL JAN-DEC 2016 (US$) (INDICATIVE)		
	REFUGEE	RESILIENCE	TOTAL	REFUGEE	RESILIENCE	TOTAL
PROTECTION	63,801,400	20,896,500	84,697,900	63,801,400	20,896,500	84,697,900
BASIC NEEDS AND ESSENTIAL SERVICE	172,223,500	52,600,000	224,823,500	172,223,500	52,600,000	224,823,500
EDUCATION	46,666,000	12,650,000	59,316,000	46,666,000	12,650,000	59,316,000
HEALTH	16,366,000	12,575,000	28,941,000	16,366,000	12,575,000	28,941,000
FOOD SECURITY	148,036,075	1,500,000	149,536,075	156,990,560	1,500,000	158,490,560
LIVELIHOODS	13,625,000	63,150,000	76,775,000	13,625,000	63,150,000	76,775,000
TOTAL REQUIREMENTS	460,717,975	163,371,500	624,089,475	460,717,975	163,371,500	624,089,475

Source: Regional Refugee and Resilience Plan (3RP) 2015-2016 Turkey p.89

5.3. Syria Crisis-Migration Nexus in Turkey: An Example on Convergence of Domestic and Foreign Policy

Syria has been a very relevant and interesting case study in terms of convergence of domestic and foreign policy in our recent times. Han (2013:67) particularly mentions the gradual divergence between Justice and Development Party (AKP) and Republican People's Party (CHP) in terms of the Turkish foreign policy executed towards Syria. While AKP developed their discourse by advocating for the cross-cutting nature of foreign policy with other areas such as economy, democratization, social development; CHP underlines the essence of keeping foreign policy away from domestic politics via considering it as a subject of high politics.

According to Erdoğan (2015:3) the issue of Syrian refugees has become a subject of both foreign and domestic politics besides being a humanitarian plight due to the claims for AKP in holding an "identity" or "sect" driven foreign policy and the transformation of relations between Bashar Al-Asad and Recep Tayyip Erdoğan.

Such a divergence manifests itself in the recent public discourses of the political parties which were adapted for their general election campaigns of 2015. While the

ruling party, AKP[143], justifies Turkey's response to Syria spill over via structuring of their discourse on humanitarian aid and religious rhetoric of "*ansar*" and "*muhajirun*" nexus[144], CHP criticizes [145]the government's positioning via building their rhetoric on the negative impacts of the Syrian spillover on social and economic life of the country[146].

This part of the chapter will be dedicated to selected views as shared by the interviewed representatives of governmental and non-governmental actors who have been directly involved in Turkish migration policy making processes as a policy maker or civil society actor.

According to an associate professor of Department of Political Science and Public Administration of Abant Izzet Baysal University, contradictions exist in terms of domestic and foreign policy related to diverse approaches adopted by political parties;

> *The contradiction in Turkish internal politics is reflected to foreign policy as well. The first contradiction is related to class. The ruptures in identity politics have an impact on foreign policy orientation. The second contradiction is sectarian. CHP and MHP consider migration in the context of identity politics. Normally a leftist party should deal with the migration policy. The rights and humanitarian dimension of the issue have been neglected by CHP and MHP. The major disappointment is HDP. HDP is not interested in Syrians. It is quite problematic to focus solely on identity politics. We see that migration in Turkey is being discussed as a material to*

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[143]http://www.haberturk.com/gundem/haber/1072175-cumhurbaskani-erdogan-her-partiye-esit-mesafedeyim

[144]Muhajirun (the emigrants) were the early, initial Muslims who followed the Islamic prophet Muhammad on his Hijra (withdrawal from Mecca to Medina). The early Muslims from Medina are called the Ansar ("helpers"). http://en.wikipedia.org/wiki/Muhajirun

[145]http://www.haberturk.com/gundem/haber/1071735-chp-genel-baskani-kilicdaroglu-7-haziran-seciminde-sizden-6-0-istiyoruz

[146] On 27 May 2015, CHP announced their report titled "*The Bill Turkey Paid for Syria and Iraq Crisis*" Retrievede from
http://www.chp.org.tr/Public/1/Yayinlar/rapor_suriye-ve-irak-krizleri_turkiyenin-odedigi-fatura_1.pdf (dateof access 27.05.2015)

*oppose AKP all of the time. It is one of the tools of opposition against AKP.
Political parties are instrumentalizing migration issue. (date of interview
26.12.2014,Ankara)*

An associated professor of Department of Political Science and Public
Administration of Hacettepe University, evaluated the two-sided foresight
deficiency of Turkey as follows;

*Turkey could not thoroughly interpret the Arab Spring. Foresight faults
were made on the efforts to transform the region into an area, where Sunni
Muslims, in particular, would dominate, by using the acceleration created
through the Arab Spring. There was a two-sided foresight deficiency of
Turkey on Syria: (a) Turkey thought it could convince the EU, the European
countries and the countries in the region. However, we could not convince
Iran and it did not withdraw its support from Assad and, we could not
convince Russia so it used its right of veto at the UN. We could not
sufficiently engage the EU because the USA applies a very cautious policy
after the incident in Iraq. We were thinking that the non-state actors in the
region were under our control but the consulate raid showed us that there
were serious problems in that respect. At this point, a self-perception
deficiency occurred for Turkey in this context. (b) The other deficiency was
that the increasing size of the migration from Syria could not be foreseen
because the duration and scope of the Syria Crisis could not be envisioned
due to the first foresight deficiency. (date of interview 01.10.2014,Ankara)*

A member of International Relations Department of Bilgi University evaluated the
recent approach adopted by Turkish Government for turning migration into a tool
of politics as follows;

*As of 2000s restructuring of migration policy on the basis of tolerance is
something that we are faced with as a bargain power and that was tried to
be attained by AKP government via migration, as an issue of nation
branding. Syrian Crisis emerges as the most significant element in the
process of migration policy formation after the European Union. It is
necessary to underline that the government of AKP has become more
Islamized after especially 2010. The expression of "tolerance" for the Sunni
Muslims coming from Syria was intensified but the same "tolerance" was
not emphasized at the same level for the other groups. Moreover, what we
call as tolerance is an expression. It has been established and the
government introduces it. The expression of tolerance is political in Turkey*

227

especially against the Sunni Syrians. Tolerance turns migration into a tool of politics. (date of interview 14.01.2015,Istanbul)

A high level representative of United Nations in Turkey explains politicization of Turkey's approach to Syria Crisis by differentiating it from the humanitarian assistance provided;

> *There is a politicization of Turkey's response to Syrian Crisis but not in terms of humanitarian assistance provided and hosting of the Syrians. Turkey's hosting of 2 million migrants is not politicized yet. What is suddenly politicized is the overall government's approach to handling the Syrian Crisis. At this stage, the migration part is not politicized yet. However, if the spillover continues with higher number of people from Aleppo and Idlib, that could politicize the situation a lot more. (date of interview 24.03.2015,Ankara)*

The humanitarian assistance component of Turkey's approach to Syria Crisis was found very positive by the representative of Embassy of the United States to Turkey who told the following;

> *Turkey has actually been able to garner positive uplift response,play a very positive role in the region with its open border policy and welcome Syrians, with what has been described as five-star camps. In many ways, because this is very much a good example of combining asylum with rescuing people from a crisis, it has worked in Turkey's favour. (date of interview 14.11.2014,Ankara)*

In the words of an associated professor of Department of Political Science and Public Administration of Hacettepe University, Turkey's approach to Syria Crisis was evaluated as follows;

> *Syrian Crisis is a foreign policy crisis for Turkey with all its aspects". In the ideological framework set by PM Davutoğlu, there exists the intention to build unity in the Muslim world. In such unity there is Muslim Brotherhood in Egypt and in other countries… This is the reason of high-level concern about the incidents in Egypt by President Erdoğan. Egypt was a quite significant target in attaining the unity in the Muslim world. (date of interview 01.10.201,Ankara)*

A representative of Embassy of the United Kingdom shared her vision on the Turkey's foreign policy and migration policy nexus towards Syria Crisis as follows;

> *The fact that Turkey approaches moderately to the migration from Syria may be interpreted as a continuation of glorious Turkey motivation. When the process did not continue as it desired in some way and actually Turkey itself had to deal with the problem it created, actually. To justify it, to keep its discourse... Actually, Turkey's foreign policy towards Syria, in particular, we can also say the migration policy stems from obligation, efforts to correct certain wrong things on foreign policy and the concern to proceed with discourse of strong Turkey. It was a policy occurred automatically, ad hoc and not based on years and internalized. It was an obligatory extension of the foreign policy. (date of interview 13.11.2014,Ankara)*

A representative of Association for Solidarity with Asylum Seekers and Migrants also asserted that;

> *While Turkey makes predictions like if we support the opposition group in Syria then the new regime to be established will be under our control and Syria will always strengthen our side in terms of our foreign and economic policies, however there are also such very important actors as China, Russia, Iran, the USA, the UK and France and Germany, even if not being so visible, and the countries that have been active in the region for centuries differed in their approaches. Anything good or bad in the framework of energy or economy policies will also affect the policies of these countries. (date of interview 24.11.2014,Ankara)*

CHAPTER VI

6. CONCLUSION

6.1.Contemporary Trends in Turkish Immigration Policy of Early 21ˢᵗ Century

Turkey has been affected by diverse forms of migration originated from conflict and fragility happening at different regional settings. Those migratory flows of diverse profiles prepared the basis for Turkey's reactive and periodic immigration policies to be enforced traditionally. However, when we elaborate 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. So, today's immigration policy of Turkey is the one gradually having more significance in public policy discourse, international relations as well as foreign policy making processes.

Although a considerable amount of literature exists on different forms of migration affecting Turkey generally and on post-Cold War period particularly, this study tried to contribute to the literature by providing a constructivist analysis of interrelations between immigration policy making and Turkish foreign policy through its conceptual framework as well as the selected examples as an outcome of the field research conducted. This study evaluated the politics of immigration policy making in Turkey via putting the spotlight particularly on 2000s which is a time witnessing a major reform process in the history of immigration policy making in Turkey having a direct and indirect impact on many policy areas.

The genuine nature of 2000s is also crucial to bear in mind given the fact that immigration has gradually become 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 the Chapter 24: Justice, Freedom and Security and has become more articulated around the discussions pertaining to Turkey-EU Readmission Agreement and visa liberalization dialogue. Syria Crisis and massive influx of Syrians have also acted as a catalyst for high policy level consideration of immigration policy a "*hot topic*" of the agendas of both foreign and domestic policy. However, such an increasing visibility of immigration issues just around the Syria 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.

Building on this framework, the originality of this study is that it aimed to unpack the politics of immigration policy making in Turkey via putting the spotlight particularly on 2000s. 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 to not only unpack the essence of mainstreaming of migration into the discipline of international relations in Turkish context but also to mark the complementary dimension of politics of immigration policy making in Turkey given the rising importance and acknowledgement of the issue with its cross-cutting nature of diverse disciplines. Having mentioned this overall ambition, conceptual framework of the study provided the key tools including the emerging concepts of contemporary foreign policy and their potential as well as actual impact on immigration policy making, which were all evaluated from a constructivist point of view. Moreover, such an approach proved to be crucial in an attempt to understand the linkages between foreign policy and migration nexus in Turkey from a retrospective point of view. The interviews conducted over the field research of this study also provided valuable input supporting the questions and hypothesis of this

study.

Without mentioning the historical milestones and key developments pertaining to evolution of immigration policy making in Turkey, this study would not have a coherent approach. Therefore particular effort was made to reflect the main highlights through Turkey's history of immigration policy making which included impacts of mainstream identity consideration, perceptions of self and other and their changing nature across the time and space.

Then the study employed a particular migration lens in reading of the two main subjects of analysis which came out of the field research namely; Turkey-EU relations with a particular focus on the impact of external dimension of EU migration policy on Turkey and the impact of Syria Crisis on Turkey. In doing so, a particular chapter was dedicated for each one of these subjects of analysis. The added value of these chapters lied at the heart of the selected case studies which tried to unpack the politics of immigration policy making via their justification of convergence of domestic and foreign policy in Turkish context. Those case studies focused on Turkey-EU Readmission Agreement and visa facilitation dialogue and Syria Crisis and migration nexus in Turkish context.

Within this scope, this study tried to employ a multidisciplinary framework charged with a constructivist approach via putting its focus on understanding the roots behind the contemporary patterns and trends of immigration policy making in Turkish context. 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 which have a direct or indirect impact on immigration policy making in Turkey.

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 2000s. Those included;

humanitarianization, developmentalization, politicization, diplomatization, regionalization, economization, securitization, externalization and projectization. Building on the issues discussed over the previous chapters and in the light of the in-depth interviews with diverse stakeholders, the remaining part of this chapter will highlight the key justifications for the offered trends.

The trends of *humanitarianization* builds its discourse on the traditional approach of Turkey being the "protector of oppressed". Syria Crisis and its huge impact in terms of mass migration to Turkey have prepared the legitimate basis for 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 of human rights approach throughout the primary and secondary legislations on immigration in Turkey.Due to the emigration driven developmentalism of 20ᵗʰ century has gradually been replaced by the immigration driven one with its focus on more supply and demand of labour market as well as production relations as of 21ˢᵗ century in Turkey.

Developmentalization has shaped the discourse on Turkey's contemporary efforts in mainstreaming immigration into development planning. For sure, diverse migratory flows coupled with massive influx of Syrians with their prolonged stay in the country have all resulted in pushing authorities to structure up the required basis for including 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 60s when Turkey, after becoming an emigration countrystarted to consider Turkish nationals abroad as agent of national development who could contribute to social, economic and cultural development of Turkey. It is also crucial to mention the efforts of Turkish Cooperation and Coordination Agency (TIKA) in terms of development assistance particularly in Africa and Central Asia which is an indirect manner to contribute 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 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, UN Development Cooperation Strategy 2016-2020 for Turkey for the first time has had a dedicated pillar to 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 UN, NGOs, INGOs, academics as well as private sector is on the rise. Turkey has also started to take more active role in international platforms via its enhanced level of participation. To give an example, Turkey has been chairing the Global Forum on Migration and Development and G20 in 2015 where migration and development nexus has been one of the core issues of agendas. Last but not least, migration in terms of emigration, immigration as well as 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* unearths that Turkish immigration policy has even become a cross cutting area where the domestic and foreign policy converge. One concrete proof of such a claim justifies itself in the recent public discourses of the political parties which were adapted for their general election campaigns of 2015. Politicization of Turkish immigration policy is not limited to Syrian Crisis actually. Another level of politicization manifests itself in the opponent views of AKP and CHP related to EU-TR Readmission Agreement. While AKP puts the spotlight on visa liberalisation dialogue with the EU in their public rhetoric, CHP focuses on the responsibilities and burden that Turkey has accepted to undertake via 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 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 writing process of this study had the opportunity to witness the results of Turkey's general elections in 2015 which had a historical change by resulting in Justice and Development Party's (AK Party) lose its majority in Turkish Parliament after 13 years of single-party rule. This new picture has open the doors of Parliament for the Republican People's Party (CHP), Nationalist Movement Party (MHP) as well as the Kurdish Peoples' Democratic Party (HDP) who has surpassed the 10 percent electoral threshold. At a time of finalization of this study, Turkey is getting prepared to establish a coalition government after 13 years which calls for revisiting of the potential scenarios of politicization of immigration policy making in Turkey given the divergence in the views of political parties towards the issue of immigration which is a politically charged topic in Turkey.

Diplomatization is also a very recent trend, as underlined through the Chapter IV, which manifests itself particularly in Turkey's relations with the EU where migration lies at the core of the negotiations. Upon 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 the 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 № 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 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 direct impact in deepening of *diplomatization* in Turkey-EU relations.

The tendency of *regionalization* is valid for reading of the Turkish immigration policy in line with Turkish interest to be a regional power driven by its cultural and ethnic heritage. Turkey's effort for 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 Turkish economic context as well as in a latent way in the migration and development context. At a time of observing shifting of powers in the several regions that Turkey tries to influence and be influenced by many actors, the trend of regionalisation of Turkish immigration policy is complementary in understanding the whole foreign policy debate which has direct or indirect impact on international migration debate.

Discussions over Turkey's economic development have direct link on evolution of immigration policy trends in line with the trend of *economization*. Turkey's commercial relations with diverse countries call for enhanced level of interaction with those countries pertaining to facilitation of transnational mobility to contribute to the development of further economic relations. As underlined over Chapter III and IV, Turkey, besides its effort for alignment with EU Acquis, also continues to follow a genuine visa policy via lifting of visa requirements with many countries with a particular vision of enhancing its economic relations.

Securitization has always been one of the core pillars of Turkish immigration policy besides human rights and interest. Further, this mainstream trend of securitization finds its contemporary justifications in Turkey's efforts for better management of its borders as well as institutionalization of integrated border management approach in immigration policy making processes in line with the EU accession negotiations as result of the increasing number of migrants losing their lives in Mediterranean or getting lost. Moreover, crime prevention dimension of the issue with a particular focus on combating migrant smuggling and human trafficking also calls for increased level of security to be one of the core defining factors in immigration policy of Turkey. Requirements of 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 Syria Crisis and the issue of

foreign fighters attempting to transit through Turkey make this trend to require more attention on security dimension of migration management.

Turkey is becoming a territory of more attention in terms of international migratory movements. In line with the increased level of importance dedicated to external dimension of EU migration policy, Turkey has also been having more attention on the external dimension of its immigration policy. Requirements of 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 as well as integrated border management support. Moreover, Turkey's efforts to convince Western partners to establish a safe heaven in Northern Syria as a response to Syrians' massive influx may also be considered as an attempt of externalization or management via externalization.

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 IOM, UNHCR, ICMPD, local NGOs, INGOs, universities, think thanks and even 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 Turkish context. On one hand, one can mention costs of this trend which include the short-term nature of projects coupled with a policy oriented approach limiting the academic scope and risk of instrumentalizing the topic of migration via production of a "*migration projects industry*". On the other hand, it is possible to talk about benefits which can be summarized as proactive and multi-stakeholder approach with an effective inter-institutional cooperation, result based planning and implementation, exchange of norms and practices and ehnanced level of international socialization among parties involved.

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APPENDICIES

APPENDIX A: INTERVIEW LIST

Date	Institution	Department	Time	Category	Location
01.02.2014	Brookings Institution	Center on the United States and Europe	1 h	Academician	Ankara
01.10.2014	Hacettepe University	Department of Political Science and Public Administration	1,5 h	Academician	Ankara
02.12.2014	Ministry of Interior	Directorate General on Migration Management, Department of Foreigners	1 h	Governmental institution	Ankara
03.11.2014	Ankara University	Department of Labour Economics and Industrial Relations	1 h	Academician	Ankara
04.12.2014	Ministry of Interior	Directorate General on Migration Management, Department of Proetction oc Victims of Trafficking	1 h	Governmental institution	Ankara
06.11.2014	Police Academy and Former Member of High Council of Judges and Prosecutors		1 h	Academician	Ankara
06.11.2014	Ministry of Foreign Affairs	Deputy Directorate General for Migration, Asylum and Visa	1 h	Governmental institution	Ankara
07.11.2014	Primeministry	Turkey Cooperation and Coordination Agency (TIKA)	1 h	Governmental institution	Ankara
07.11.2014	Norwegian Embassy in Ankara	Department of Immigration Affairs	1 h	Embassy	Ankara
09.11.2014	University of Oxford	Centre on Migration, Policy and Society (COMPAS)	2 h	Academician	Ankara
09.12.2014	Amnesty International		1 h	NGO	Ankara

15.09.2014	Hacettepe University	Department of Social Services	1,5 h	Academician	Ankara
19.09.2014	Ankara University	Department of Labour Economics and Industrial Relations	1,5 h	Academician	Ankara
24.09.2014	Middle East Technical University	Department of Sociology	1 h	Academician	Ankara
17.10.2014	Global Policy and Strategy	Migration Research Center	1 h	Think Tank	Ankara
21.10.2014	Bilkent University	Department of Political Science and Public Administration	1 h	Academician	Ankara
13.11.2014	Embassy of UK in Ankara	Department of Immigration Affairs	1 h	Embassy	Ankara
13.11.2014	Delegation of the European Union to Turkey	Home Affairs and Human Rights	1 h	International organization	Ankara
14.11.2014	Embassy of USA in Ankara	Human Rights	1 h	Embassy	Ankara
14.11.2014	Ministry of Interior	Border Management Bureau	1 h	Governmental institution	Ankara
17.11.2014	Ministry of Labour and Social Security	Directorate General on Labour	1,5 h	Governmental institution	Ankara
17.11.2014	Ministry of Foreign Affairs	Strategic Research Center	1 h	Governmental institution	Ankara
18.11.2014	Human Resources Development Foundation		1 h	NGO	Istanbul
18.11.2014	Helsinki Citizens' Assembly		1 h	NGO	Istanbul
18.11.2014	Marmara University	Department of Political Science and Public Administration	2 h	Academician	Istanbul
18.11.2014	International Catholic Migration Commission (ICMC)		1 h	NGO	Istanbul

18.11.2014	International Catholic Migration Commission (ICMC)		1/2 h	NGO	Istanbul
19.11.2014	Istanbul University	Faculty of Law	1 h	Academician	Istanbul
19.11.2014	Yeditepe University	Faculty of Law	1 h	Academician	Istanbul
24.11.2014	Association for Solidarity with Asylum Seekers and Migrants (ASAM)		1 h	NGO	Ankara
27.11.2014	UNHCR	High level representative	1 h	International organization	Ankara
27.11.2014	IOM	Project Development and Implementation Unit (Syria Emergency)	1 h	International organization	Ankara
30.11.2014	Ministry of Development	Directorate General on Social Sectors and Coordination	1 h	Governmental institution	Ankara
30.11.2014	Ministry of Development	Directorate General on Social Sectors and Coordination, Department of Employment and Workingl Life	1 h	Governmental institution	Ankara
12.09.2014	Association for Research Centre on Asylum and Migration (IGAM)		1,5 h	Think Tank	Ankara
12.11.2014	Ministry of EU Affairs	Department of Political Affairs	1,5 h	Governmental institution	Ankara
26.12.2014	Abant Izzet Baysal University	Department of Political Science and Public Administration	2 h	Academician	Ankara
14.01.2015	Koç University	Migration Research Centre (Mirekoç)	1 h	Academician	Istanbul
14.01.2015	Bilgi University	Department of International Relations	1 h	Academician	Istanbul

02.04.2015	International Centre for Migration Policy Development (ICMPD)		1 h	International organization	Ankara
24.02.2015	Turkey Grand National Assembly	An MP of Republican People's Party	1 h	Governmental institution	Ankara
18.03.2015	Ministry of Interior	Directorate General on Migration Management	1 h	Governmental institution	Ankara
18.03.2015	Hacettepe University	Department of Social Services	1 h	Academician	Ankara
24.03.2015	United Nations		1 h	International organization	Ankara
22.04.2015	Ministry of Interior	Directorate General on Migration Management	1 h	Governmental institution	Ankara
07.01.2015	Turkey Grand National Assembly	An MP of Justice and Development Party and a member of The EU Harmonization Committee	1 h	Governmental institution	Ankara
08.04.2015	International Organization for Migration (IOM)		1 h	International organization	Ankara

APPENDIX B: CURRICULUM VITAE

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- Project Manager / Supporting Labour Migration Management in Turkey April 2015-Present
- Project Manager / Reaching Out to Unaccompanied Minors (UAMs) and Promoting Delivery of Services In Their Best Interest in Turkey
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- Project Manager (for IOM) / United Nations Joint Programme "Growth with Decent Work For All: A Youth Employment Program in Antalya" December 2009- December 2012
- National Expert/ Independent Network of Labour Migration and Integration Experts (LMIE-INET) December 2009- December 2010
- Project Expert/Researcher, International Organization for Migration (IOM), "Supporting Turkey's Efforts to Combat Human Trafficking and Promote Access to Justice for All Trafficked Persons"
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- Project Expert, International Organization for Migration (IOM), "Combatting Trafficking in Turkey: Direct Assistance and Local Action" December 2006-December 2007

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2002-2015 ARASINDA TÜRKİYE'DE GÖÇ SİYASA YAPIMININ SİYASETİ

Çağdaş dünya düzeninde insanları göç etme kararını almaya iten faktörler; sanayileşmiş ülkelerdeki gelecek vaat eden istihdam fırsatları, kuzey-güney ve doğu-batı arasında giderek büyüyen kalkınmışlık farkları ve son olarak da doğal ve insan kaynaklı afetler olarak sıralanabilir. Göç sadece insanların değil aynı zamanda işgücünün de hareketliliğidir ve jeo-politik, ekonomik kaygılar, tarihi ve kültürel karşılıklı bağımlılık ve göç arasında kuvvetli bir bağ vardır. Böyle bir vizyon çağdaş göç siyasaları oluşturma süreçlerinde disiplinlerarası yaklaşımların yaygınlaştırılmasını gerekli kılmaktadır.

Literatürde Türkiye'yi genel anlamda etkileyen farklı göç türleri ve özellikle de Soğuk Savaş sonrası dönemi anlatan çok sayıda çalışma vardır. Türkiye bağlamında göç çalışmalarının giderek geliştiğinden bahsederken çağdaş göç siyasaları oluşturma ve göç yönetimi eğilimlerinin ülkeden göç ve iç göç konularına kıyasla daha çok ülkeye göç üzerinde durduğu da söylenebilir. Bu eğilim sebebiyle göç çalışmaları uluslararası ilişkiler disiplininde önemli bir araştırma sahası haline gelmiştir. Bu çalışmanın özgünlüğü ise özellikle 2000'li yıllara odaklanarak, Türkiye'de göç siyasaları yapılandırma süreçlerinin siyasetini incelemeyi amaçlamasından ileri gelmektedir. Ayrıca, göç siyasaları yapımı ve Türk dış politikası arasındaki karşılıklı ilişkiyi açıklama ve bu sürecin başlıca eğilim ve yönelimlerini saptama çabaları da çalışmanın özgünlüğüne katkıda bulunmayı amaçlamaktadır.Tarih boyunca farklı şekil ve içerikteki göç hareketleri Türkiye'yi etkilemiştir. Çok sayıda vatandaşı 1960'lardan itibaren başta Almanya olmak üzere Batı Avrupa ülkelerine göç ettiği için Türkiye geleneksel olarak göç veren bir ülke olarak tanınmıştır. Günümüzde Dışişleri Bakanlığı verilerine[147] göre yurt dışında

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[147] http://www.mfa.gov.tr/the-expatriate-turkish-citizens.en.mfa (Erişim tarihi: 05.06.2015)

yaşayan ve sayısı 5 milyonu aşan Türklerin yaklaşık 4 milyonu Batı Avrupa ülkelerine yerleşmiş Türkiye Cumhuriyeti vatandaşları ve Türkiye kökenli AB vatandaşlarından oluşmaktadır. Türkiye'nin 1980'den sonra benimsediği siyasi ve ekonomik dışa açılma çabaları Türkiye'yi uluslararası göç için önemli bir hedef ülke haline getirmiştir. 1980'lerden sonra Türkiye'ye göç uluslararası göç gündeminde giderek önem kazanmıştır. Bu gelişme Sovyetler Birliği'nin çöküşünden sonra 1990'larda giderek daha fazla dile getirilmeye ve hissedilmeye başlanmıştır. 1990'ların ortasına gelindiğinde ise Türkiye'nin kendisine komşu bölgelerden gelen ve büyük bölümünün nihai hedefi Avrupa'ya ulaşmak olan sığınmacılar, mülteciler ve düzensiz göçmenler için çekici bir geçiş güzergahı haline gelmesinitakiben Doğu ve Orta Avrupa'da göç hareketlerinden giderek daha fazla etkilenen coğrafyalar ortaya çıkmıştır. Değinilen hususlar, Türkiye'nin göç veren ve göç alan bir ülke olmasının yanı sıra aynı zamanda bir geçiş ülkesi olarak uluslararası göç hareketlerinde yerini almasına katkıda bulunmuştur. İran Devrimi, Orta Doğu'daki siyasi kargaşa, çatışma ve kırılganlık, Soğuk Savaş'ın sona ermesi sonucunda Orta Asya'da daha görünür hale gelen bölgeler arası kalkınma düzeyi farklılıkları, Körfez Savaşı, Arap Baharı ve yakın geçmişte Suriye Krizi'nin bir sonucu olarak Suriyelilerin kitlesel göç hareketleriyle Suriye dışına ve özellikle Türkiye'ye göçü ve Türkiye'nin Batı ile değinilen bölgeler arasında önemli bir geçiş bölgesi olarak kazandığı jeo-stratejik önem ve jeo-politik konumuyla birleşince bu durum Türkiye'nin fiilen ilk başvurulan iltica ülkesi (İçduygu ve Keyman, 2000:385) ve hedef ülke haline gelmesine katkıda bulunmuştur. İçduygu'ya (2009:8) göre komşu ülkelerde ortaya çıkan ekonomik, siyasi ve güvenlik ile ilgili meseleler, Türkiye'yi vaad ettiği daha iyi yaşam koşulları sebebiyle gerek düzenli gerekse düzensiz göçmenler tarafından tercih edilen bir hedef ülke konumuna taşımıştır. . Komşu ülkelerden gelen göç akınlarının yanı sıra Türkiye başta emekli Avrupalılar olmak üzere kendilerine "güneş göçmeni" diyen artan sayıda Batı Avrupalı göçmeni de kendisine çekmeye devam etmektedir. Bu çerçevede literatürde sık sık Asya, Afrika ve Avrupa arasında "köprü görevi gören" bir ülke olarak nitelenen Türkiye uluslararası göç rejimlerinde önemli bir konum kazanmıştır. Göç veren ve göç alan birçok ülkeyle arasındaki bu bağlantı Türkiye'yi

uluslararası göçün değişen eğilimlerine karşı oldukça hassas bir konuma taşımakta ve Türkiye'nin göç siyasalarını buna uygun biçimde şekillendirmesini gerekli kılmaktadır. Türkiye'nin bölgesel bir güç ve uluslararası bir aktör olarak gelişen konumu dikkate alındığında bu çalışma, Türkiye'nin günümüzdeki göç siyasaları oluşturma sürecindeki belli başlı eğilimleri ve yönelimleri ve bu sürecin Türk dış politikası ve hatta yumuşak güç ile olan bağlantısını ele almayı amaçlamaktadır.

Günümüzde iki temel itici güç olan AB katılım süreci ve özellikle Suriye Krizi'nin de etkisiyle giderek daha çok konuşulan ve daha görünür hale gelen Türkiye'nin göç siyasaları oluşturma sürecini ayrıştırmak ve incelemek bu çalışmanın genel amacını tamamlar niteliktedir. Türkiye'nin modernleşmesi, AB katılım sürecinin tetiklediği ve yönlendirdiği siyasi reformlar, Türkiye'nin AB müktesebatı ile uyumlaşması ve Türkiye'de sayıları giderek artan Suriyelilere sunulan insani yardımlar gibi hususların hepsi geçerli olmakla birlikte bunlar Türkiye'nin mevcut göç siyasalarını şekillendirirken sahip olduğu konumu ve yaklaşımı açıklamada yetersiz kalmaktadır. Türkiye'nin bölgesel istişare süreçlerine ve göç ile ilgili farklı alanlarda çalışan uluslararası platformlara ve uluslararası kurumlara katılımı Türkiye'nin göç ile ilgili küresel tartışmalara müdahil olmasını sağlamakta ve ülkenin uluslararası göç yönetişiminde bir aktör haline gelmesini teşvik etmektedir.

Ayrıca, bu çalışma çağdaş eğilimleri belirleyerek Türkiye göç siyasasının çoklu siyasa düzeyinde yapılandırılma biçimini anlamak için özel bir bakış açısından faydalanmaktadır. Bu minvalde, Giddens'in (1984) yapılandırma kuramına dayanan çalışmada, Türkiye'de göç siyasaları yapılandırma sürecini doğrudan veya dolaylı olarak etkileyen ve bağlamsal etkileşime sahip ortak alanlardan olan dış ilişkiler, kalkınma, güvenlik, uluslararası işbirliği, insani yardım ve ekonomi gibi farklı alanlarda siyasaların oluşturulması, uyumlaştırılması ve uygulanmasına ilişkin *Türkiye göç siyasasının çoklu siyasa düzeyinde yapılandırılması* kavramı üzerinden yapısalcı bir bakış açısı ortaya koyulmaktadır. Böyle bir vizyon çağdaş göç yönetimi söylemini güvenliği, ekonomiyi ve insan haklarını geliştirmeyi amaçlayan ve göç yönetişimi olarak nitelendirilen başka bir düzeye taşıma potansiyeline sahiptir (Betts, 2010:7).

Araştırma Problemi ve Hipotezleri

Bu çalışmanın ele aldığı temel araştırma problemi göç siyasalarının Türkiye'nin bölgesinde ve uluslararası arenadaki güç pozisyonunu güçlendirmek amacıyla bir dış politika aracı olarak uygulanıp uygulanmadığıdır. Bu bağlamda yanıt evet ise, nasılve hayır ise, neden sorularına yanıt arama üzerine odaklanmaktadır. Değinilen vizyona dayalı bu çalışmada Türkiye'de göç siyasaları yapılandırma sürecinin daha görünür hale geldiği ve günümüzde iki konu etrafında siyasi bağlamda daha çok tartışıldığı ileri sürülmektedir. Bu iki konu, (a) Türkiye'nin AB'ye katılım süreci ve AB göç siyasalarının dışsallaşmasının Türkiye'de göç siyasalarının yapımı üzerindeki etkileri o ve (b)Suriye Krizi'nin Türkiye'nin göç siyasalarının yapılandırmasında etkileri olarak nitelendirilebilir.

Çalışmanın saha araştırması esnasında gerçekleştirilen mülakatlarla da doğrulanan bu iki öncelikli analiz düzeyi ana araştırma probleminin irdelenmesi amacıyla aşağıda listelenen sorulardan faydalanılarak detaylandırılmaya çalışılmıştır.

- Türkiye'nin yapılandırma yolunda kayda değer çabalar harcadığı göç siyasalarının arkasında hangi çağdaş itici güçler ve dinamikler vardır?
- Geleneksel Türk dış politikasına kıyasla 2000'lerdeki Türk dış politikasının öne çıkan unsurları nelerdir?
- Göç siyasalarının yapımı paralelinde 2000'lerde Türk dış politika yapım süreçleriyle örtüşen ya da kesişen göçe dair konu ve alanlar nelerdir? 2000'lerde ortaya atılan dış politika kavramları ışığında, dış politika ve göç bağlantısı açısından oluşturulacak sağlam bir analiz çerçevesinin kilit parametreleri nelerdir?
- 21. yüzyılda bu kavramların Türkiye göç siyasası üzerindeki fiili ve potansiyel etkileri ne olabilir?
- Türkiye'de göç siyasa tartışmalarında iç ve dış politikayı birbirine yakınlaştıran analiz konuları neleri içermektedir?

- Türkiye-AB ilişkilerinin Türkiye'nin göç siyasaları yapılandırma sürecine etkileri nelerdir?Suriye Krizi'nin Türkiye'nin göç siyasaları yapılandırma sürecine etkileri nelerdir?

Türkiye göç siyasasının çoklu siyasa düzeyinde yapılandırılmasından yola çıkarak bu çalışma aşağıdaki hipotezlerden faydalanmaktadır.

H1: Göç siyasası Türkiye'nin bölgesinde ve uluslararası toplumda siyasi, ekonomik ve kültürel açıdan konumunu güçlendirmek için kullandığı bir araçtır.

H2: Avrupa göç siyasasının dış boyutu geri kabul anlaşması gibi dışsallaştırma araçlarını kullanarak Türkiye göç siyasasının iç politikadan dış politikaya kadar geniş bir açıdan siyasallaşmasına zemin hazırlmaktadır.

H3: Dış politika uygulamaları açısından daha geniş bir çerçeveye sahip olsa bile Suriye Krizi önemli bir örnek olay olarak karşımıza çıkmaktadır. Suriye Krizi sadece bu krizle ilgili olarak göç konularının görünürlüğünü arttırmakla kalmayıp, aynı zamanda Türkiye'nin kapsamlı bir göç yönetimi yaklaşımı benimsemesini engelleyecek şekilde göç siyasası tartışmalarının kapsamını sınırlandırma, derinleştirme ve siyasallaşma olasılığını taşımaktadır**.**

H4: Göç siyasalarının çok disiplinli ve çok boyutlu bir olgu olarak ortaya çıkışı Türkiye göç siyasasının da çoklu siyasa düzeyinde yapılandırılmasını gerekli kılmaktadır.

Metodoloji ve Araştırma Dizaynı

Bu çalışma Türkiye'de göç siyasaları yapımını anlamaya odaklandığı için küresel siyaseti anlamamızda insan bilincinin önemli bir rol oynadığını iddia eden yapısalcı yaklaşım çalışmanın temelini teşkil etmektedir. (Onuf, 1989, Wendt, 1992, Kratochwil ve Ruggie, 1986, Ruggie, 1998; Zehfuss, 2002). Pozivist ve post-pozitivist yaklaşımlar arasında orta yolu bulmaya çalışan yapısalcılık uluslararası siyasaların oluşturulma süreçlerinde düşünsel ve maddi değerlerin etkisini yeniden canlandırmayı hedeflemektedir. Aktörlerin kimliklerinin ve çıkarlarının

şekillendirilmesinde normatif yapılara ve aktörlerin bu yapıları dönüştürdüğü uygulama ve etkileşimlere atıfta bulunan Barnett (2005:259) yapısalcılıkta "yapılandırma" kavramının özünün altını çizer. Jackson ve Sorensen (2006:163) yapı ve birbirini etkileyen, biçimlendiren ve dönüştüren aktörler arasında daha az katı, daha dinamik ve özneler arası ilişkiye atıfta bulunarak Anthony Giddens (1984) tarafından sosyolojide önerilen "yapılandırma" kavramını bize hatırlatır.

Yapısalcı yaklaşım bakış açısıyla yapanlar (devletler) ve yapılar (uluslararası yapı) arasında karşılıklı etkileşim üzerinden yapılar var olur (Wendt, 1987). Bunun anlamı toplumsal irade fiilleri üzerinden yapanların yapıları değiştirebileceğidir (Copeland, 2000:190). "Anlam" ve "anlayış"ın önemi üzerindeki vurgu (Fierke ve Jorgensen, 2001) yapısalcı düşünceyi oluşturan taşlardan birisidir. Yakın ilişki kurmak için ortak değerlerin paylaşılmasını kolaylaştıran yapanlar ve yapılar arasında bahsi geçen etkileşim sayesinde kimlikler ve çıkarlar tanımlanır ve oluşturulur (Wendt, 1992:304). Yapısalcılık yaklaşımı Alexander Wendt, Nicholas Onuf ve Friedrich Kratochwil'in katkılarına çok şey borçludur. Wendt'in savunduğu temel iddia "yapanlar" ve "yapılar" arasındaki karşılıklı etkileşim sayesinde kimliklerin değiştiği varsayımına dayalıdır. Wendt'in kavramsallaştırma biçiminde "retorik uygulama" (Wendt, 1996:57) veya "sözlü iletişim"in (Wendt, 1999:346-7) davranış ve kimlik değişimini beraberinde getirdiğinden önemli olduğu düşünülür. Kratochwil'in yapısalcılık yaklaşımı özellikle de uluslararası ilişkilerde kural ve normların rolünün anlaşılması üzerine odaklanır. Ayrıca, Koslowski ve Kratochwill (1995:226) politik sistemlerin dönüşümü ve aktörlerin uygulamalarındaki değişiklikler arasında yakın bir bağlantı olduğunu iddia eder. Onuf'a (1989:36) göre insanlar eylemleri ile gerçekliği inşa eder. Bu eylemler tekrarlanarak kurumsallaşıp kurallara dönüşebilecek söz edimler şeklinde olabilir. Kurallar da sonrasında insan eylemlerinin anlamına meşru bir zemin sağlayabilir.

Bu çerçevede göç siyasası bahsi geçen karşılıklı oluşturulmuş yapanlar ve yapıların ortaya çıktığı ve katmanlandığı bir alandır. Göç siyasasının Türkiye'nin bölgesinde ve uluslararası toplum nezdinde siyasi, ekonomik ve kültürel açıdan konumunu güçlendirmek için kullandığı bir araç olduğunu iddiası üzerinden harekete geçen bu

çalışmada Türkiye'nin göç siyasaları alanında çıkarlarını tanımlamak için kimlik, fikir, norm ve kuralları nasıl ele aldığını yorumlamak amacıyla yapısalcı bir bakış açısı kullanılmaktadır. Ayrıca, böyle bir yaklaşım Türkiye'nin bu alandaki çıkarlarını anlamaya yarayacak sosyal ve düşünsel faktörleri ayrıştırmayı da hedeflemektedir. Bu noktadan hareketle göç siyasası oluşturma süreci Türkiye'nin kimliğinin değişimi ve dönüşümü bağlamında temel teşkil eder; zira sözkonusu değişim ve dönüşüm Türkiye'nin ulusal, bölgesel ve uluslararası düzeylerde katılımını, üyeliğini ve sosyalleşmesini gerektirmektedir. Böyle bir sosyalleşme düzeyi (Schimmelfennig,2000; Grabbe,2006) göç siyasaları alanında Türkiye tarafından dikkate alınacak yeni siyasa paradigmaları, şablonları ve eğilimleri için meşru bir zemin hazırlamaktadır. Buna ek olarak, ekonomik, sosyal ve kültürel değerlerin yanı sıra göç alanında çalışan bürokratlar ve teknokratlar gibi kilit aktörlerin kimliği ve dikkate aldığı çıkarlar ve tanımlar göç siyasalarının oluşturulması ve yapılandırılmasında hayati önem arz eder. Bu çerçeve dikkate alındığında yapısalcı bir yorumla karar alıcıların dünyayı görme biçiminin göç siyasalarının oluşturulmasında belirleyici olduğu söylenebilir.

Çalışmada, veri toplama açısından Türk dış politikası ve göç siyasa yapımı ilişkisi, Türkiye ve Avrupa Birliği arasındaki göç odaklı ilişkiler, Türkiye'nin Suriye ile ilişkileri ve göç siyasalarının oluşturulması açısından Suriye Krizi'nin Türkiye üzerindeki etkisiyle ilgili literatürde ayrıntılı bir inceleme yapılmış olup; saha aratırması öncesinde gereken bilgi zemini sağlanmıştır. Buna ek olarak, 2000'den bu yana kamuoyuyla paylaşılan basın açıklamaları, beyanlar, devlet kurumlarının temsilcilerinin konuşmaları, AB ve Türkiye Büyük Millet Meclisi Genel Kurul raporları ve göç ve dış politika bağlantısıyla ilgili ulusal ve uluslararası basın özetlerinin gözden geçirilmesi bu çalışmanın literatür incelemesi ayağına katkıda bulunmuştur.

Saha araştırması Ankara ve İstanbul'da ilgili devlet kurumları, sivil toplum kuruluşları, uluslararası kuruluşların temsilcileri ve Türkiye'de göç siyasası oluşturma ve uygulama sürecine müdahil olan akademisyenlerle yapılan yarı yapılandırılmış kırk yedi mülakattan oluşmuştur. Bu mülakatların sonuçları

çalışmanın nitel kısmının özünü oluşturarak çalışmaya katkı sağlamıştır. Bu çalışmanın yapısalcı bakış açısı uyarınca uzman mülakatlarının çok önemli ve tamamlayıcı olduğu değerlendirilen sonuçlarının çalışmaya dahil edilmesi sırasında mülakat yapılanlara bu örnekte Türkiye'nin göç siyasası olarak ele alınan yapının dönüşmesi üzerinde doğrudan veya dolaylı etkide bulunan "yapanlar" olarak yaklaşılmıştır.

Bu kapsamda yarı yapılandırılmış soru kağıtları Dışişleri Bakanlığı Göç, İltica ve Vize Genel Müdür Yardımcılığı ve Stratejik Araştırma Merkezi; İçişleri Bakanlığı Göç İdaresi Genel Müdürlüğü; İçişleri Bakanlığı Emniyet Genel Müdürlüğü; AB Bakanlığı, Çalışma ve Sosyal Güvenlik Bakanlığı, Kalkınma Bakanlığı temsilcileri ve Türkiye Büyük Millet Meclisi vekilleriyle yapılan mülakatları kolaylaştırmıştır. Devlet yetkililerinin yanı sıra Birleşmiş Milletler (BM), Uluslararası Göç Örgütü (IOM), Birleşmiş Milletler Mülteciler Yüksek Komiserliği (BMMYK), Uluslararası Göç Siyasaları Geliştirme Merkezi (ICMPD), Uluslararası Katolik Göç Komisyonu (ICMC) gibi uluslararası kuruluşlar; Uluslararası Af Örgütü, Helsinki Yurttaşlar Derneği gibi uluslararası sivil toplum kuruluşları; İnsan Kaynağını Geliştirme Vakfı (İKGV), Sığınmacılar ve Göçmenlerle Dayanışma Derneği (SGDD) gibi sivil toplum kuruluşları (STK) ile Türkiye'ye göçün etkisini farklı disiplinler aracılığıyla ele alan akademisyenlerle de mülakatlar gerçekleştirilmiştir. Uluslararası Göç Örgütü (IOM) Türkiye Ofisi'nde çalışarak sahip olduğum on yıllık deneyim ve ulusal ve uluslararası düzeylerde kurduğum mesleki bağlantılar yukarıda bahsi geçen yetkililerle yapılan mülakatların yapılandırılmasında katalizör görevi görmüştür. Mülakatlar öncesinde katılımcılara talep edilen mülakatın genel içeriği hakkında fikir sahibi olmaları için çalışmanın genel kapsamı ve amacı hakkında bilgi ile yarı yapılandırılmış soru kâğıtlarını e-posta aracılığıylaa paylaşarak kendileriyle temas kurulmuştur. Katılımcıların rızası alınarak veri toplama yöntemi olarak mülakat yapılanların sesi kaydedilmiştir. Mülakata katılanların çoğunun ses kaydını kabul etmesinin yanı sıra mülakatlar sırasında katılımcılar seslerinin kaydedilmesini arzu etmedikleri noktada not alma yöntemine başvurulmuştur. Katılımcıların kimlik bilgilerinin saklı kalacağı ve

korunacağının net biçimde altı çizilmiştir. Mülakatlar tamamlandıktan sonra her mülakat yazıya dökülmüş ve görüşülen konuların analiz edilmesinde kullanılmıştır.

Mülakatlar aracılığıya bürokratlar, teknokratlar, akademisyenler, uluslararası kuruluşlar ve sivil toplum kuruluşları temsilcileriyle yapılan ayrıntılı görüşmeler Türkiye'de göç siyasaları oluşturma sürecindeki çağdaş eğilimlerin belirlenmesinde katalizör işlevi görmüştür. Bu eğilimler arasında insani yardım odaklılık, kalkınma odaklılık, siyasallaşma, diplomatikleşme, bölgeselleşme, ekonomikleşme, güvenlikleşme, dışsallaşma ve projelendirme yer almaktadır. Ayrıca mülakatların sonuçları çalışmada kullanılan örnek olayların belirlenmesiyle ilgili ihtiyaca hizmet etmiştir. Sözkonusu örnek olaylar iç ve dış politikanın yakınsadığı ve göç siyasaları yapım siyasetinin daha geniş kapsamlı değerlendirilmesini gerekli kılan geri kabul anlaşması, Türkiye ve AB arasındaki vize serbestisi diyalogu ile Türkiye'de Suriye Krizi ve göç bağlantısı konularından oluşmuştur. Saha araştırmasında toplanan verilerin analizi için Atlas.ti adlı nitel veri analizi yazılım programı kullanılmıştır.

Çalışmanın Düzeni

Genel çerçeveyi ortaya koyan giriş bölümünütakip eden II. bölüm sonraki bölümlerin detaylandırılması için bir başlangıç noktasını teşkil etmekte ve bu çalışmadaki kavramsal çerçeveyi sunmaktadır. Bu bölümde öncelikle uluslararası ilişkiler disiplini kapsamında göç ve dış politika bağlantısının esasına odaklanılmıştır. Ayrıca, küresel göç biçimleri ile uluslararası göç yönetimi söyleminin bir araya gelmesi ve göç siyasasının güvenlikleştirilmesi yukarıda bahsi geçen bağlantının anlaşılmasındaki çabaları tamamlamıştır. İkinci bölüm kapsamında uluslararası ilişkilerin göç çalışmaları ile olan bağlantısını açığa çıkarmak amacıyla uluslararası ilişkilerde güç kavramı detaylı bir biçimde incelenmiştir. Küreselden yerele yaklaşım uyarınca II. bölümün ikinci yarısı Türkiye bağlamında dış politika ve göç bağlantısının anlaşılmasına ayrılmıştır. Bu bağlamda Türk dış politikasının geleneksel yönlerine odaklanarak Soğuk Savaş sonrası dönemde sözkonusu bağlantının gelişiminin incelenmesi ve yeni ortaya

çıkan dış politika kavramlarının göç konuları üzerindeki etkisini yapısalcı bir bakış açısıyla yorumlayarak 2000'li yıllarda uygulanan Türk dış politikasının analiz edilmesi bu çalışmada hedeflenen kavramsal çerçeveyi tamamlamıştır.

Türkiye bağlamında dış politika ve göç bağlantısının esaslarının altını çizdikten sonra III. bölüm,Türkiye tarihindeki göç siyasaları yapım sürecinin kilit aşamaları ve dönüm noktalarını geçmişe dönük bir bakış açısıyla değerlendirerek Türkiye'de göç siyasalarının gelişimine ışık tutmuştur. Bu çalışma 2000'li yıllara odaklanmayı hedeflemektedir ve üçüncü bölümü takip eden kısımlarında Türkiye'yi etkileyen göç hareketlerinin çeşitliliğinin temel profilini tanımlamaya çalışarak ve bu hareketleri Türkiye'ye yönelen düzenli göç ve düzensiz göç olarak iki ana başlıkta gruplandırarak incelemiştir. Bu bağlamda, göç hareketlerinin başlıca profillerinin belirlenmesinden sonra önemli erişimlerin esaslarını açıklayarak 2000'li yıllardan itibaren Türkiye'de göç siyasaları oluşturma sürecinin normatif ve kurumsal çerçevesinin temel yönleri tanımlanmıştır. Bu önemli erişimler içerisinde AB müktesebatına uyum için atılan temel adımlar; 6458 sayılı Yabancılar ve Uluslararası Koruma Kanunu'nun sunduğu normatif ve idari çerçeve, Türkiye Düzensiz Göç Strateji Belgesi ve Eylem Planı ve kademeli olarak farklı göç biçimlerini kalkınma siyasalarında ana akıma dahil etmeye çalışan beş yıllık ulusal kalkınma planları yer almaktadır. Bu bölüm göç yönetiminden göç yönetişimine doğru gelişen farklı yaklaşımların öne çıkan özelliklerini ve bunların Türkiye'deki göç siyasa yapım ve uygulamaları üzerine etkisini açıklamaya çalışmıştır.

IV. ve V. bölümlerde yapılan mülakatlara dayalı olarak saha araştırmasının sonuçlarının niteliksel analizi yer almıştır. Çalışmanın Türkiye'deki göç siyasaları yapımının siyasetini anlamayı hedeflediği dikkate alındıktan sonra Türkiye-AB ilişkilerini ve Suriye Krizi'nin Türkiye üzerindeki etkisini göç merceği ve bakış açısıyla yorumlamak bu çalışmada ele alınacak iki temel analiz düzeyi olarak ortaya çıkmıştır. Bu temelden hareketle IV. bölüm öncelikle Türkiye'de göç siyasalarının yapılandırılma sürecine doğrudan etkisi olan AB göç siyasalarının özellikle dış boyutunu analiz etmek adına çaba harcamıştır. Bu bölümün ikinci yarısı ise göç siyasalarının oluşturulması açısından Türkiye'nin AB yolundaki tutumuna

odaklanmıştır. Bu amaçla 1988 ile 2014 yılları arasında Avrupa Komisyonu tarafından düzenli olarak hazırlanan ilerleme raporları gözden geçirilmiş ve değerlendirilmiştir. Ayrıca Türkiye'nin yakın geçmişte ilan ettiği AB Katılım Süreci için AB Stratejisi ve Ulusal Eylem Planı göç siyasaları üzerindeki etkisi açısından ele alınmıştır. Bu bölümün son kısmı ise göç siyasasının dışsallaşmasına yönelik AB araçları ve bunların Türkiye üzerindeki etkisinin anlaşılmasına odaklanmıştır. Bu kapsamda iç ve dış politikaların yakınsamasına yönelik gerekçe sunan Türkiye-AB Geri Kabul Anlaşması ve Vize Serbestisi Diyalogu Türkiye bağlamında örnek olay olarak değerlendirilmiştir.

Suriye Krizi'nin Türkiye üzerindeki etkisini göç merceği ve bakış açısıyla yorumlamayı amaçlayan beşinci bölüm ise önceki bölümlere paralel bir araştırma zemininde yükselmiştir. Böyle bir çabaya öncelikli olarak Türkiye ve Suriye arasındaki ilişkilerde tarihsel kilit aşamalar ve dalgalanmaların esaslarını anlama vizyonu eşlik etmiştir. Dostluktan düşmanlığa doğru kademeli olarak değişen ilişkiler sebebiyle (Hinnebush ve Tür, 2013), çalışmanın takip eden bölümü Türkiye'deki Suriyelilere özellikle odaklanarak Arap Baharı sonrası yer değiştirmek zorunda kalan Suriyeliler üzerine odaklanmıştır. Siyasi olarak da yoğun olarak tartışılan bir konu olan Suriyelilerin Türkiye'ye göçünün yanı sıra Türkiye'de Suriyelilere yönelik uygulanacak mevzuat, kurumlararası çerçeve ve 2015-2016 Bölgesel Mülteci ve Dayanıklılık Planı'nın ana çerçevesi değerlendirilmiştir. Son olarak, çalışmanın göç siyasaları yapım süreçlerinin anlaşılmasına yönelik olan genel amacını hatırlatmak amacıyla Suriye Krizi ve Türkiye'deki göç siyasaları bağlantısı iç ve dış politika yakınsamasına gerekçe sunacak bir örnek olay olarak analiz edilmiştir.

Sonuç olarak VI. bölüm 2000'li yıllarda Türkiye'nin göç siyasalarında günümüzde öne çıkan dokuz eğilimi açıklayarak çalışmanın temel bulgularının altını çizmektedir. İnsani yardım odaklılık, kalkınma odaklılık, siyasallaşma, diplomatikleşme, bölgeselleşme, ekonomikleşme, güvenlikleşme, dışsallaşma ve projelendirme adlı bu eğilimlerin her birine ilişkin gerekçeler sonuç bölümünde değerlendirilmiştir.

Başlıca bulgular

Türkiye farklı bölgesel ortamlarda meydana gelen çatışma ve kırılganlıklardan kaynaklanan farklı göç şekillerinden etkilenmektedir. Farklı profillere sahip böylesi göç akınları, Türkiye'de geleneksel olarak tepkisel ve periyod bazlı göç siyasalarının yapılandırılması ve uygulanması için zemin oluşturmuştur. Ancak Türkiye'nin çağdaş göç siyasası vizyonuna daha dikkatli baktığımızda, güvenlik ve insan hakları ile ulusal çıkarlar ve uluslararası katılım düzeyi arasında denge sağlamaya çalışan proaktif, bütüncül ve çoklu siyasa düzeyinden yola çıkan bir yapının mevcut olduğunu görmekteyiz. Bu nedenle, Türkiye'nin göç siyasasının günümüzde kamu politikası, uluslararası ilişkiler ve dış politika yapım süreçlerinde giderek daha fazla önem kazanmaya başladığını söyleyebiliriz.

Genel olarak, Türkiye'yi etkileyen farklı göç hareketleri ve özellikle Soğuk Savaş sonrası dönem hakkında çok değerli bir literatür mevcut olmasına rağmen bu çalışma mevcut literatüre göç siyasasının yapılandırılması ile Türk dış politikası arasındaki ilişkileri yapısalcı bir analiz ile anlamaya ve bu ilişkileri besleyen çağdaş göç örüntü ve eğilimlerini tespit etmeye çabalamaktadır. Bu çalışma, pek çok siyasa alanında doğrudan ve dolaylı etkileri görülen göç siyasa tarihinde ciddi bir reform sürecine tanıklık eden 2000'lere ışık tutarak   Türkiye'de göç siyasa yapımının siyasetini değerlendirmeyi amaçlamıştır.

Bu bağlamda, göçün siyasa tartışmalarında giderek daha fazla yer aldığı 2000'lerin asıl özelliğini de akılda tutmak gerekir. Böylesi bir yönelim öncelikle Avrupa Birliği – Türkiye ilişkilerinde kendisini göstermiş; Adalet, Özgürlük ve Güvenlik başlıklı 24. Fasıl ekseninde katılım müzakerelerinin kilit konularından biri haline gelmiştir. Tam da bu noktada, Türkiye – AB Geri Kabul Anlaşması ile vize serbestisi diyaloğu tartışmaları göç siyasa yapımının siyasetini anlama çabaları çerçevesinde daha da önem kazanmıştır. Suriye Krizi ve Suriyelilerin Türkiye'ye kitlesel akını göç siyasasının hem dış politika hem de iç politika açısından üst düzey politika gündemi içinde bir "sıcak konu" haline gelmesinde katalizör etkisi yapmıştır. Ancak göç konularının özellikle Suriye Krizi etrafında giderek artan

şekilde görünür hale gelmesi, Türkiye'nin göç yönetimine yönelik beyan ettiği kapsamlı ve insan hakları odaklı yaklaşımını sekteye uğratabilecek göç siyasa tartışmalarını sınırlandırma, derinleştirme ve siyasallaştırma riskini de beraberinde getirmiştir. Bu çerçevede ele alınan sözkonusu çalışma, sadece göçün Türkiye bağlamında uluslararası ilişkilerde ana akımlaştırılması gereğini ortaya koymakla kalmamakta; aynı zamanda konunun farklı disiplinlerle kesişen doğasını ve giderek artan önemini dikkate alarak Türkiye'de göç siyasa yapımı siyasetinin tamamlayıcı boyutuna da vurgu yapmaktadır.

Çalışma, saha çalışması neticesinde ortaya çıkan iki ana analiz düzeyini özellikle göç merceğinden bakarak irdelemeye çalışmıştır: Bu düzeyler; (a) AB göç siyasasının dış boyutunun Türkiye göç siyasa yapımı üzerindeki etkisine odaklanarak Türkiye – AB ilişkileri (b) Suriye Krizi'nin Türkiye göç siyasa yapımı üzerindeki etkisini içermiştir.Bu amaçtan yola çıkarakher bir analiz düzeyi özelinde birer bölüm hazırlanmış ve alan araştırmasında esnasında gerçekleştirilen mülakatlarda görüşülen kurum temsilcilerinin görüşleri üzerinden sözkonusu bölümler desteklenmiştir.Değinilen bölümlerin öne çıkan katma değeri, seçilen örnek olaylardan kaynaklanmaktadır. Çalışma, göç siyasa yapımı siyasetini Türkiye bağlamında iç ve dış politikayı yakınsayan bir alan olarak gerekçelendirmeye çabalamaktadır. Örnek olaylar olarak, Türkiye – AB Geri Kabul Anlaşması ve vize serbestisi diyaloğu ile Suriye Krizi'nin Türkiye'de göç siyasalarının yapımı sürecine etkisi üzerine odaklanmaktadır.

Bu kapsamda çalışmada, Türkiye bağlamında çağdaş göç örüntüleriyle göç siyasa yapımı eğilimlerinin köklerini anlamaya odaklanarak yapısalcı bir yaklaşımla çok disiplinli bir çerçeve oluşturulmaya ve kullanılmaya çalışılmıştır. Türkiye göç siyasasının çoklu siyasa düzeyli yapısı, dış ilişkiler, kalkınma, güvenlik, uluslararası işbirliği, insani yardım ve Türkiye'de göç siyasasının yapılanmasında dolaylı veya doğrudan etkisi olan ekonomi de dahil başlangıç noktası teşkil eden ana örüntüler vasıtasıyla araştırmada gözler önüne serilmeye çalışılmıştır.

Ana örüntü olarak, Türkiye göç siyasasınınçoklu siyasa düzeyinde yapılandırılması,

2000'lerde Türkiye'de göç siyasa yapımına yönelik dokuz çağdaş eğilimin tespitine de meşru bir zemin hazırlamıştır. Bu eğilimler arasında insani yardım odaklılık, kalkınma odaklılık, siyasallaşma, diplomatikleşme, bölgeselleşme, ekonomikleşme, güvenlikleşme, dışsallaşma ve projelendirme yer almaktadır. Çalışma dahilinde tartışılan konuların üzerine inşa edilen sözkonusu eğilimler, alan araştırması esnasında görüşülen aktörler tarafından paylaşılmış olan bilgi, deneyim ve gözlemler ışığında ortaya çıkan için başlıca gerekçeleri de gözler önüne sermiştir.

İnsani yardım odaklılık, Türkiye'nin geleneksel "mazlumun koruyucusu" olma yaklaşımına dayanmaktadır. Sözkonusu eğilim mutlaka ki, yeni bir eğilim değildir ve köklerini Türkiye'nin kitlesel göç akınlara yönelik geliştirmiş olduğu geleneksel tutumun günümüze uzantısını teşkil eder. Ancak 2000ler ve özellikle Suriye Krizi sonrası dönemde, Türkiye göç siyasasının insan yardım odaklı yapılandırılmasında daha görünür bir eğilim olarak karşımıza çıkmaktadır. Suriye Krizi ve Türkiye'ye yönelik kitlesel göçün beraberinde getirdiği ciddi etki insani acil durumlarda göç yönetimi, operasyonel ve kurumlararası kapasitenin iyileştirilmesiyle aynı doğrultuda böylesi bir eğilimin derinleşmesinin meşru zeminini hazırlamıştır. Ayrıca bu eğilim, Türkiye'de birincil ve ikincil mevzuatın hazırlanmasında insan hakları odaklı yaklaşımının ana akıma dahil edilmesiyle de kendisini göstermiştir.

20. yüzyılın "Türkiye'den göç odaklı" kalkınmacı yaklaşımı (İçduygu:2014), yerini 21. yüzyılda Türkiye'ye göç odaklı ve iş gücü piyasasında arz ve talebi ve üretim ilişkilerinde göçmen emeğini anlamaya yönelen kalkınma odaklı bir yaklaşıma bırakmıştır. *Kalkınma odaklılık*, Türkiye'nin göçü kalkınma planlamasına dahil etmeye yönelik çağdaş çabalarıyla belirginleşmiştir. Şüphesiz ki, farklı göç akımlarına ek olarak Suriyelilerin kitlesel göç akımlarını takiben ülkede uzun süreli kalışları yetkililerin göç bileşenini kalkınmanın planlanması çabalarına dahil etmek amacıyla gerekli zemini teşkil edecek yapıyı oluşturmalarına neden olmuştur. Göçün kalkınma için bir araç olarak düşünülmesi Türkiye için yeni bir olgu değildir. Bu olgunun kökleri, Türkiye'nin göç veren ülke olduğu 1960'lara kadar gitmektedir. Bu tarihlerde yurt dışına giden Türk vatandaşları Türkiye'nin

sosyal, ekonomik ve kültürel kalkınmasına katkıda bulunabilecek ulusal kalkınmanın unsurları olarak değerlendirilmiştir. Ancak 2000ler itibariyle Türkiye, göç siyasa yapım süreçlerinde kalkınma odaklı yeni bir döneme girmiştir. Türkiye, 2015 Sonrası Kalkınma Gündemi için önceliklerin belirlenmesine yönelik ulusal istişarelerin gerçekleştirildiği ülkelerden birisi olmuştur. Türkiye ülke raporu göçün kalkınma planlaması içerisinde pek çok kesişen konuda yer alma özelliğine dikkat çekerek bunlar arasında sağlık, eğitim, istihdam, çatışma ve kırılganlığın önemini vurgulamıştır. Böylesi bir vizyonu tamamlamak amacıyla ilk defa 2016-2020 BM Türkiye Kalkınma ve İşbirliği Stratejisi içine önümüzdeki beş sene boyunca tanımlanmış çıktı ve başarı göstergeleri olan "Göç ve Uluslararası Koruma" adı altında yeni bir sütun dahil edilmiştir. Bu kapsamda BM, STK'ler, uluslararası STK'ler, akademisyenler ve özel sektör gibi farklı aktörler tarafından konunun sahiplenilmesi tırmanışa geçmiştir. Türkiye göç siyasalarının yapılandırılması ve uygulanması bağlamında daha fazla katılım sağlayarak uluslararası platformlarda da daha aktif rol oynamaya başlamıştır. Örnek vermek gerekirse Türkiye 2015 yılında hem Göç ve Kalkınma Küresel Forum'una hem de göç ve kalkınma ilişkisinin de değerlendirildiği G20'ye başkanlık etmektedir. Son olarak, ülkeden göç, ülkeye göç ve ülke içi göç 2014-2018 yılarını kapsayan Onuncu Ulusal Beş Yıllık Kalkınma Planı içine dahil edilmiştir ki bu Türkiye'de göç siyasasının değinilen çoklu siyasa düzeyli yapısı için bir katalizör görevi görmektedir.

Siyasallaşma eğilimi Türkiye göç siyasasının dış ve iç politikanın birbirine yakınsadığı ve önemi giderek artan bir konu haline geldiğini ortaya koymaktadır. Bu iddianın somut kanıtı siyasi partilerin 2015 genel seçimlerinde benimsedikleri söylemlerde göze çarpmaktadır. Türkiye göç siyasasının siyasallaşması aslında sadece Suriye Krizi ile sınırlı değildir. Siyasallaşmanın bir başka düzeyi de özellikle Adalet ve Kalkınma Partisi ve Cumhuriyet Halk Partisi 'nin Türkiye - AB Geri Kabul Anlaşması'na dair muhalif görüşlerinde ortaya çıkmaktadır. Adalet ve Kalkınma Partisi kamusal söyleminde AB ile vize serbestisi diyaloğuna odaklanırken, Cumhuriyet Halk Partisi Türkiye - AB Geri Kabul Anlaşması'nın yürülüğe girmesi ile Türkiye'nin üstlenmeyi kabul ettiği sorumluluklara ve yüke

vurgu yapmaktadır. Son zamanlarda AB dış politikasının dış boyutunun daha geniş komşuluk politikasını da içerecek şekilde nasıl yeniden yapılandırılacağına dair tartışmalar artmaktadır ki, böylesi bir yaklaşım için AB'nin başlıca aracı geri kabul anlaşmalarıdır. AB'nin geri kabul anlaşmaları vasıtasıyla göç siyasalarını dış boyuta geçirmesiyle beraber Türkiye göç siyasasının siyasallaşmasından söz etmek mümkündür. Bu alan Türkiye'de iç ve dış politikanın birbirine yakınsadığı alanlardan biri olarak karşımıza çıkmaktadır. Dahası, çalışmanın yazım süreci 13 yıl tek parti iktidarı ile Türkiye'yi yöneten Adalet ve Kalkınma Partisi'nin Türkiye Büyük Millet Meclisi'ndeki milletvekili sayısının önemli ölçüde azalarak tek parti iktidarına son veren 2015 genel seçimlerinin sonuçlarına da tanıklık etmiştir. Ortaya çıkan yeni resim ile Adalet ve Kalkınma Partisi'nin yanı sıra   Cumhuriyet Halk Partisi (CHP), Milliyetçi Hareket Partisi (MHP) ve Halkın Demokratik Partisi (HDP) Türkiye Büyük Millet Meclisi'nde oyları oranında milletvekilleriyle yerlerini almıştır. Çalışmanın tamamlandığı günlerde, Türkiye'de 13 yıl sonra bir koalisyon hükümeti kurulmasına yönelik çalışmalar başlatılmıştır. Kurulması öngörülen koalisyon hükümetinin yapısı ve dahil olacak siyasi partilerin göçe yönelik farklı yaklaşımları Türkiye göç siyasasının siyasallaşmasına zemin hazırlayacak ve 2015 sonrası dönemdeki eğilimlerini etkileyebilecek önemli bir potansiyele sahiptir.

Diplomatikleşme özellikle son zamanlarda daha çok gözlemlenen bir eğilim olarak karşımıza çıkmaktadır. Bölüm IV'de değinildiği üzere diplomatikleşme, göçün özellikle müzakerelerin önemli konularından biri olarak yer aldığı Türkiye'nin AB ile ilişkilerinde göze çarpmaktadır. AB – Türkiye Geri Kabul Anlaşması'nın onanmasından sonra göçün önemli bir öncelik olarak yer aldığı diplomatik ilişkiler giderek daha görünür hale gelmiş ve göç üst düzey siyasa tartışmalarının giderek daha fazla konusu olmaya başlamıştır. Yabancılar ve Uluslararası Koruma Kanunu Madde 110 (1) doğrultusunda Göç İdaresi Genel Müdürlüğü (GİGEM) Kamu Kurum ve Kuruluşlarının Yurt Dışı Teşkilatlanmasına Dair 189 sayılı 13/12/1989 sayılı KHK'nin hükümlerine uygun şekilde yurt dışında teşkilatlanmaya yetkilidir. Bu kapsamda Türkiye için başlıca menşei ülke olan coğrafyalarda göç ataşelerinin

ve göç danışmanlarının görevlendirilmesi öngörülmektedir. Böylesi bir vizyon orta vadede diplomatikleşme eğiliminin giderek ana akıma daha fazla dahil edilmesini gerektirmektedir. En nihayet, AB'nin Mayıs 2015 itibariyle açıklanan Göçe Dair Avrupa Gündemi'yle hem komşu ülkelerde hem de üçüncü ülkelerdeki AB delegasyonlarında göç irtibat görevlileri görevlendirmeyi öngördüğünü açıklamıştır. AB'nin göçle ilgili diplomatik ilişkilerde böylesi bir çabası olması, Türkiye – AB ilişkilerinde *diplomatikleşmenin* derinleşmesi üzerinde doğrudan etki yaratacak bir katalizör olma potansiyelini taşımaktadır.

Türkiye göç siyasasını değerlendirirken, *bölgeselleşme* eğilimi, Türkiye'nin kültürel ve etnik mirasından doğru yükselen bölgesel güç olma vizyonu bağlamında anlam kazanmaktadır. Türkiye'nin bölgedeki konumunu güçlendirmeye yönelik çabaları bu eğilimin sadece Türk dış politikası için değil aynı zamanda hem Türkiye ekonomisi bağlamında hem de açıkça görünmemekle beraber göç ve kalkınma açısından da öneminin arttığının göstergesidir. Türkiye'nin etkili olmaya çalıştığı ve çok sayıda aktörden etkilendiği pek çok bölgede güç kaymalarının gözlemlendiği günümüzde Türkiye göç siyasasının bölgeselleşmesi eğilimi uluslararası göç tartışmalarını doğrudan veya dolaylı etkileyen dış politika tartışmalarını anlamak için tamamlayıcı niteliktedir.

Türkiye'nin ekonomik büyümesine dair tartışmalar *ekonomikleşme* eğilimi ile aynı doğrultuda ilerleyen göç siyasalarıyla da doğrudan bağlantılıdır. Türkiye'nin çeşitli ülkelerle kurduğu ticari ilişkiler ekonomik ilişkilerin daha da gelişmesine katkıda bulunacak ulus aşan insan hareketliliğin kolaylaştırılmasına yönelik olarak etkileşim düzeyinin de derinleşmesini gerekli kılmaktadır. Bölüm III ve IV'te vurgulandığı üzere Türkiye'nin AB Müktesebatıyla uyum çabalarının yanı sıra özellikle 200lerde ekonomik ilişkilerini iyileştirme ve geliştirme vizyonuyla pek çok ülkeyle vize gerekliliklerinin kolaylaştırılmasına yönelik bir vize politikası izlemeye devam etmiştir.

Güvenlikleşme insan hakları ve ulusal çıkara ek olarak her zaman Türkiye göç siyasasının dayandığı ana sütunlardan biri olmuştur. Dahası sözkonusu anaakım

güvenlikleşme eğiliminin çağdaş gerekçesi, sayısı her geçen gün artmakta olan Akdeniz'de hayatını kaybeden ya da kaybolan göçmenlerin de etkisi ve AB katılım müzakereleri paralelindeki göç siyasa yapımı bağlamında Türkiye'nin sınırlarını daha iyi yönetme ve entegre sınır yönetimi yaklaşımını kurumsallaştırma çabalarında da yatmaktadır. Buna bağlı olarak, göçmen kaçakçılığı ve insan ticaretiyle mücadele odaklı suçun önlenmesi boyutu da ayrıca Türkiye göç siyasa yapım süreçlerinde güvenlik bakış açısının artan düzeyde belirleyici unsurlardan biri olmasına zemin hazırlamaktadır. Türkiye – AB Geri Kabul Anlaşması'nın gerekleri de göç siyasasının daha da güvenlik odaklı hale gelmesinin meşru zeminini hazırlayan bir diğer unsur olarak karşımıza çıkmaktadır. Son olarak, Suriye Krizi'nin kitlesel göç akınları bağlamındaki etkileri ve Türkiye'den geçiş yapmak isteyen yabancı savaşçılar konusu düşünüldüğünde güvenlikleştirme eğilimi göç yönetiminin güvenlik boyutu olarak daha fazla önem arz eden bir konu olarak ortaya çıkmaktadır.

Türkiye uluslararası göç hareketleri açısından giderek daha fazla dikkat çeken bir ülke haline gelmektedir. AB göç siyasasının dış boyutuna verilen önemin giderek artmasıyla aynı doğrultuda Türkiye de kendi göç siyasasının dış boyutuna daha fazla önem atfetmektedir. AB – Türkiye Geri Kabul Anlaşması'nın gerekleri Türkiye'yi düzensiz göçmenlerin menşei ülkeleri ile geri kabul anlaşmaları müzakere etme konusunda teşvik etmektedir ki; bu da doğrudan Türkiye göç siyasasının *dışsallaşma* eğilimi ekseninde analiz edilmesini gerekli kılmaktadır. AB göç siyasasının dışsallaşma entrümanları olan geri kabul anlaşmaları, vize serbestisi diyaloğu ve hatta entegre sınır yönetimi destek programları aracılığıyla Türkiye üzerindeki etkilerini anlamaya çalışmanın çok özgün bir tarafı vardır. Ayrıca Türkiye'nin Suriyelilerin kitlesel göçüne karşılık olarak, çalışmanın uygulandığı dönemde her ne kadar hayata geçirilememiş olsa da, Kuzey Suriye'de bir güvenli bölge oluşturmak adına Batılı ortaklarını ikna etme çabaları da göç siyasa yapımına dış boyut getirme veya dış boyut aracılığıyla durumu yönetmeye çalışma girişimi olarak düşünülebilir.

Uluslararası Göç Örgütü, Birleşmiş Milletler Mülteciler Yüksek Komiserliği, Uluslararası Göç Siyasaları Oluşturma Merkezi, yerel STK'ler, uluslararası STK'ler, üniversiteler, düşünce kuruluşları ve hatta özel sektör de dahil çok sayıda aktörün göç yönetimi alanında geliştirdiği giderek artan sayıda ve kapsamda projeler düşünüldüğünde *projelendirme* eğiliminin Türkiye'nin çağdaş göç siyasa eğilimleri içindeki tamamlayıcı niteliği ve önemi daha iyi anlaşılabilir. Göçün giderek daha da *"sıcak bir konu"* haline gelmesi göç siyasalarının yapımına yönelik projelendirme eğilimini daha da görünür kılmaktadır. Böylesi bir eğilim Türkiye bağlamında göç siyasa yapımı açısından farklı maliyetleri ve yararları da beraberinde getirmektedir. Maliyetler dendiğinde bir taraftan siyasa esaslı yaklaşımla eşleşen fakat akademik kapsamı kısıtlayan ve "göç projeleri endüstrisinin" ortaya çıkmasına zemin hazırlayan ve göç konusunu araç haline dönüştürme riski taşıyan projelerin kısa ve orta vadeli özelliği akla gelirken, diğer taraftan da etkili kurumlararası işbirliği, sonuç odaklı planlama ve uygulama, norm ve uygulamalara dair bilgi ve deneyim alış verişi, katılan taraflar arasında uluslararası sosyalleşme düzeyinin artması gibi proaktif ve çoklu paydaşlı yaklaşım da yararlar olarak göze çarpmaktadır.

APPENDIX D: TEZ FOTOKOPİSİ İZİN FORMU

<u>**ENSTİTÜ**</u>

Fen Bilimleri Enstitüsü	☐
Sosyal Bilimler Enstitüsü	X
Uygulamalı Matematik Enstitüsü	☐
Enformatik Enstitüsü	☐
Deniz Bilimleri Enstitüsü	☐

<u>**YAZARIN**</u>

Soyadı : Devlet Karapinar
Adı   : Yelda
Bölümü : Uluslararası İlişkiler

<u>**TEZİN ADI**</u> (İngilizce) : THE POLITICS OF IMMIGRATION POLICY
MAKING IN TURKEY BETWEEN 2002-2015

<u>**TEZİN TÜRÜ**</u> : Yüksek Lisans ☐   Doktora X

1.   Tezimin tamamından kaynak gösterilmek şartıyla fotokopi alınabilir. ☐

2.   Tezimin içindekiler sayfası, özet, indeks sayfalarından ve/veya bir bölümünden kaynak gösterilmek şartıyla fotokopi alınabilir. X

3.   Tezimden bir (1) yıl süreyle fotokopi alınamaz. X

<u>**TEZİN KÜTÜPHANEYE TESLİM TARİHİ**</u>: