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Zeynep Şahin-Mencütek  
N. Ela Gökalp-Aras · Ayhan Kaya  
Susan Beth Rottmann

# Syrian Refugees in Turkey

Between Reception and Integration

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# Abbreviations

AFAD	Disaster and Emergency Management Authority
AI	Amnesty International
AKP	Justice and Development Party
AP	Accession Partnership
ASAM	Association for Solidarity with Asylum Seekers and Migrants
CCET	Conditional Educational Assistance to Foreigners
DGMM	Directorate General Management of Migration
ECHO	European Civil Protection and Humanitarian Aid Operations
EVD	Extended Voluntary Departure
ESSN	European Union's Emergency Social Safety Net
EU	European Union
GEM	Temporary Education Centre
GHIS	General Health Insurance Scheme
IBA	İzmir Bar Association
ID	Identity Card
IPID	International Protection Applicant Identification Document
IGO	Inter-governmental Organizations
INGO	International Non-Governmental Organizations
IOM	International Organization for Migration
IPEC	International Protection Evaluation Commission
IASC	Inter-Agency Standing Committee
JAP	Joint Action Plan
LFIP	Law on Foreigners and International Protection
MoFA	Ministry of Foreign Affairs
MoFLSS	Ministry of Family, Labour and Social Services
MoI	Ministry of Interior
MoNA	The Ministry of National Education
MLG	Multilevel Governance
Mülteci-Der	Mültecilerle Dayanışma Derneği
NGO	Non-governmental Organizations
NPAA	National Program for the Adoption of the Acquis

OAU	Organization for African Unity
PDMM	Provincial Directorate of the Migration Management
RESPOND	Multilevel Governance of Mass Migration in Europe and Beyond Project
RSD	Refugee Status Determination
TPR	Temporary Protection Regulation
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
USA	United States of America
MHC	Migrant Health Centres
TEC	Temporary Education Centres
TPS	Temporary Protection Status
TRC	Turkish Red Crescent

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# Chapter 1

## Introduction



### 1.1 Introduction

Just after the local elections in 2019, irregular migrants in Istanbul faced a months-long crackdown. The Ministry of Interior from the Justice and Development Party government (known as *AK Party or AKP*) gave Syrians until 20 August 2019 to return to the cities in which they were first registered. Although the time period was eventually extended, the internal controls for migrants became stricter. Migrants found themselves frequently stopped by police, and officers visited registration addresses to check if they were occupied. If irregularities were discovered, the official directive was that Syrians should be returned to the cities in which they were first registered. For non-Syrian migrants without registration, the result of police stops was often being confined to pre-detention centres. According to the Head of the Directorate General Management of Migration (DGMM) of the time, Abdullah Ayaz, “Operations in Istanbul target irregular migrants such as Afghans and Pakistanis. Even if Syrians are found without registration at all, they are not deported, unlike the claims in the media. It is not possible to issue deportation decisions legally about Syrians due to the conditions in Syria” (AA 2019).

However, lawyers and national and international human rights organizations described the summer of 2019 as being terrible for all migrants in terms of the numbers of rushed deportations and full busses of people from Istanbul being taken to border provinces and removal centres. There were reports of deportations of Syrians who had been coerced into signing voluntary return forms. There is a common belief among political commenators that the campaign in 2019 was driven by domestic political motives and a desire to give the message that the Government is solving the Syrian ‘refugee problem’ and maintaining ‘order and security’ in Istanbul, where more than a million migrants live irregularly. The operation was specific to Istanbul, raising questions about why the decision was not taken in Ankara and other cities but instead remained a local initiative. It does not seem to be a coincidence that it happened just after the ruling party’s loss of mayorship in

the same city. A few months later, Turkey started a cross-border military operation in Northern Syria, legitimized by the objective of repatriation and border security. It seems that there were multiple intersecting political—both domestic and regional—concerns and aims on the table at the same time, which had direct consequences for the lives of refugees in Turkey. Not surprisingly, these and previous incidents created “a strong fear among refugees that panicked them specifically in election times,” a humanitarian worker related. Many Syrian friends told us that they had not left their apartments in months because they were terrified. Nevertheless, some deportees returned to Istanbul after a few weeks, this time feeling more susceptible to deportation, and many others tried to become less visible in public spaces. Simultaneously, they become more vulnerable to exploitation in their informal workplaces. Refugees’ precarious situation only worsened when COVID-19 arrived.

This incident in Istanbul in 2019 is only one among many that illustrate temporality, complexity and agency—some of the main topics of this book—within the system of refugee governance in Turkey. Refugee governance is temporal because, despite a long-term, flexible approach on the part of provincial authorities towards the internal mobility of Syrians, the approach gradually changed when the political actor(s) decided to enforce a reception rule stating that Syrians have to live where they are first registered. The timing of the enforcement of this is strategic as it happened just after elections and just before a cross-border military operation. Once again, it became clear that Syrians’ temporary protection status puts them in a precarious situation. The events in Istanbul in 2019 can also be seen as rather complex because the regulations for Syrians and non-Syrians, such as Afghans and Pakistanis, were quite different. This was clearly mentioned by the DGMM Director. The event also illustrates the agency of migrants, regardless of their nationality or legal status, as they looked for opportunities to re-migrate to Istanbul or found other tactics, such as further invisibility to survive. Sadly, this situation is not a one-time occurrence but is rather a recurring symptom of temporality and a complexity-centred approach to refugee hosting in Turkey.

Conflict-induced forced migration has marked the last decade of flows in different parts of the world, from South Asia to Africa, and from the Middle East to Europe. Protection, reception and integration policies, practices and humanitarian responses to forced migration in contemporary Europe and beyond are of great concern for state actors, non-state actors, international organizations, institutions, private individual actors and people on the move. The so-called Refugee Crisis in 2015 and the COVID-19 pandemic have revealed again how refugees are vulnerable to rapid changes due to external factors in different countries and across the world. The vast majority of forced migrants are only able to reach neighbouring countries, such as Turkey, Lebanon, Pakistan, Jordan, Bangladesh, Colombia, Uganda and others.

One of these countries, Turkey, has become the main destination for forcibly displaced Syrians from armed conflict since 2011. In 2014, Turkey became the country hosting the largest number of refugees in the world, with more than 3.5 million Syrians. It also continues to be a country of asylum and a transit zone for irregular crossings of thousands of migrants to Europe, such as Afghans, Iraqis, Iranians and others, who were also forced to leave their homes for political and economic

reasons. The country's response to migration, including the roles of its governance actors, policies, politics and refugees themselves, is significant for broader regional and global social, political, economic and cultural developments.

This book provides a comprehensive analysis of Turkey's response to Syrian mass migration from 2011 to 2020. It raises the question of how this receiving state responded to the protracted refugee situation and asks: what are the implications of its responses, and how do they change? We refer to a "refugee situation" as one in which there is a context of conflict-induced forced migration, including people displaced by crossing the national borders of their origin country without those individuals being able to claim or acquire official refugee status due to the regulations of the host country, as in Turkey, Jordan, Lebanon, Pakistan and many other refugee-hosting countries in the Global South.

In order to respond to the above questions regarding the receiving state's response to refugee situations, the book focuses on policies and discourses developed during the reception, protection, and integration phases of accommodating refugees, and it focuses on continuities, ruptures, and changes. One goal of the book is to identify interactions and differences in responses across scales -transnational, national, local, individual-; in other words, to examine how policies are translated into local contexts, then how they are felt and experienced by refugees and how refugees claim agency and develop belonging. We look for the ordering principles or mediating factors in the structuring of multilevel responses of various actors and shifts in responses over time.

As an analytical starting point to define a state's response to refugee situations and this response's outcome, we suggest a novel abstract concept: *strategic temporality*. We find strategic temporality to be a useful concept to explain the complexity of policies, practices, and experiences in governing refugee situations. Temporality is a governance strategy that is intentionally produced to control and manage refugee situations. It has institutional, legislative and discursive components that all shape policy instruments addressing displaced people. Temporality also helps to describe asylum seekers' experience of "being between" and their encounters with locals and the state actors in the host country. We also see temporality in the interventions of local actors. We argue that strategic temporality shapes central state actors' treatment of the three policy fields of protracted refugee response: reception, protection and integration. Non-state actors, including refugees, international, national, and local actors- navigate and negotiate this temporality. The simultaneous charting of different scales of the migration governance system tells an expansive story of migrant journeys towards full participation in their host societies, constrained by strategic temporality. To better understand experiences at the different scales and accordingly to further elaborate strategic temporality, we introduce three key supporting concepts: liminality, uncertainty and complexity. Liminality refers to the experience of finding oneself temporally or spatially in-between positions. By uncertainty, we mean that actors lack comprehensive knowledge and predictability about the future of the refugee situation. These actors include both policy makers and implementors as well as civil society members, host communities and displaced people themselves. Complexity refers to the complicated legal and institutional

arrangements that emerge in response to the refugee situation on the one hand and to entanglements of issue areas (e.g. security, economy, societal dynamics) influencing the policy and politics on the other hand. There is no hierarchy among these supporting concepts. However, liminality is more helpful in explaining the situation experienced by refugees, while complexity and uncertainty are useful for understanding the dynamics embedded in the structure. Four more concepts: multilevelness, stratification, local turn and agency are discussed in detail below as further ways to specify the governance system and the multifaceted responses on the part of actors to strategic temporality.

Positing strategic temporality as the key encompassing characteristic of Turkey's response to Syrian mass migration enables us to bring more than a few theories and arguments about refugee responses together, including multilevel governance, bordering, assemblage theory, governmentality, ethnography of migration, politics of migration and agent-based theories. This book is particularly engaged with multilevel governance theory, which describes institutions and their relations across levels of policy. We argue that multilevel governance with a "centralist mode" and a "local turn" fit our case, and these features are driven by this strategic temporality. This research further develops the multilevel governance framework by zooming in on interactions between institutions and legal and discursive structures. Moreover, strategic temporality helps us to explain transformations over time observed in these components.

This book challenges the approach of taking refugee policies as a unitary field and suggests unpacking the refugee response by dividing it into reception, protection and integration policy fields. Strategic temporality is reflected in all three areas of governance, from the initial stage to changes in policies over time. In the case of Turkey, reception is temporal in being mainly ad hoc in practice and discourse via the idea of guesthood, hospitality and cultural intimacy. The temporality of protection is explicit, reflected through the adoption of temporary protection status in legislation and co-constitutive practices causing legal precarity and stratification. Integration also shows strategic temporality in its uncertainty and ambiguous fluctuation along an integration-(dis)integration/exclusion spectrum over time.

Given that we understand Turkey's response to Syrian refugee migration through the lens of strategic temporality, an important question is: who or what makes this temporality strategic? Turkey's response is multilevel, with a centralist government and state institutions dominating the field but cooperating with non-state and local actors to get support. These institutions undoubtedly have political interests linked to the refugee issue, such as regional or international concerns in security, political economy and foreign policy, and public policy and service provision. Thus, they act strategically as part of the state's refugee response legitimized within hospitality and guesthood discourses that are embedded temporally. However, institutions are not the sole actors, with local level actors, including refugees themselves demonstrating significant agency. Even non-state actors negotiate this strategic temporality with centralist institutions and thereby open space for themselves to act through subsidiarity. Refugees navigate this strategic temporality to claim belonging and to

develop coping mechanisms for survival, and they often feel partially included despite broader conditions of precarity and uncertainty.

The following section explains the concepts used to describe refugee response mechanisms, starting with our key concept, strategic temporality. Then, we describe our understanding of governance and how we conceive strategic temporality as a governance strategy. We also explore how our sub-concepts of liminality and uncertainty are part of strategic temporality and how strategic temporality as a concept addresses common findings in the broader field migration studies. The section that follows is a discussion of complementary sub-themes, such as multi-level governance, the local turn and subsidiarity, which will help us to address the main features of governance from an institutional perspective. Here, we address three dimensions of governance, namely institutional, legal, and discursive. We show that the concepts of stratification and differentiation contribute to expanding the scope of analysis by bringing in social and legal lenses. Next, we will visit the concepts of guesthood and hospitality to explore the discursive dimension of strategic temporality. The final section of the chapter describes the role of the refugee agency within this analytical framework.

## 1.2 Theoretical Framework: 'Strategic Temporality' in Governing Mass Migration

Migration studies increasingly focus on time and temporality to understand displacement experiences and the governing of the displacement (Brun, 2016; Baas & Yeoh, 2019). Time is becoming a more common theoretical lens for illuminating different migration profiles (Krasteva, 2021). Arguably, temporality is a key feature of the asylum-seeking and refugee experience. A number of studies point out temporality's salience in defining contemporary migration and asylum regimes (Biehl, 2015; Horst & Grabska, 2015; Nassar & Stel, 2019, 2020; Pascucci, 2016). Temporality emerges as a vital element in governing asylum at borders, refugee camps, reception centres, detention units or urban spaces in Europe, Americas and elsewhere (Andersson, 2014; El Shaarawi, 2015; Griffiths, 2014). Linking temporality with the concept of governance, we approach temporality as a strategy that is intentionally produced to control and manage displaced people by governing actors. Regarding refugees' experience, temporality also tells us about how asylum seekers go through the experience of being in-between. In our understanding, temporality goes along with and is used synonymously with other concepts common in migration studies, such as uncertainty and ambiguity, or most importantly, liminality.

Originating in anthropological studies and broadly applied in the social and political sciences, liminality refers to the "experience of finding oneself at a boundary or in an in-between position, either temporally or spatially" (Thomassen, 2015, 40). As Turner (1969) described it, liminality is a transitional space in ritual from one status or stage of life to another. The liminal state can be one of violence,

humiliation and reconfiguration (Turner, 1967). For migrants, liminality refers to a social position of in-betweenness that is increasingly long and at times indefinite in refugee situations. Refugeehood in the host country is traditionally conceived as a transitory period and is expected to end with more permanent inclusion either there or elsewhere. However, refugees often remain in a state of liminality in a legal, psychological, social and economic sense; in other words, they find themselves in legal and political limbo for many years, if not decades. Research has shown that this has been the case for Palestinians, Afghans, Somalis and others in a wide variety of national contexts. Rather than a process of quick incorporation, the asylum process –the legal and bureaucratic procedures that turn asylum seekers into refugees – is a dialectical process in which the national population reinforces its social boundaries and determines its ‘others’ who will be placed in legal and administrative limbo. Thus, many refugee groups are left in periods of liminality indefinitely through protracted displacement. To that end, liminality relates to temporality, in the sense of referring to an existential temporal in-betweenness or being in an in-between socio-temporal zone. Undoubtedly, protracted liminality produces a feeling of uncertainty, and it is itself a result of uncertainty. Hence, literature on forced displacement makes extensive references to uncertainty as a situation, as an analytical concept and as a narrative (Schiltz et al., 2019). In basic terms, uncertainty means lacking knowledge and predictability about the future. For refugees, as Horst and Grabska note, “uncertainty is not about calculating risk-taking but coping through hope, waiting, negotiating, and navigating” (2015, 5). Conflict-induced forced displacement generates radical and protracted uncertainty. Not only displaced people but also receiving communities and countries face uncertainty in such situations. States themselves play a role in constructing the spatial and temporal dimension of uncertainty that displaced people experience because states’ formal policies and practices first tend to marginalize refugees and then create measures to manage this uncertainty. They tend to build migration management systems on uncertainty.

Liminality is uncertain because it is paradoxical. It is a ‘permanent impermanence’ that defines the increasingly protracted nature of most refugee situations and results in ad hoc arrangements and a ‘dominance of the short-term’ (Stel, 2021). Liminality even functions as a governance mechanism and turns into a norm for global and national migration management. For example, describing this as a politics of uncertainty and institutional ambiguity, Nora Stel (2020) argues that Lebanon, hosting the highest number of refugees per capita worldwide, has endemic ambiguity in its policy making. Disagreeing with explanations for the situation that highlight host state fragility and related capacity problems, she attributes this ambiguity to a lack of political will to create coherent and comprehensive rules of engagement to address the refugee ‘crises’. Thus, institutional ambiguity appears to be a governance strategy for responding to the Syrian refugee crisis (Nassar & Stel, 2019).

Similarly, Kelsey Norman (2020) describes refugee reception policies in the Middle East and North Africa as “reluctant”. These countries in the Global South show their reluctance to host refugees via strategic indifference and delegation of

refugee protection to the international community (Abdelaaty, 2021; Norman, 2020). This indifference and delegation take the form of leaving the managerial and economic costs of hosting refugees to international organizations, as observed in Lebanon and Jordan (Şahin Mencütek, 2018). Countries' broader international interests (e.g., maintaining 'good host' reputations in the international community, securing development aid and/or foreign policy goals vis a vis the sending state) shape the contours of these policies and possible changes over time (Abdelaaty, 2021; Şahin Mencütek, 2018; Norman, 2020). Interstate relations and co-ethnicity with refugees also influence the reception by host states (Abdelaaty, 2021). Although culturally similar groups may initially enjoy some welcome and privileges, they are often subject to similar insecurities that other refugees and asylum seekers go through in the host country, mainly depending on the protraction of their stay and legal status (Abdelaaty, 2021; Norman, 2020).

Liminality and uncertainty result in large part from the temporality at the centre of the global refugee regime, which is apparent in the use of statuses like "temporary protection." Temporary protection in most parts of the world is used to respond to mass migration situations and to comply with the non-refoulement obligation without ensuring refugee status. It is codified by the United Nations High Commissioner for Refugees (UNHCR) guidelines and the EU's directives (Inel-Ciger, 2015). While on the one side, temporary protection extends protection to a broader set of people than those covered by the Convention's refugee definition; on the other side, it is used primarily to deter asylum applications and hinder displaced people's settlement. In practice, it works as a government strategy to ensure that the ability of refugees to access status is controlled by the state's discretion (Crock & Bones, 2015). Temporality is not unique to mass migration cases because individual asylum applications may also result in temporary legal protection and years of waiting, under uncertainty and ambiguity, as experienced in Europe or North America (Kaya & Nagel, 2021). However, temporary protection is particularly difficult for migrants as it results in the sense of being in "existential limbo": a subjective and temporal state of being in which the asylum system, in the present moment, is understood as a locus of suffering and in which life and meaning-making are defined by a sense of immobility (Haas, 2017, 75).

As many studies indicate, migration is constituted in and through multiple and relational temporalities. As one component of temporalities, waiting is created in specific legal, material, and socio-cultural situations (Jacobsen et al., 2020, 1). Temporality creates forms of precarity and ambiguities in the material and socio-cultural experiences of refugees. Suzan Ilcan and colleagues argue, "precarity of space as demonstrated through the challenges refugees experience in accessing services and with restricted mobility and precarity of movement as developed through new border cooperation arrangements and through migrant journeys that are undertaken in search of greater protection and security" (Ilcan et al., 2018, 51). Refugees develop strong feelings of worry and uncertainty due to their legal limbo situations. The absence of a clear legal status in conjunction with the lack of information about

access to public services and rights, results in risks of physical and mental health deterioration and considerably harms future integration possibilities (Nagel & Reeger, 2021).

Temporality has so far mainly been adopted to describe migrants' experiences or legal statuses and has rarely been linked to the governance literature (exceptions Abdelaaty, 2021; Stel, 2021). This book argues that temporality performs a critical governance strategy. It dominates the interactions among actors engaging in the destination country's response to the refugee migration. Our concept of strategic temporality places the liminality and uncertainty that other migration scholars have noted into a governance framework. The chapters in this book further the argument about temporality as a governance strategy by drawing from an in-depth case study on Turkey's refugee response.

Our empirical case illustrates how strategic temporality operates in practice and to what ends. In the case of Turkey, strategic temporality works through the mechanism of granting uncertain temporal legal status to forcibly displaced Syrians, putting them in ad hoc reception arrangements and exposing them to short-term changes in integration measures, exceptions or derogation from norms. We argue that this is strategic because temporality is intertwined with the politics of forced migration. Temporality is intentionally enhanced to open space for central state actors to consistently recalibrate governing practices, including regulations, tactics and discourses.

In addition to humanitarian considerations, domestic and international politics are always on the table in responding to refugee flows (Braithwaite et al., 2019; Gökalp-Aras, 2019; Kaya, 2021), often identified as the politics of migration (Weinar et al., 2019). Keeping temporality at the centre is a kind of strategic reaction of policymakers to the unpredictability and uncertainty of conflict-created displacement, possible spillover or political (in)stability in the host country and public attitudes towards hosting refugee populations as well as the burden-sharing of the international community. Hence, the strategic temporality approach is aimed at returning refugees to the country of origin or moving them elsewhere, such as to Europe, as early as possible. Although the protraction of crisis and strict border policies mean that both return and onward migration are only limitedly possible options for most refugees, changing public attitudes lead policymakers to continue the discourse of temporality, again strategically, this time for domestic political purposes.

Accordingly, temporality is reflected in the individual experiences of displaced people who are inhibited from pursuing important dimensions of integration (i.e., obtaining long-term, safe shelter, freedom of movement, political rights and secure employment). In this sense, migrants' agency - their ability to act - is limited, and feelings of belonging are reduced. Instead of genuinely settling and becoming a member of their new communities, migrants are forced to rely on short-term planning, to react to ever-changing circumstances, and frequently to use ad hoc emergency measures.

## 1.3 Conceptual Clusters Explaining Migration Governance

As rightly pointed out by Anna Krasteva, “the temporality and migration nexus is a relatively new arena in migration scholarship, and this nexus forms different conceptual clusters (2021 p.178). In this book, we introduce strategic temporality as a theoretical way to zoom-in on a certain migration profile – asylum migration - and to understand the experience of liminality, uncertainty and complexity that has been widely described in migration studies. In this section, we complement this zooming-in with other more operative concepts for explaining how strategic temporality is embedded in various responses to given refugee situations. These concepts are complexity governance, stratification, local turn, and agency, which will be elaborated below. Through adapting these concepts to the case of Turkey, we are able to better explain legal/institutional frameworks, reception and integration.

Thus, we link strategic temporality with current conceptual and theoretical discussions in migration and refugee studies and with the interdisciplinary perspectives of political science, anthropology, law, and sociology. The logic behind our selection of conceptual clusters, which will be discussed in this section, is as follows. There is a complex structure of actors, layers and policies -as many studies have already pointed out, so our first step is to map the available theories addressing the complexity of migration management. We identify what we mean by refugee governance in this study. Drawing from the extensive scholarship of migration and migration governance, we suggest systematically unpacking this complex governance by focusing on at least three dimensions: institutional, legal and political-discursive. To capture institutions involved in governance and relations among them, we rely on multilevel governance and the idea of a local turn. Then we move on to elaborate the legal dimensions.

The empirical findings of the study signal stratification as theories that may explain the socio-legal dimension of the governance case in Turkey. From an anthropological perspective, hospitality and cultural intimacy appear to be useful, not only to describe relations between locals and refugees but also the discursive choices of policymakers. These concepts help us to understand agency, which is our final key operative concept as it enables us to explore how differently positioned actors reflect upon and react to the refugee situation.

### 1.3.1 *Complexity of Governance*

Current studies have drawn our attention to the growing complexity of policies in all areas of migration being formulated at various levels of governance, including global, transnational, regional, national and local levels (Lavanex, 2016; Scholten, 2020). The complexity is identified through theories of polycentrism (Mencütek, 2021), fragmentation (Geddes, 2018; King, 2019), decoupling (Panizzon & van Riemsdijk, 2019; Scholten, 2016) and contradictions (den Hertog, 2016) in

governance, with the risk of “layering” in such a way that policies are developed at different government layers without structural connections. This book unpacks the complexity of policies and their implications, drawing from an in-depth case study on Turkey, with an eye to addressing the need for a nuanced understanding that highlights changes across spatial and temporal axes.

We define governance as “the amalgamation of a more or less formal set of policies, programmes, and structures that are formulated and implemented in interaction with multiple actors in order to manage an entry, reception/protection and integration” of internationally displaced people (Şahin Mencütek, 2018, 9). Governance is complex and fragmented, not only because of an encompassing patchwork of dynamic legal, discursive and institutional dimensions that are highly interactive but also due to the highly politicised character of migration policies and their social implications (Geddes, 2018). This complexity stems from immigration and integration intersecting with other related regimes such as welfare, citizenship, and mobility (Boucher & Gest, 2015; Peutz & De Genova, 2010; Sainsbury, 2006). As this book will discuss at length, we understand refugee governance as a complex policy field with a strong attachment to other political domains, such as social policy, domestic security, and international politics.

This complexity of governance can be unpacked by focusing on at least three intertwined dimensions: institutional, legal and discursive. In the case of Turkey, it is possible to trace strategic temporality across each of these dimensions as we do in the relevant chapters. Here, we need some analytical tools to specify these dimensions.

### ***1.3.2 Multilevel Governance and the Local Turn as Institutional Components of Strategic Temporality***

To explain the complex institutional dimensions of governance, migration scholars have found the concept of multilevel governance (MLG) to be helpful (Panizzon & van Riemsdijk, 2019, 3; Scholten & Penninx, 2016). MLG was initially defined as the dispersion of authority away from central governments – upwards to the supranational level, downwards to subnational jurisdictions, and sideways to public-private networks (Hooghe & Marks, 2001; Scholten, 2020). The interpretative lens of MLG emphasizes the question of who the actors and institutions involved in governing migration are and what types of modes of interactions and political-legal commitments they have. MLG focuses on several policy levels, including global, supranational, regional, national, and local, where migration policies are formed.

MLG explores how these policy-making levels interact, contradict and can be compromised and have been systematically theorised through four modes of multi-levelness: centralist, localist, multilevel and decoupled mode (Scholten & Penninx, 2016). The centralist mode of governance aims to bring policy convergence via top-down approaches with a clear hierarchy between government levels. In the localist type, local governments frame migration policies, including reception in a specific

local way, which in turn leads to policy divergence. The multilevel governance type is one in which there is an interaction between the various levels of government without the clear dominance of one level, which engenders some convergence between policy frames at different levels, produced and sustained by their mutual interactions. The decoupled type refers to the absence of any meaningful policy coordination between levels, hence disengagement from initial cooperation and mutual support to increase their mandates and power (Scholten, 2013: 93–94). In addition, the semantics of cooperation does not necessarily imply a level playing field. In refugee governance, state actors are likely to remain in charge of the asylum decision-making process and to retain at least some coordinating role in the actual provision of reception and integration by delegating some of the responsibilities to local governments, non-governmental organizations (NGOs), and private individuals, which has been conceptualized as a local turn and a politics of subsidiarity.

The *local turn* refers to the delegation of the power of nation-states to municipal authorities and NGOs, Faith-Based Organisations (FBOs) and private individuals. This turn is deepened by neoliberal forms of governmentality and the Sustainable Development Goals defined by the United Nations (UN) in 2016 and the EU's efforts to engage with local governments in the migration control field (Kutz & Wolff, 2020). Local actors used to act as service providers and creators of local discourses and interpreters of central or international discourses on the ground (Lowndes & Polat, 2020). While the local level has been mainly referred to in order to discuss migrant integration (Dekker et al., 2015), it has also been put forward in explaining reception (Oliver et al., 2020) and protection through controlling access to asylum (Artero & Fontanari, 2021, 631). Building on the insights of these studies, we argue that the local turn is not adequate to describe the broader spectrum of actors and the politics behind interactions among governing actors. The concept or principle of subsidiarity may contribute to a better understanding of these interactions (Kaya & Nagel, 2021).

The principle of subsidiarity refers to devolving decision-making in a multilevel governance system to the lowest capable level for achieving the tasks required (such as refugee reception) in order to better engage local bodies, individual actors, and relevant NGOs, but also to preserve strong roles for governments in providing direction, standards, guidelines, incentives and sanctions. We argue that strategic temporality is negotiated and navigated at various levels, mainly at the local level, by actors taking subsidiary roles in providing reception, protection, and integration services. These complexities may be contested or overcome by non-state actors.

However, an emphasis on levels and actor configurations intervening in refugee affairs remains unable to capture the complete picture because they fail to zoom-in fully on the socio-legal components and discourses. Like other policy fields, refugee governance does not have only an institutional dimension; instead, it has critically important legal and discursive components co-constituted by institutions. As the main features of refugee governance are strategic and temporal, it is expected that legislation and discourses create or maintain strategic temporality. Indeed, it does, and we will now discuss stratification in terms of the legal ground where strategic temporality takes place. Then, we move on to a discussion of discourses.

### ***1.3.3 Stratification and Differential Inclusion as Legal Components of Strategic Temporality***

The proliferation of immigrant categories and legal statutes attributed to migrants constitute legal precarity, becoming the core of strategic temporality as a governance strategy. These categorizations can be understood with their nuances through the lens of stratification. In general, stratification is about “differential life chances - who gets what and why - and migration is about improving life chances - getting more of the good things of life” (Jasso, 2011). In a given political unit, like a state, social stratification not only relates to differentiation among citizens and non-citizens but also among migrants based on socio-economic factors like wealth, income, education, ethnicity, gender, and others. A key component of stratification is the construction of formal devices of inclusion and exclusion concerning rights. Through the lens of stratified membership theories (Morris, 2002; Joppke, 2007; Olafsdottir & Bakhtiari, 2015; Sainsbury, 2012), it is possible to better understand inequalities among migrant groups and to contextualize refugee governance within the broader citizenship regime of the host country.

Concerning governance, increased differentiation and selectivity of human mobility are recent and essential characteristic features of modern migration controls. Along with the existing dichotomies and categories, such as volunteer versus forced migrants, regular versus irregular migrants, each category is broken down into sub-categories. These categorisations reflect the strategic aim of states to re-define, control, manage and include or exclude migrants. Borders function to control movement and separate citizens from foreigners, but differentiation continues through the legal statuses by inserting migrants into national spaces and defining restrictions and impediments.

For migration control, states categorise migrants in particular ways, and some foreigners under international protection find themselves as being more foreign or less protected than others (Könönen, 2018). As immigration law and refugee protection regimes are an extension of borders, they act as the main instruments in the differential inclusion of non-citizens, and “migration law is at its core a border construction site” (Dauvergne, 2008, 7), which defines the system of boundaries and contributes to the increasing differentiation of immigration. Status-based differentiation functions as a defining conditionality of entry and a key way of delineating categories of migrants (Meissner, 2018, 293). Although status differentiation is based mainly on distinctions between undocumented and temporary, more status multiplication engenders horizontal stratification.

In terms of stratification, highly bureaucratic procedures of international protection result in the fragmentation of examination processes and cause the need to categorise asylum seekers from the start. Newly introduced additional procedures have also resulted in stratified legal statuses with different procedures and specified rights, adding traceable nationality-based discrimination against particular asylum seekers. The hierarchisation of rights invalidates the universalism of rights and produces conditional subjects and asymmetrical social relations. Beyond the exclusive

and inclusive role of borders, the concept of differential inclusion can be used to refer to the selective inclusion of migrants within the sphere of rights in the receiving society (Mezzadra & Neilson, 2013; Papadopoulos & Tsianos, 2013). The condition of precarity in which refugees are embedded can be regarded as a common thread, and this pervasive uncertainty encompasses, in many instances, every stage of the national migration system. These conditions are traceable in various stages, from rescue operations and succour to the refugee status determination (RSD) to the set of entitlements bestowed on asylum seekers after they obtain protection or permission to stay.

Differentiated legal statuses and stratifications are very prominent in Turkey's asylum regime, as will be discussed in the following chapter. These status differences result in differential inclusion concerning the preconditions of residence and access to rights, such as access to the labour market, healthcare services, and education. They create differences among the citizens and non-citizens and the beneficiaries of international protection and foreigners. Therefore, the concept helps us understand Syrians' and non-Syrians' reception, protection, and integration in Turkey.

It is worthwhile to note here that strategic temporality embedded in the asylum regime can not just be approached from a legal perspective; it should be treated as a political management strategy. Geopolitical considerations, including security issues and international alliances are entangled with Turkey's migration and asylum policies and procedures. Since its foundation, Turkey's migration/asylum policy, including relationships with international refugee law, intersected with Turkey's international politic aims marked by a general suspicion about Middle Eastern countries, on the one hand, and a goal of improving relations with Western countries on the other. In some time periods, the policies were quite restrictive, as in the early 1990s, on the ground of national security interests (Kirişçi, 2012). In other periods, like in the 2000–2013 era, migration policies shifted towards a more liberal direction due to the changes in Turkey's migration profile, the impact of the new ruling party's foreign policy objectives, and the European accession process (Icduygu 2014; Elitok, 2013). Successive governments tended to pursue a pragmatic and selective approach to their forced migration governance, even though it simultaneously focused on humanitarianism and moral responsibility (Korkut, 2016). It retained the power to decide how to treat certain migrant groups based on their ethnicity and its foreign policy priorities (Abdelaaty, 2021). In general, it is fair to claim that different geopolitical temporalities result in different strategic temporalities associated with the management of asylum and migration. Geopolitics became especially relevant to the current refugee situation in Turkey from the initial to the current responses, because as a host country, it belongs to the same region as Syria, Turkey wields disproportionate power vis-à-vis Syria and it has fluctuating interests in terms of the conflict that caused the displacement (Mencütek, 2022). Also, the traces of strategic temporality become more explicit in the case of the Syrian refugee situation, as it is the most populous and the longest refugee-hosting situation that Turkey has so far encountered. Hence, several discursive, legal, and institutional strategies have to be simultaneously mobilized to respond to it.

### 1.3.4 *Hospitality and Cultural Intimacy as Discursive Components of Strategic Temporality*

The concepts of hospitality, guesthood and cultural intimacy are helpful in explaining how receiving countries strategically construct the temporality of refugees at a discursive level (Carpi & Şenoğuz, 2019; Rottmann & Kaya, 2021). As Ross Langmead (2016, 171) put it very well:

Hospitality is a strong concept that includes justice-seeking, political action, inclusion around our tables, intercultural friendship, pursuing a hospitable multicultural approach to [religious] life, practical assistance, long-term commitment, learning from those who are different, sensitivity to the power dynamics of ‘welcome’, a willingness to ‘let go’ as well as ‘embrace’, interfaith dialogue and discovering the intertwining of the guest and host roles which is embedded in... theological understandings of God’s activity amongst us.

The role of guesthood in welcoming refugees was extensively discussed in the neighbouring countries of Syria, such as Iraq, Lebanon and Turkey because these countries considered Syrian refugees as “guests” from the very beginning of the mass migration in 2011, and they linked their refugee response to some deep-rooted values such as ‘Turkish hospitality’, ‘Muslim fraternity’, ‘Arab hospitality’ and ‘guesthood’ traditions (Baban et al., 2017; Chatty, 2013; El Abed, 2014; Erdoğan, 2015). However, all of these values underlined the temporality of refugees as guests. Enhancing guesthood discourses with religious credentials, Turkish government leaders consistently compared Turkey’s role in assisting Syrian refugees to that of the *Ansar*, referring to the *Medinans* who helped to migrating Muslims, *Muhajirun*, who were escaping from persecution. Framing Syrian refugees within the discourse of *Muhajirun* and host communities welcoming them as *Ansar* elevated public and private efforts to accommodate Syrian refugees from a humanitarian responsibility to a religious and charity-based duty. The *Ansar spirit* was also visible in Iraq and Lebanon in the first years of the mass migration of Syrians.

There was a similar cultural and theological understanding of refugee hosting in many European countries in 2015–16 (Chemin & Nagel, 2020; Kaya, 2019). Hospitality and ‘welcome culture’ were visible during the so-called Refugee Crisis, which erupted after the images of the dead body of a toddler, Aylan Kurdi, whose family was pushed back to the Aegean shores of Turkey were widely published (Smith, 2015). In both non-EU and EU countries, Quranic, Biblical and theological understandings of guesthood played an important role in host communities (Saunders et al., 2016). For example, in Germany, the leading state in Europe, opened its arms to embrace refugees in need, a religious discourse with strong Biblical connotations was dominant. Religion here plays a ready source for constructing these narratives.

However, the so-called ‘welcome culture’ did not last long either in the neighbouring countries of Syria or in the EU. The so-called welcoming culture and the politics of hospitality with strong religious connotations are subject to a state of temporariness because, anthropologically speaking, the discourse of hospitality assumes that the guest is temporarily welcomed by the host as a gift-giving act

(Mauss, 1990). What is taken in return for the gift is the loyalty of the guest. A refugee, or an asylum seeker, is expected to pledge his/her loyalty to the host, and in return, s/he is treated with hospitality for a certain period of time. Once this period is expired, then the state of the guest becomes contested. As expected, when countries are faced with unprecedented numbers of refugees, the moral or religious connotations of hosting are replaced with cold-statistical calculations and restrictive policies and practices. For example, the Ansar spirit has been gradually replaced with a return discourse and open hostility towards Syrians in Turkey, which now seeks to deter new arrivals (Korkut, 2016; Kaya, 2020a; b; c; Şahin Mencütek, 2018).

Cultural intimacy is another fitting concept for understanding the discursive dimension of refugee governance, particularly interactions between migrants and host communities. Cultural intimacy refers to “the recognition of those aspects of a cultural identity that provide insiders with their assurance of common sociality” (Herzfeld, 2005, 3). Herzfeld’s notion of cultural intimacy does not only refer to ‘the sharing of known and recognizable traits’ with the ones inside, but it also refers to those traits ‘disapproved by powerful outsiders’ (Ibid.). According to Herzfeld, essentialization and reification of the past and culture is not only an ideological element instrumentalized by political institutions and states to control and manipulate the masses but also an indispensable element of social life because it creates the division between “us” and “them” (Herzfeld, 2016, 33). Hence, ordinary individuals also tend to essentialize and reify the past for their use to come to terms with the hardships of everyday life.

In the case of Syrians in Turkey, Arabic-speaking Sunni-Syrians have created comfort zones in various cities of Turkey based on a cultural intimacy with local communities regarding religious, moral, architectural, urban, and sometimes linguistic similarities originating from the common Ottoman past. By asserting that they are culturally and religiously similar and have grown connected to Turkey over time (cultural intimacy), Syrians object to their positioning as temporary and try to emplace themselves in Turkey (Rottmann & Kaya, 2021). However, as will be discussed in Chap. 3 in more detail, culture and religion have become points of contestation between locals and Syrians in Turkey

Despite all these institutional, socio-legal and discursive strategies to manage migration or to make it temporal, refugees -individually and collectively- circumvent challenging situations and claim social and political rights (Ataç et al., 2016). Thus, we need the concept of refugee agency, as discussed below and addressed more fully in Chap. 5.

## 1.4 Refugee Agency Amidst Strategic Temporality

There have been long efforts to attempt “zooming in on the agency” of migrants (Mainwaring, 2016; Triandafyllidou, 2017). Agency basically means the ability to act. The scope of acting can vary according to the capabilities, aspirations and resources of the migrant on the one hand and external structural factors on the other.

An emphasis on agency allows us to see positionalities within this conundrum of individual determinations and structural impediments. Within migration studies, agency is usually understood in terms of migrants' decision-making strategies about mobility (Bakewell, 2010; Feng et al., 2021) as well as their resistance to structural factors, such as border control restrictions, protection challenges or power hierarchies. A large number of studies also make calls to pay attention to agency in governance through theoretical lenses of governmentality, actor-network and assemblage theory (Bigo, 2002; Pallister-Wilkins, 2015). In contrast to structure-centric theories, assemblage thinking underlines the need to be more sensitive to the complexity of power relations, including the activities of migrants, while still challenging the dichotomy between structure and agency as well as oppression and resistance (Wiertz, 2020).

Immigrants and refugees confront temporality -demonstrating agency – in many ways. As noted, temporary migration represents the predominant form of legal migration patterns (Lee & Piper, 2017) and forced migration is inherently projected as temporary or is accompanied by policy measures seeking to ensure its temporariness. The temporality of migration, both in terms of refugee or voluntary migration, shapes migrant agency and their aspirations about integration, onward migration and return in different ways. When this temporality is imposed by the host state, migrants develop their own understanding of temporariness and seek strategies to cope with it (Kallio et al., 2020). Yet, in situations of strategic temporality, agency is limited by uncertainty and a chronic inability to make long-term plans and be assured of safety, security and autonomy. Still, our research shows that migrants are not passive victims of this situation. They take a wide variety of actions to foster permanent inclusion, actions that clearly show agency.

Besides the concepts introduced above to understand how strategic temporality works in terms of Turkish state responses to Syrian refugees (e.g. governance, multilevelness, the local turn, stratification, cultural intimacy, refugee agency), our book emphasises the institutional, legal and discursive dimensions that build differentiation into policy fields. The following section explains these fields and the links among them.

## **1.5 Multiple Policy Fields: Reception, Protection and Integration**

The policy fields of governance have to be unpacked because our focus is on the protracted refugee situation. Policies are not limited to border management but go beyond it, encompassing reception, protection, and integration. These pillars do not situate in a linear way in terms of time but rather emerge simultaneously.

The first policy field under scrutiny in refugee response is reception. Reception refers to the liminal period between the arrival and application for taking international protection (asylum) on the one hand and the decision about the asylum

application on the other. The terms “refugee” and “asylum seekers” are often used interchangeably since refugees in the context of reception governance are usually asylum seekers. After the asylum decision, they leave the reception system and become subject to other policy fields, such as integration. They are still part of the protection system as asylum seekers, refugees, people under subsidiary protection or temporary protection holders. In addition, applicants who were not granted asylum but another title of temporary protection (e.g., the suspension of deportation), applicants who appeal against their decision, or applicants who were rejected and are supposed to leave the country without it being enforced by the public authorities remain subject to reception governance. We approach reception governance as a collaborative endeavour to provide asylum seekers with adequate reception measures which involve public (e.g., asylum authorities) and private (e.g. NGOs) collective actors and operate in a multi-level arena.

The definition and scope of reception in EU legislation can serve as a common point of departure and a heuristic assumption with which to grasp various possible dimensions of reception. For instance, Directive 2013/33/EU points out a number of material conditions of reception, including “housing, food and clothing provided in kind, or as financial allowances or in vouchers, or a combination of the three, and a daily expenses allowance” (Article 2 (g)). The directive also touches upon matters of education (Article 14) and basic health care, which ought to be provided during the period of reception, and formulates criteria for proper accommodation (e.g., an adequate standard of living, protecting vulnerable populations, qualified staff, see Article 18). Even though the time frame of reception is not clearly defined in EU legislation, there is an implicit definition: reception starts as soon as the border of a given state has been crossed and an application for international protection has been made. It ends either with the “effective expulsion” of unsuccessful applicants or with the acceptance of their request for protection. The Directive of the European Parliament and of the Council of 26 June 2013 (2013/33/EU) laying down standards for the reception of applicants for international protection specifies that standards for the reception of applicants that suffice to ensure applicants for international protection a dignified standard of living and comparable living conditions in all Member States should be laid down. The Directive leaves a remarkable degree of discretion to define what constitutes a dignified standard of living and how it should be achieved. Though the Directive tries to harmonize the reception regimes of the member states, national reception systems differ significantly in setup and modalities for the provision of reception conditions.

The second policy field addressed in refugee response is protection. Generally speaking, international protection and refugee protection are used interchangeably. The broader definition of protection is defined as “all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and spirit of the relevant bodies of law, namely human rights law, international humanitarian law and refugee law” (UNHCR, 2011, 7). The 1951 Refugee Convention is the key regulating component of global protection regimes. It offers a binding definition of a refugee: “a person who flees his/her country because of a well-founded fear of persecution on the grounds of race, religion, nationality, membership in a particular

social group, or political opinion” (Article 1); it also establishes common principles such as the principle of non-refoulement, according to which a refugee should not be returned to a country where he or she faces serious threats to his/her life or freedom. The 1967 Protocol of the Convention broadens the Convention’s applicability by removing the geographical and time limits that initially restricted the Convention to persons who became refugees due to events occurring in Europe before 1 January 1951 (UNHCR, 2011b). The concept of refugee protection usually refers to international protection, and, despite its wide use, the meaning of protection remains open to various interpretations. According to Puggioni (2016, 1), the lack of clarity regarding protection is often conflated with the concept of assistance; thus, refugee protection tends to refer to any policies regarding refugees. The UNHCR Statute uses the term international protection (UNHCR, 2001, 30) to refer to those who lack protection in their country of citizenship. International protection refers to “situations where the country of origin cannot provide protection, and the international community fills the gap by providing international protection” (Puggioni, 2016, 7).

In general understanding, protection is not only limited to survival and physical security but also to the provision of the full range of rights, including civil and political rights, such as the right to freedom of movement and the right to political participation, and economic, social and cultural rights. The concept of a “protection regime” is an umbrella term for different institutionalised forms of protection, such as international protection regimes and various forms of national protection regimes.

The third policy field is integration. Despite numerous policy programs and scholarly research agendas purporting to study integration, it remains a contested concept without an accepted definition or standard model (Castles et al., 2001; Grzymala-Kazłowska & Phillimore, 2018). The EU defined integration for the first time in 2003 as a “two-way process based on mutual rights and corresponding obligations of legally residing third-country nationals and the host societies” (European Council, 2003). EU integration guidelines<sup>1</sup> were further developed in 2004 and 2011 and largely focus on formal inclusion in legal rights, political participation, labour markets, healthcare, housing and schools (European Council, 2016). Scholars also stress the importance of informal and abstract dimensions of integration, including social bridges, bonds and links (Ager & Strang, 2008) and cultural/religious belonging (Garcés-Masareñas & Penninx, 2016). Integration is both formal and informal, a quantifiable in-/ex-clusion and an ineffable feeling. When debated in Europe, integration often crystallizes around worries of transgressions of national values. Political leaders may posit culturally homogenous nations, and Europe’s migration history and cultural diversity can be pointedly overlooked (Banulescu-Bogdan & Benton, 2017). Much theorizing on integration revolves around a normative framing of Europe, and new research is needed on integration outside of European borders.

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<sup>1</sup>For more information, see: <https://ec.europa.eu/migrant-integration/the-eu-and-integration/framework>

The case of refugee governance in Turkey provides one important opportunity to theorize integration in a different political and social context. Some scholars suggest dispensing with the term integration, arguing that it is a racialized discourse of non-belonging (Schinkel, 2018; Korteweg, 2017), reinforcing “methodological nationalism” (Wimmer & Glick Schiller, 2002). The preferred term in Turkey is “social harmony” because of negative experiences with integration discourses for German-Turks. In this book, we explore how the term strategic temporality allows us to think beyond the fraught meanings of integration and link to a wide variety of research areas that matter to scholars and policy-makers, including civic stratification, belonging and inclusion, citizenship studies and research on social cohesion and bonds.

We do not focus only on outcomes and formal measures, nor do we adopt the state-centric perspective of migrants integrating into a homogenous national unit. We join others in examining integration while writing against such approaches. For example, Sophia Hinger and Reinhard Schweitzer (2020) propose the term disintegration to explore a loss of cohesion and barriers to integration, while Veronica Federico and Simone Baglioni (2021) highlight enablers and barriers to labour market integration. The concept of differential inclusion refers to how “inclusion in a sphere, society or realm can involve various degrees of subordination, rule, discrimination, racism, disenfranchisement, exploitation and segmentation (Casas-Cortes et al., 2015, 79-80). Differential inclusion involves the “filtering, selecting and channelling” of migrants as part of migration regimes (Mezzadra & Neilson, 2013, 165). This book argues that disintegration, integration barriers, and differential inclusion result from implementing strategic temporality. We show how strategic temporality enables us to turn our attention to the state’s governance as a strategy on the one hand and the agentic negotiations of refugees on the local level on the other hand.

## 1.6 Overview of Literature on Syrians in Turkey

There is an exponentially growing literature on Turkey’s migration and asylum policies, their outcomes and the experiences of asylum seekers and migrants; particularly, there are many studies focusing on Syrians in Turkey. We selectively highlight some of these studies that enable us to develop our main analytical starting point of strategic temporality and the key concepts presented above, namely complex governance, multilevelness, local turn, liminality, uncertainty, differential inclusion and refugee agency.

Turkey holds the complex status of being a country of emigration, immigration and transit for mixed migration flows due to its geographical position and socio-economic and political dynamics. These positions relationally shape its emigration, immigration, diaspora and return policies with various actors holding diverging interests and interactions, calling to mind the model of multilevel governance with high complexity (Sirkeci et al., 2015a; Sirkeci & Pusch, 2016). Law is an inevitable

component of Turkish migration management (Sirkeci et al., 2015b). The politics of migration have historical roots in the nation-building process of the country and, accordingly, its citizenship regime (İçduygu et al., 2008; İçduygu & Aksel, 2013; İçduygu & Kirişçi, 2009; Erdoğan & Kaya, 2015). EU-Turkey relations have also strongly influenced migration policies since the 1990s.

Studies focusing on the governance of Syrian refugees in Turkey fall under multiple research strands. The first strand of research describes the challenges in managing Syrian migration by adopting the terms uncertainty, precarity and being in limbo. Kristen Sarah Biehl (2015) explains the experiences of Syrian refugees in Turkey with the concept of “protracted uncertainty” by defining it as the situation of “indefinite waiting, limited knowledge, and unpredictable legal status, which is a central element of the experience of being an asylum seeker in Turkey.” Precarity, particularly poor living conditions, problems in access to public services, temporary status and highly selective integration policies that put Syrians in limbo, are reported in many studies on Syrian refugees in Turkey (Akçapar & Simsek, 2018; Aras & Duman, 2019; Baban et al., 2017; Canefe, 2016; Eder & Özkul, 2016; Nimer & Rottmann, 2021a; b). Seçil Ertorer (2021) defines all of these conditions as multidimensional precarity because they start with the migration journey and continually grow during the settlement experiences of registration, finding housing, accessing social services, and working. Existing studies almost all agree that the temporary protection regime of Turkey causes legal precarity and social limbo with insufficient rights and without upholding international legal agreements and forming rights-based legal protection (Çelik & White, 2021; Ineli-Ciger, 2015; Rygiel et al., 2016). Meltem Ineli-Ciger argues that if the return of temporarily protected groups is clarified better in the law, “it is possible for the Turkish temporary protection regime to become a more open, credible, and viable temporary protection system that is in accordance with Turkey’s international obligations and the UNHCR Guidelines on Temporary Protection” (Ineli-Ciger, 2015, 28).

Some studies use governance or regime terminology to discuss the characteristics of Turkey’s policies and actors addressing Syrian refugee arrivals. It has been argued that the “multi-layered migration regime” in Turkey creates “legal precarization” for refugees (Genç et al., 2018), and “technocratic migration governance” generates “differentiated legal statuses” (Üstübcü, 2019). A few studies focus on changes over time in Turkey’s refugee governance, by describing Turkey’s initial response pattern as ad hoc while the protracted response pattern becomes regulative and restrictive or by conducting detailed periodiations (Gökalp-Aras & Şahin Mencütek, 2015). Some studies in the governance realm highlight governance actors’ roles and interactions (Şahin Mencütek 2021a; Şahin Mencütek et al. 2021). The role of civil society in accommodating refugees and their relations with the state and other state actors like municipalities have frequently been the subject of study (Aras & Duman, 2019; Danış & Nazlı, 2018; Şahin Mencütek, 2021a).

Less has been written about the role of international organizations -UNHCR and the International Organization for Migration (IOM)- in Turkey’s migration management compared to the EU’s role. Their roles usually show path dependency. Thus, pre-2011 analysis about these organizations’ activities in Turkey may provide

insights into their roles, too. Shoshana Fine's research (2017) shows how the IOM brings migration management knowledge and practices to local sites through technical expertise and social learning. Stephan Scheel and Philipp Ratfisch (2014) demonstrate how UNHCR actively participates in rendering population in Turkey governable and managing through certain conceptualizations, particularly differentiating between refugees and illegal migrants, due to its main role in the refugee status determination process until 2018. Thus, as elsewhere, UNHCR contributed to reinstating the global restrictive refugee protection discourse and the emerging migration management paradigm at the national level. Studies agree that both organizations worked closely with the migration bureaucracy in Turkey, which culminated in trust and confidence and enabled the agencies to take subsidiary roles providing training and expertise to national officers. Both IOM and UNHCR avoid any criticism of the government and use a discourse of partnership and collaboration. Both were actively involved in drafting Turkey's first asylum legislation that envisioned temporary protection for mass arrivals and maintained geographical limitations over the Geneva Convention (Fine, 2017; Kirişçi, 2012; Scheel & Philipp, 2014). As planned in the preparation of this legislation, refugee status determination was handed over to Turkish national agencies in 2018 (Nalule & Ozkul, 2020).

Besides actors and interactions, modes of migration governance are driven by multiple vested interests and ambiguous discourses that have historical roots. Şule Can (2019) argues that all types of displacement in Turkey are intertwined with identity, politics, and state negotiations. Fulya Memişoğlu and Aslı Ilgit rightly point out that the Syrian refugee issue in Turkey is governed by "multifaceted challenges, diverse players and ambiguous policies" (2017, 317). Linking refugee policies with labour policies from a historical perspective, Souad Osserian shows that the "temporariness of Syrian refugees in the region, while reinforced by various (non) state actors and produced differently based on the history and asylum framework of nation-states in the region, aims primarily at incorporating Syrian refugees into local economies as surplus labour" (2020, 1).

A growing number of studies address discourses about hosting Syrian refugees that have been disseminated by the governing party (Demirtaş-Bagdonas, 2014; Koca, 2016; Polat, 2018). Immigration policy is situated inside the more significant concerns of domestic, bilateral, regional, and international politics on the one side and everyday politics on the other. These discourses are not independent of the politics of migration with domestic and foreign policy dimensions often intertwined (Gökalp-Aras, 2019; Şahin Mencütek 2021b; Tsourapas, 2019). The issue of moral responsibility and humanitarianism in the discourse are often selectively and pragmatically presented in Turkish refugee governance (Korkut, 2016). These discourses are often populist (Yavaşmayan et al., 2019). Deniz Sert and Didem Danış (2021) argue that the state discourse on Syrians in the Turkish media has been deliberately avoided so as to use crisis framing, unlike in European examples. They explain this as a sign of implicit silencing via media control and a policy to manage public reactions to the mass arrival of refugees. In addition, despite common humanitarian discourses and liberal policies, control and containment have been essential to the

governance of Syrian refugees in Turkey, especially concerning societal/public security concerns (Gökalp-Aras, 2020; Koca, 2016). Thus, the securitization process transforms Syrian refugees from guests to enemies. In addition to the emphasis on general discourses, some studies examine discursive changes in certain sensitive policy areas like repatriation (İçduygu & Nimer, 2020; Şahin Mencütek, 2021b), citizenship (Akçapar & Simsek, 2018) and employment (Koca, 2016).

The salience of the local turn as a research agenda has been increasingly observable in a growing number of studies about Syrians. One research strand in this regard focuses on the encounters at local levels through in-depth anthropological studies. Theoretically, some studies benefit from the insights of the border and borderland studies that began to emerge in the 1990s in Turkish scholarship that centres around border economies, forms of border administration and the maintenance of border security from the lenses of anthropology (Aras, 2020; Nimer & Rottmann, 2021a; b). The arrival of Syrians brought a fresh outlook and a more ethnographic view into this research because navigations and negotiations of both refugees and hosts are more traceable in those studies of Syrian refugee experiences in a town or city, particularly those on the Turkish-Syrian border like Kilis, Antakya and Gaziantep at the Syrian border (Balamir-Coskun & Nielsen, 2018; Can, 2019; Dağtaş, 2017; Şenoğuz, 2018). Concepts like encounters, guesthood and hospitality are widely discussed in these studies looking at displaced people and receiving host community experiences. For example, drawing from the case of Hatay province, Seçil Dağtaş argues that “the sudden transformation of Syrians from familial *misafirs* to governmental *misafirs* in the early days of the Syrian conflict ruptured the hierarchical domains of reciprocity that have historically shaped the cross-border relations between these communities” (2017, 661).

Another strand of research looks at the experiences of non-Syrian asylum seekers or transit migrants in urban spaces not located at the Turkey-Syria border. These urban localities serve as transit and temporary sites, and they are subject to bordering practices (Bulut & Şahin, 2019; Erensu & Kaşlı, 2016; Öner et al., 2020). Also, recent studies show how relationships are built among places, refugees, and locals in specific neighbourhoods such as Basmane in Izmir to produce differential pathways for adaptation and experiences of precarity (Öner et al., 2020). These studies illustrate how power, inclusion/exclusion and hierarchy emerge in encounters, while the nation-state bordering continuously impacts social stratification and change under this precarity and temporality.

Another research strand about the local turn in urban areas focuses on the municipal authorities' role in responding to the Syrian refugee situation (Betts et al., 2020; Erdoğan, 2017b; Genç, 2018; Genç & Özdemirkıran Embel, 2019; Kale & Erdoğan, 2019; Lowndes & Polat, 2020; Kaya, 2020a, b, c). One prominent study by Lowndes and Polat (2020) focuses on three districts in Istanbul to find out the “distinctive local narratives, some of which consolidated the national agenda of ‘hospitality’ while others focused on equal rights and integration” (1). They argue that “municipal narratives reflected particular local contexts, selectively mobilizing deeper governing traditions. Local interpretations were enacted as part of specific approaches to refugee service delivery. Working with local NGOs, municipalities accessed

international funds, despite the national government's vociferous critique of EU refugee policy. Even in an increasingly authoritarian setting, refugee policy was being constituted through multiple and contingent processes of local government interpretation" (1).

Within this complexity of governance, marked by uncertainty, refugees, who encounter locals and state authorities, have to negotiate urban spaces and their own refugee status, challenging, resisting and sometimes confirming ethnic, linguistic, or sectarian boundaries (Can, 2019; Rottmann et al., 2020; Rottmann & Kaya, 2021). Biehl (2015) argues that uncertainty serves to demobilize, contain, and criminalize asylum seekers through the production of protracted uncertainty. It is in a way normalized as a necessity of bureaucracy as well as security. For non-Syrian asylum seekers, the situation is not less precarious or certain. A recent study (Loyd et al., 2018) refers to the experiences of non-Syrian asylum seekers in Turkey as "protracted waiting" because asylum seekers wait for long periods for refugee status determination interviews and if approved, for long periods before resettlement to third countries. Sima Shakhsari (2014) shows that Iranian queer and trans refugees in Turkey are "suspended in an in-between zone of recognition where rightfulness and rightlessness come together in a temporal standstill." This precarity is not specific to the current times, and it has historical roots. As Ayse Parla (2019, 1) argues based on the case of Bulgarian Turkish immigrants, "the tensions between ethnic privilege and economic vulnerability urge us to rethink "the limits of migrant belonging among those for whom it is intimated and promised—but never guaranteed."

Besides these studies, there is a rise in studies addressing sub-topics like integration, protection or reception of Syrian refugees. A growing number of studies in Turkish and English focus on various aspects of integration or 'social cohesion' and 'social harmony'. They identify barriers and supporters in integration (Akar & Erdoğan, 2019; Erdoğan, 2017a; Şimşek, 2019), while some others focus on specific aspects, such as employment and class (Belanger & Saracoglu, 2020; Şimşek, 2020; Nimer & Rottmann, 2021a; b); citizenship (Akçapar & Simsek, 2018; Baban et al., 2017); education and language acquisition (Rottmann & Nimer, 2020), gender (Janas & Rottmann, 2021; Kılıvcım, 2017; Özden & Ramadan, 2019; Rottmann & Nimer, 2021; Sezingalp Ozcetin & Rottmann, 2022). There are a large number of studies addressing the vulnerability and protection challenges encountered by Syrians (Cuevas et al., 2019; Ineli-Ciger, 2015; Kılıvcım, 2017) and irregular migrants (Gökalp-Aras & Şahin, 2018; Kaytaz, 2021; Soykan, 2017), but less on reception (Üstübcü, 2020).

## 1.7 Data Collection and Research Methodology

The methodological approach used in this book is that of the qualitative in-depth case study. The research benefits from both primary and secondary data sources, which were analysed inductively and thematically via an interpretative and narrative

approach (Gehman et al., 2018; Marshall & Rossman, 2016). The research mainly reflects primary research findings based on field research conducted in İstanbul, İzmir, Şanlıurfa and Ankara in 2018,<sup>2</sup> as well as an extensive analysis of secondary data sources, including legal documents, reports published by inter-governmental organisations (IGOs) and NGOs, scholarly analyses of policy measures, statistics, and official documents and statements.

The field research in four cities led to the conducting of 84 semi-structured meso-level interviews (İstanbul/ 17, İzmir/29, Şanlıurfa/ 29 and Ankara/4), observations and focus groups. Meso-level stakeholders who were interviewed include key actors operating at the central state level such as officers serving at the Directorate General of Migration Management (DGMM) in Ankara and officers assigned to provinces such as branches of ministries, directorates and Red Crescent. We also approached representatives of local governments, including migration-relevant units at municipalities, city councils and mukhtars of neighbourhoods, to conduct interviews. We put specific attention to collecting the insights of IO representatives such as experts working for IOM and UNHCR, Turkey. In addition to these individuals, interviews were conducted with the directors, experts and social workers working for international non-governmental organizations (INGOs), NGOs, refugee organisations, and lawyers and bar associations. We also met with scholars and migration researchers a number of times to discuss our initial findings and the challenges in collecting data.

Meso-level interview guidelines include semi-structured questions which are shaped according to the stakeholders. A set of questions focused on the general assessment of the county's polices and experiences in the fields which fall under the expertise of interviewed organization (border management, reception, health, education, labor market, right-based advocacy civic participation etc.). They are also asked about their ideas about the challenges encountered by refugees and potential pathways for the improvement of the national and regional refugee regime. Due to the focus of the study on governance, some questions also address to learn about the legal and institutional challenges in the implementation stages as well as the power relations among multiple actors. Stakeholders are also asked about the characteristics of their organization such as the number of staff, the year of establishment, the source of funding, expertise and the fields in which they get actively involved in refugee governance (e.g. monitoring, participating in consultative bodies, advocacy, daily support to refugees, lobbying)

The selection of sites for interviews and participant observation is driven by multiple considerations so as to account for within-country variations as much as possible. İstanbul was chosen because it has the largest Syrian population in Turkey, with 552,080 Syrians as of 7 November 2019 when the fieldwork was conducted (DGMM, 2019). Şanlıurfa hosts the third largest Syrian population in Turkey, with

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<sup>2</sup>The fieldworks were conducted as a part of the Horizon 2020 project "RESPOND: Multi-level Governance of Mass Migration in Europe and Beyond Project". Further information about the RESPOND Project: <https://www.respondmigration.com/Micro> and meso level interview guides and questions may be made available upon request to the authors.

429,888 as of 7 November 2019, which means 24% of the province's total population (1,985,753) lives there (Ibid.). In Şanlıurfa, we extended our fieldwork to two towns, namely Ceylanpınar and Siverek to trace possible variations on the basis of the dominant ethnicity, Arabic and Kurdish, of the hosting community. We chose İzmir because it is the Aegean Sea's main transit hub and serves as an exit point for those migrants leaving Turkey using irregular pathways. İzmir became a place of intense migratory movement in the summer of 2015. Numbers in İzmir were also impacted by the fact that readmissions from the Greek Islands as a part of the EU-Turkey Statement (2016) were readmitted by Turkey through this city. As of 7 November 2019, there are 146,889 registered Syrians under temporary protection in İzmir (DGMM, 2019). İzmir's town of Dikili was also visited to observe on-the-ground concerns around border crossings. The selection of Ankara is guided by a desire to understand the centralist governance of protection, as it does not have a high migrant and/or refugee population. Only meso-level interviews were carried out there since it hosts international, European and national policy-making and implementing institutions and their main headquarters or centres, such as the EU Delegation to Turkey and a high-level of national institutions, such as related ministries and the DGMM. In addition, Ankara hosts not only IGOs, but also important international as well as national NGOs. None of the selected cities mentioned above is a "satellite city" (according to Turkish asylum regulations) where the beneficiaries of international protection are allowed to reside, except those having specific conditions such as health conditions.

In addition to the meso-level, in total 103 interviews were conducted with Syrian refugees in İzmir (43), İstanbul (40) and Şanlıurfa (20). Interviewee sampling was designed to approach representativeness in terms of the districts where migrants were living in, the period of arrival, gender, age, vulnerabilities and variations in legal status. The gender ratio of the interviewees was approximately equal, and the ratio between early (2011–14) and later arrivals (2015–18) was also equal. The age ratio was as follows: 18–24, 40%; 27–50, 40%; and 50+, 20%, reflecting the relative proportions of Syrians of respective age groups in Turkey. In terms of education, roughly one-third of our sample was illiterate or had only elementary or lower secondary school education, one-third had higher secondary level education, and one-third did not report their educational level. With regards to employment in the home country, approximately one-third of our sample never worked (34%), while one-fourth (24%) were specialists (lawyers, doctors, bookkeepers, lecturers, data specialists, teachers, translators) or managers, supervisors or directors. The remaining were unskilled or skilled workers or did not report their employment history. Some 84% of our interviewees were married or engaged, with the remainder divided nearly equally between single people and those who were widowed or divorced.

Interviews with refugees were conducted by following the semi-structured micro-level interview questionnaire and detailed guideline about the ethical and self-care issues in the research field. The questionnaire began with standard questions (e.g. age, marital status, year of displacement(s), spoken languages). Then, they were asked about their lives in Syria, including the reason of fleeing. The second set of questions focused on their experiences in crossing the borders, while the

third emphasized how they experienced the legal procedures, registration and asylum process upon arrival to Turkey. Then refugees were asked about their general encounters in Turkey, particularly their reception by the host and refugee community. Other sets of questions were more related to the integration by questioning the conditions of housing, employment, language and health.

These interviews were carried out by respecting the ethical principles agreed upon by the RESPOND consortium (RESPOND, 2018)<sup>3</sup> and approved by the Swedish Research Institute in İstanbul, İstanbul Bilgi University and Özyegin University. Interviews were conducted in Turkish, English, Arabic and Kurdish with the assistance of translators if needed. Data was collected after taking voluntary, explicit and well-informed consent from interviewees. Only data that is essential for specific research aims were collected, and personal data was avoided. Principles of anonymity, confidentiality and privacy were fully respected during data gathering, analysing and reporting results.

Moreover, in the period 2011–2020, each author participated in several interconnected studies on migration to, from and through Turkey, which are pertinent to the discussions in this book. The authors also attended several workshops, meetings, and round-tables organised by stakeholders, such as ministries, directorates, UN agencies, EU institutions, municipalities, service providers, and NGOs. The authors gained valuable knowledge through participation at various specialised conferences and workshops on Syrian refugees. In sum, this book's discussion is based on extensive desk studies, interviews, analysis of policy documents, and news about various dimensions of Turkey's response to Syrian mass migration, combined with the invaluable experiences of the authors accumulated from their studies and encounters.

The collected data were analysed using qualitative content analysis. The selected software, the Nvivo12 Plus Programme, allowed us to code the collected material systematically. We used both a deductive and inductive approach in creating our coding frame for analysis. The collected data allowed for descriptive, explanatory and causal analyses of governance in Turkey. Legal and policy analyses were used to better understand the maintenance of strategic temporality by policymakers. Meso-level interview analyses helped to explain how various stakeholders interpret and implement this strategic temporality in a given dynamic context and how their interventions create certain outcomes via the everyday encounters of refugees with state and non-state actors. Micro-level interview analyses enable us to see how refugees navigate this strategic temporality and how they claim agency within it. Also, both meso and micro-level interview analysis and discursive analysis display the relevance of the host community context and changes over time. Hence, we attempt to trace signs of discursive volatility in the given period and both policy implementers' and refugees' efforts to tackle it.

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<sup>3</sup>For the ethical aspect see RESPOND. (2018). *Ethical Application*, <http://www.crs.uu.se/research/respond>

## 1.8 Mapping of the Book

Turkey's response to Syrian mass migration in 2011–2021 is the central focus of this book. The book explains this response from the vantage point of the concept of strategic temporality, as explained at the beginning of this introduction chapter. Since this chapter has already engaged with the existing literature, the following chapters directly start discussing case-specificities. Chapter 2 gives an overview of the governance context. It discusses the main features of legislative, institutional, political, and discursive dimensions. It underlines the asylum regime's dual and stratified structure in the legislative dimension and multi-levelness at the institutional dimension. It also shows how legislation and institutions play out in a highly charged domestic and international political context. To ease the comprehension of political context, the chapter makes a periodization for Turkey's involvement in the Syrian conflict generating refugees and Turkey's relation with the EU, which influences migration policies. Chapter 3 describes reception. Keeping strategic temporary as an umbrella framework, the chapter shows the nuances on the ground by focusing on the local turn and the politics of subsidiarity. The chapter elaborates further on the discursive dimension by linking it with cultural intimacy and guesthood rhetorics. Doing this shows how refugees and local communities interpret this rhetoric and how they transform it in the course of time. Chapter 4 examines international protection. It investigates how Turkey interprets, narrates and implements its obligations towards international and temporary protection with an emphasis on recent migration movements. It highlights gaps between policy and practice in the protection field. Furthermore, it examines the perceptions, experiences and strategies of meso-level actors involved in international and temporary protection while also identifying the coping strategies and perceptions of individuals who go through the asylum system at the micro-level. An emphasis on both meso and micro-level actors is of the utmost importance for unpacking how different actors within the asylum system navigate, internalise and/or resist the asylum system's rationalisations. The chapter links political narratives to surrounding experiences and practices.

Chapter 5 focuses on integration, and addresses how local actors negotiate spaces to act in support of integration and how migrants respond to their situation of non-belonging and permanent liminality. It shows the ways in which local-level actors and migrants more or less skilfully navigate strategic temporality and demonstrate significant agency to forge partial integration. The conclusion, Chap. 6, summarizes the main findings and provides some insights into the current situation of Syrians and the refugee regime. It also briefly touches on the possible response of the Turkish government to Afghan migration as of fall 2021.

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# Chapter 2

## Legislative, Institutional and Political Context



Refugee governance has legislative, institutional, political, and discursive dimensions. These components co-constitute each other and reflect the fragments of strategic temporality as a building principal. It is possible to trace signs of strategic temporality in each dimension. This chapter starts with an overview of the legislative landscape marked by the Turkish asylum regime’s dual structure. Then, it maps the institutional architecture where relevant actors put these legislations into implementation. Both legislation and institutions play out in a highly political domestic and international context, which is scrutinised in the following section. The discursive dimension will be delved into further in Chap. 3.

### 2.1 Legislative Landscape: The Dual Structure of the Asylum Regime

In Turkey, the existing legal framework on international protection has been developed through primary and secondary law. Primary law refers to international conventions duly put into effect, constitutional principles, laws, referring acts of the Parliament, and the Council of Minister decisions. Secondary legal sources consist of by-laws, directives, circulars, or any legal sources that launch regulations. Secondary sources, in principle, should serve as guidelines for the relevant administrative body to comprehensively designate the procedures of certain duties and obligations assigned to the administration. They must be consistent with the primary sources of law (Constitution, Article 124).

Relying on primary and secondary sources of law, the Turkish state has developed highly complicated immigration and asylum legislation since 1934. The legislation consists of multiple categories treating people seeking protection, causing layers of duality, which is also reflected historically within the immigration and

asylum regime. The existing duality mainly stems from (1) Turkey's geographical reservation about the definition of international refugees, (2) the creation of alternative protection types of refugee status, and (3) the dominance of temporary protection instruments, side-lining permanent refugee protection.

Historically, Turkey's first regulatory document on migrants was the Law on Settlement (*İskan Kanunu*), Law No. 2510, introduced on 14 June 1934 to respond to the arrival of ethnic Turks in the early years of the Republic. Until the 1990s–2000s, there were no substantial policy changes in immigration legislation and institutions. The Settlement Law was replaced in 2006 with Law No. 5543. Between 1934 and 2006, Turkey's Law on Settlement regulated the formal settlement of foreigners in Turkey, restricting the right of asylum and immigration only to persons of "Turkish descent and culture," which mainly includes the Muslim population living under Ottoman rule in various geographies such as Caucasus, Balkans, Crimea and others. The Law states that "only migrants of Turkish ethnicity and culture, with an objective of settling in Turkey, can obtain the immigrant status" (Article 3), and that those of non-Turkish origin will not be accepted as immigrants in Turkey, as well as "anarchists, spies, nomadic Romas (*göçebe çingeneler*), and those that had been previously exiled". Article 3(d) of the Settlement Law defines both the refugee and migrant but does not explicitly regulate the right of asylum. When a new Law on Settlement was adopted in 2006, the emphasis on "Turkish descent and culture" was retained, and the channel of formal facilitated settlement, which also leads to citizenship in a short period of time, is still reserved for individuals of such groups.

As a source of primary law, Turkey ratified the 1951 Geneva Convention Relating to the Status of Refugees on 30 March 1962 and accessed its Additional Protocol (1967) (hereafter Refugee Convention) on 31 July 1968 (UNHCR, 2015). However, "Turkey expressly maintained its declaration of geographical limitation upon acceding to the 1967 Protocol" (Ibid., 5). This limitation means that Turkey recognises the Convention's refugee status only for those asylum seekers who meet the Convention criteria due to events happening in Europe. Thereby, it only commits to recognising asylum seekers from European countries as refugees. Individuals who do not fall within the scope of the Convention, mainly those are coming from non-European countries, necessitate the introduction of supplementary statutes, complicating the legislation via multiple categories and pieces of secondary law that regulate their situation.

Turkey's first comprehensive national asylum law, the Law on Foreigners and International Protection Law No. 6458 (LFIP, 2013) was introduced in 2013. It addresses issues of international protection and the statuses and rights of foreigners in the country. When the mass migratory movements originating from Syria towards Turkey emerged in 2011, Turkey was in the process of drafting the LFIP, which was promised to be a significant reform regarding international protection and the asylum system. The LFIP was enacted in 2013 and partially entered into force as a new legal and institutional framework. In 2014, all relevant provisions came into force, including the first legislative designation about temporary protection. The LFIP is the most significant legislative development because it marks the end of a period in which asylum law was regulated by secondary legislations such as the Council of

Ministers Regulation in 1994 (Asylum Regulation, 1994). Despite emerging as a primary law instrument, the LFIP further maintains the complexity and dual structure by maintaining a geographical reservation on the Convention. This reconstructs the European and non-European asylum seeker differences as the main feature of the protection regime. Furthermore, the LFIP signals the codification of the second layer of duality by introducing temporary protection, which would come to dominate the legal landscape, as will be discussed further in Chap. 4 on Protection.

The LFIP introduces three statuses regarding international protection: refugee (LFIP, Art. 61(1)),<sup>1</sup> conditional refugee (LFIP, Art. 62(1))<sup>2</sup> and subsidiarity protection (LFIP, Art. 63(1)).<sup>3</sup> These statuses are granted following an individual Refugee Status Determination (RSD) process under the authority of Turkey's migration agency established with the LFIP, called the General Directorate of Migration Management (DGMM). The LFIP launched temporary protection and elaborated upon it with secondary legislation, the Temporary Protection Regulation (TPR), in 2014 (TPR, 2014). The Article states that "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" (LFIP, 2013, 91(1–2)). It is provided on a group basis in mass forced migration situations where high numbers of arrivals make individual assessments unfeasible for the migration authorities.

The following table portrays the complexity of categories and the layers of duality in the system: The first duality is between European and non-European asylum seekers, while the second is between people under international and temporary

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<sup>1</sup>Article 61(1): A person who as a result of events occurring in European countries and owing to a 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.

<sup>2</sup>Article 62(1): A person who as a result of events occurring outside European countries and owing to a 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.

<sup>3</sup>Article 63(1): 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.

**Table 2.1** Turkey's complex structure of protection

International protection			Temporary protection
Individual-based status determination			Group-based status determination
European	Non-European		As of October 2021, only Syrians
Refugee	Conditional refugee	Subsidiary protection beneficiary	Temporary protection beneficiary
LFIP, article 61(1)	LFIP, article 62(1)	LFIP, article 63(1)	LFIP, article 91(1–2) and the temporary protection regulation
Estimated around 70 people <sup>a</sup>	330,000 <sup>b</sup>	No data available <sup>c</sup>	3,710,497 <sup>e</sup>
	The top three nationalities are afghans, Iraqis and Iranians <sup>d</sup>		Only Syrians

<sup>a</sup>TBMM (2018: 11)

<sup>b</sup>UNHCR (2021)

<sup>c</sup>Estimated around 100 people (NOAS (2018).

<sup>d</sup>DGMM (2021b)

<sup>e</sup>DGMM (2021a)

protection. The table also provides the number of displaced people given these statuses in September 2021 (Table 2.1).

Refugee status is based on Turkey's obligations under the 1951 Convention; however, only persons from European countries are given this status due to Turkey's geographical limitation mentioned above. According to a Turkish National Assembly Report, it is estimated that only 70 persons have been given refugee status in the history of Turkey (TBMM, 2018, 111). On the other hand, persons who fall within the refugee definition specified in Article 1A (2) of the 1951 Convention but come from a non-European country of origin are instead offered conditional refugee status. This is a status that was created "by the LFIP to differentiate treatment between 1951 Convention-type refugees originating from 'non-European' states and those originating from 'European' states" (AIDA, 2019, 99). The most important difference between a refugee and conditional refugee status is that the latter does not offer the prospect of long-term legal integration, and the beneficiaries of this status are excluded from family reunification rights. Conditional refugees are given the right to remain in Turkey until resettled in safe third countries. Resettlement includes the transfer of conditional refugees, who may not be particularly vulnerable in a third country and are not permitted long-term residence rights in Turkey.

The LFIP also creates another status, subsidiary protection status, that provides further differentiation and stratification via legislation. This status is given to persons who do not fulfil the eligibility criteria for either refugee status or conditional refugee status but who would, however, be subject to the death penalty or torture in their country of origin if returned or who would be at the individual risk of indiscriminate violence due to situations of war or internal armed conflict. Unlike

conditional refugees, subsidiary protection beneficiaries are granted family reunification rights.

Both conditional and subsidiary protection mechanisms are outside of the 1951 Convention, thus only providing complementary protection. Although conditional refugee status is Turkey's own designation, subsidiary protection is also present in EU legislation. When subsidiary protection was introduced in EU countries by the Qualification Directive,<sup>4</sup> it was assumed that this status was of a temporary nature (ECRE, 2020). As pointed out by the UNHCR Comment (UNHCR, 2005) regarding subsidiary protection of the Qualification Directive, individuals who fulfil the criteria of the Geneva Convention should be granted refugee status rather than being granted subsidiary protection. However, the number of subsidiary protections vis-à-vis refugees' status granted, particularly for specific nationalities like Afghans, has become higher among many EU member states.

Besides these three statuses – refugee, subsidiary and conditional refugee – that all are for international protection, the second layer of duality in the Turkish asylum regime occurs with the presence of temporary protection, which has dominated the asylum regime since 2014. Temporary protection status is conferred *prima facie*, on a group basis to Syrian nationals and stateless Palestinians originating from Syria. Although, for the first time, temporary protection takes place within the LFIP (Art. 91), the LFIP does not clarify the procedures to be taken during the implementation of temporary protection. To elaborate on the procedures, the Temporary Protection Regulation (TPR) was issued by the Council of Ministers in October 2014. This was designed to be an emergency response to mass-influx situations. According to Article 3(1) of the LFIP and Article 7(1) of the TPR, temporary protection is a legal status for foreigners who were forced to leave their countries and cannot turn back: “arrived at or crossed our borders in masses to seek urgent and temporary protection and whose international protection requests cannot be taken under individual assessment.” Under TPR, access to certain services is ensured, such as healthcare, education, access to the labour market, social assistance and interpretation services (TPR, Articles 26–31, respectively). Temporary protection status grants beneficiaries the right to legal stay and some level of access to fundamental rights and services.

Temporary protection is only provided for persons who arrive in Turkey directly. Different procedures were in place for Syrians coming from another country to which they had previously fled, such as Egypt, Lebanon, Jordan, Iraq, or Gulf countries. In such cases, these persons “have the right to apply for ‘international protection’ in Turkey if they fear being persecuted or otherwise coming into harm’s way if returned to the country from which they arrived in Turkey or if they fear being deported back to Syria if they return to that country” (Ibid.). Therefore, temporary protection is exclusive for “Syrian nationals, stateless persons and refugees” (TPR, 2014, Article 1) who arrive directly from Syria after 28 April 2011. Thus, those who

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<sup>4</sup>EC Council directive 2004/83/EC of 29th April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of protection granted. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011L0095&from=EN> (Accessed 17 September 2021).

arrive from a third country cannot benefit from temporary protection, but they are allowed to apply for international protection under the LFIP, even if their family members in Turkey already benefit from temporary protection. Moreover, since 8 January 2016, Turkey no longer operates a visa-free regime for Syrians who enter by sea or air; hence it restricts the possibility of Syrians arriving in Turkey from any other country.

Temporary protection is not a novel legislative technique for governing mass migration invented by Turkey; instead, it is inspired by previous widespread implementations. The definition of temporary protection is mainly transferred from the Temporary Protection Directive<sup>5</sup> of the EU. Historically, a temporary protection instrument was present in the Organization for African Unity (OAU)'s Convention on the Specific Aspects of Refugees Problems in Africa, adopted in 1969 (UNHCR, 1974). A similar approach was promoted to respond to the mass migration of asylum seekers and refugees in Southeast Asia during the 1970s and early 1980s (UNHCR, 2000). The United States revisited the approach under the Extended Voluntary Departure (EVD) measure to grant temporary asylum to persons from Cuba in 1960, Chile between 1971 until 1977, and Nicaragua in 1979. EVD status was used from 1960 to 1990 and was given to nationals of Iran, Lebanon, Nicaragua, Poland, and Uganda. Other countries whose nationals have benefitted in the past from a status similar to EVD include Cambodia, Chile, Cuba, Czechoslovakia, Dominican Republic, Hungary, Laos, Romania, and Vietnam (Wilson, 2021, 4).

European states revisited the temporary protection regime during the Balkan refugee crisis in the 1990s after the outbreak of war in the former Yugoslavia, leading to the displacement of over 3.2 million people within and outside its borders, primarily in Europe. To respond to the sudden arrival of thousands of people fleeing prosecution, western European governments introduced temporary protection schemes between April 1992 and December 1994. Bosnian refugees between 1992 and 1995 and Kosovar refugees in 1999 were offered this protection. These practices were later standardised and embedded in the EU's Temporary Protection Directive dated 20 July 2001 mentioned above.<sup>6</sup> These schemes functioned as an emergency response to the situation when individual processing under the 1951

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<sup>5</sup> Council Directive 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, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32001L0055&from=EN>. The Directive as prepared to respond to the possible mass migration conflicts in the former Yugoslavia, in Kosovo and elsewhere demonstrated the need for special procedures to deal with mass influxes of displaced persons that occurred mainly during the 1990s. However, the provisions within this Directive could not be implemented since then and its repeal is suggested in 2020 by the European Commission's the Proposal for a Regulation addressing situations of crisis and force majeure in the field of migration and asylum, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020PC0613&from=EN>.

<sup>6</sup>For the Council Directive of European Temporary Protection see <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:212:0012:0023:EN:PDF> accessed on 8 August 2019.

Refugee Convention was not possible due to the number of asylum claims. All asylum seekers were offered temporary protection for the duration of 1 year with the possibility of renewal and were provided with accommodation, access to healthcare, social services and employment. In 1997, Germany lifted the temporary protection status and repatriated 300,000 people to Bosnia. Although the UNHCR announced that conditions were not conducive enough for return, the other countries followed Germany, resulting in the overall return of 700,000 people to Bosnia (Mitrovic, 2015). Repatriation of Kosovar was even faster than the one to Bosnia, and in the summer of 2000, a total of 841,000 of the asylum seekers residing in the region and the EU Member states had been returned to Kosovo (Ibid.). The previous implementations of temporary protection prove that this status eases repatriation as it does not grant refugee status and does not include the commitment of hosting states for permanent stay or integration of asylum seekers.

Turkey has implemented temporary protection for almost four million Syrians for over a decade by only differing slightly from the EU Directive in terms of duration. The EU Directive underlines a one-year time limit and the possibility of extension to six-monthly periods for a maximum of 1 year (Article 4(1)). Turkey did not embrace this approach in its legislation. Neither LFIP (Article 91(2)) nor TPR (Article 10) mentions a time limitation, but they give full authority initially to the Council of Ministers and then to the Presidency since 2018. The Presidency will decide (a) the duration of this type of protection (b) or the conditions for extending and ending temporary protection (c) as well as the termination of temporary protection (TPR, Article 11(1)). The Presidency holds power to order limitations or to suspend temporary protection in the event of a risk to national security, public order or health (TPR, 2014 Article 15).

As a result, the presence of complexity in the system through conditional refugee status and subsidiary protection instead of refugee status signals that the prominent bone of legal architecture is based on temporality. Due to Turkey's geographical limitation, the stratified statuses within the international protection system result in temporality, except for a very limited number of refugees, only 70 people from Europe. Such complex legislative grounds is strategically created and justified by a geographical limitation over Convention. On the other hand, non-European nationalities are given only conditional refugee status or subsidiary protection, and they can stay in Turkey until their resettlement by UHNCR, which take years in practice. In addition, millions of Syrians are under temporary protection, which creates additional strategic temporality since it can last indefinitely or be terminated at any point based on a Presential decision. Therefore, international and temporary protection in Turkey provides a lesser degree of protection than actual refugee status may offer. Both international and temporary protection fail to provide a sufficient degree of predictability or long-term prospects in Turkey (NOAS, 2018). As a reflection of this duality, significant gaps between legislation and actual practices are observable, generating a high level of precarity and fragility for asylum seekers and holders of international/temporary protection statuses (Kaya, 2020a).

### ***2.1.1 Registration, Status Determination, Rights and Services Available to Asylum Seekers in Turkey***

Upon their arrival into national territory, the registration of asylum seekers is crucial to regularise their stay. It is also critical in order to be able to access rights and public services. The application and decision-making procedures of all protection types mentioned above are different. Within the framework of the regular procedure, the international protection application starts with registration at the Provincial Directorate of the Migration Management (PDMM) located in almost every province. According to the LFIP, applications for international protection should be registered by the PDMM, and they are expected to register in the PDMM of their assigned “satellite city” within 15 days. The “satellite city” system is for non-European asylum-seekers, upon the completion of registration of their applications, at which time they are assigned to reside in certain cities by the Ministry of Interior (MoI). The number of satellite cities is currently 62 (Kayhan Nizam & Sallan Gül, 2017). Registered asylum seekers are checked regularly with local authorities and are restricted from movement outside of the city without special permission. As a part of the regular procedure, the competent PDMM is required to carry out a personal interview with asylum applicants within 30 days from registration (LFIP 75(1)). Different from other applicants for international protection, persons arriving from Syria have to approach PDMM for registration, but through another department, they are able to benefit from temporary protection. After pre-registration, the applicant should appear before the PDMM in 30 days to obtain their Temporary Protection Identification Card. According to the TPR Article 16(1), they cannot apply for international protection while benefiting from temporary protection.

After registration, access to rights, services and benefits become relevant, known as reception conditions (LFIP Art. 65(88–89)). International protection applicants are entitled to reception conditions from the moment they request international protection and continue to be eligible until the procedures end with a final negative status decision that cannot be appealed. However, reception conditions cannot be accessed before the registration interview, and there are differences among applicants who are subject to various procedures, such as regular or accelerated procedures. The conditions vary in terms of documentation, freedom of movement and accommodation, housing, social assistance and benefits, financial allowance, healthcare, vocational training, schooling and education for minors, and employment. Similarly, persons benefiting from temporary protection are entitled to enjoy rights to healthcare, education, access to the labour market, social assistance, interpretation and similar services (TPR Article 26–32).

In terms of accommodations, the LFIP does not commit itself to provide shelter to international protection applicants. Article 95 (1) of the LFIP states that “applicants and international protection beneficiaries shall provide their own accommodation”. Its article 95 (2) authorised the DGMM to set up “Reception and

Accommodation Centres”<sup>7</sup> to meet applicants’ and international beneficiaries’ accommodation, food, healthcare, social and other needs. Priority is given to persons with special needs (Article 95(3)). Both the LFIP and the TPR have a settlement policy of assigning each applicant to a specific province (satellite cities mentioned above), where they are required to register with the Provincial DGMM Directorate and stay until the end of their international protection. In addition, conditional refugees and subsidiary protection beneficiaries have reporting obligations to authorities in accordance with determined procedures and periods (Article 71(1) and Article 82(1–2)). Although there is no satellite city regulation for temporary protection holders, they are obliged to remain in the province where they first registered to be eligible for accessing public services. Besides the self-settlement option, the holders of temporary protection can access the temporary accommodation centres if they request and if their family status and special needs necessitate this (TPR, Article 23(2)).

Access to healthcare services is regulated with Article 89(3) of the LFIP, which states that applicants who do not have any health insurance coverage and do not have the financial means to pay for healthcare services are to be covered by the General Health Insurance scheme under public social security scheme. Article 27 of the TPR regulates health services for Syrians under temporary protection. For both beneficiaries of international protection and Syrians under temporary protection, access to health care services is only possible in the province where they are registered. International and temporary protection beneficiaries need to cover 20% of medication costs, while the General Health Insurance scheme covers 80%. Turkey has Migrant Health Centres (MHC) and community health centres to serve Syrians primarily. In 2018, Polyclinics for Foreign Nationals (*Yabancı Uyruklular Poliklinikleri/YUP*) that serve international protection beneficiaries were opened. This fragmented structure can be seen as a stratified healthcare system, as temporary protection beneficiaries are separated from international protection beneficiaries and Turkish citizens (Gökalp–Aras et al., 2021). Emergency medical services are also provided to non-registered foreigners as well.

Regarding education, “applicant or international protection beneficiary and family members shall have access to primary and secondary education” (LFIP Art.91). As a part of the temporary protection (TPR Article 28(1)), Syrians under this protection are eligible to attend Turkish schools, including universities. When they first arrived, forced migrants from Syria attended Temporary Education Centres (TEC) that had been initially set up to teach the Syrian school curriculum in Arabic; however, later, the state laid out more clear procedures for enrolling Syrians in Turkish national schools and began closing the TECs.

Upon access to the labour market, LFIP, Article 89(4) provides an opportunity for people to apply for a work permit after 6 months following the lodging date of an international protection claim. However, upon being granted the status, a refugee

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<sup>7</sup>As of September 2021, 368.000 Syrians reside in the 7 shelter centres in 5 different cities (Adana/1, Hatay/3, Kahramanmaraş/1, Kilis/1 and Osmaniye/1) (DGMM, 2021a).

or the subsidiary protection beneficiary may work independently or be employed without prejudice to the provisions stipulated in other legislation restricting foreigners from engaging in specific jobs and professions. Also, according to the TPR Article 29, Syrians under temporary protection are permitted to work for the first time when the law governing work permits for migrants (Regulation on Work Permits for Foreigners under Temporary Protection, Law no. 4817) was passed in January 2016. The law allowed Syrians to obtain work permits and legally work at least 6 months after they were given temporary protection status and subject to a limit of 10% of a given company's workforce. Syrians may apply to the Ministry of Family, Labour and Social Services (MoFLSS) to receive work permits in the sectors, professions, and geographical areas determined by the Council of Ministers.

Regarding social assistance, food, clothing, and allowances, reception conditions are regulated with Article 89(2) of the LFIP if the applicants are "in need". The LFIP allows international protection applicants to benefit from a state-funded "social assistance scheme" dispensed by residence to seek subsistence assistance. In parallel, the same condition is relevant for temporary protection beneficiaries. According to the TPR Article 30(2) as, "access to social services by foreigners under this Regulation, who are in need, shall be granted according to the procedures and principles determined by the Ministry and the Ministry of Family and Social Policies". Applicants are required to keep the Provincial DGMM Directorate informed of their current employment status, income, and any real estate or other valuables acquired (Article 90).

The LFIP also includes articles addressing the special needs of vulnerable groups. According to Article 3 of LFIP, the "persons with special needs" category includes unaccompanied minors, disabled persons, elderly, pregnant women, single parents with minor children, and victims of torture, rape and other forms of psychological, physical or sexual violence. The LFIP has several special provisions regarding the reception services to be extended to such vulnerable groups. Furthermore, Article 67 of LFIP requires "priority" to be given to "persons with special needs" in all procedures, rights and benefits extended to international protection applicants.

In principle, municipalities in Turkey are authorised to provide social assistance and services by Law No. 5393 on Municipalities. Article 14 indicates that "municipal services are offered at the closest level to citizens and with the most appropriate methods". Here, the use of the word 'citizens' generally seems to be a barrier to providing social assistance and services to foreigners in general and refugees in particular. However, Article 13 clearly states that everyone residing within the boundaries of a municipal district is entitled to equal services.

Finally, access to citizenship is regulated by the Citizenship Law (2009, amended in 2014 and 2018). It includes provisions for acquisition by kinship or place of birth and citizenship through the decision of a competent authority, adoption, or right of choice. In December 2016, the Government of Turkey introduced a new law for Syrians' access to citizenship through "exceptional citizenship acquisition" criteria based on financial investment in Turkey or made available to "those who stay in the country legally and have already contributed and/or have the potential to contribute

to the Turkish society in the fields of science, economy, social life, sports, culture and arts” (Cetin et al., 2018; Rottman, 2020, 63). The DGMM processes all applications for citizenship. In terms of integration, it should be noted that with the collaboration of IOM, Turkey prepared and adopted “The Harmonisation Strategy Document- National Action Plan” for 2018–2023 (DGMM, 2020), which will be further discussed in Chap. 5.

Besides the legislative dimension, refugee governance has an institutional architecture where laws are put into actual practice. The relevant institutional actors will be briefly presented below.

## 2.2 Institutional Dimension: Multilevelness, State Centrism and Local Turn

Turkish institutional structure displays the characteristics of multilevel governance, and central state actors are the most crucial layers of multilevelness. Besides the role of the Presidency in decision making, as discussed above, two ministries take a crucial role in the implementations in migration matters: the Ministry of Interior (MoI) and the Ministry of Foreign Affairs (MoFA). In addition, some other government institutions, councils and commissions also assume specific responsibilities in migration affairs. (Cetin et al., 2018). The LFIP defines the MoFA responsibility as “upon receiving the opinion of relevant public institutions and organisations, may call upon other States and international sharing to ensure the provision of services to the foreigners under this Regulation” (Article 47 (1)).

The MoI serves as the leading ministry dealing with migration issues and has extensive responsibilities. In the early 2000s, Turkey adopted a strategy to establish a civilian border management agency as part of its EU accession process. Following the adoption of the LFIP in 2013 as a civilian migration management institution, the DGMM was established under the MoI. The LFIP transferred authority for receiving and registering applications for international protection (on Turkish territory or at border gates) from the Foreigners Department of the National Police (which was also under the MoI) to the newly established DGMM. DGMM has provincial branches in 81 provinces and 148 districts in Turkey. DGMM carries out activities and implements policies and strategies such as operations and processes regarding foreigners’ entry into and stay in Turkey, their exit and being deported from Turkey, international protection, temporary protection and the protection of the victims of human trafficking (DGMM, 2019). Depending on the issue area, other ministries get involved in migration affairs, mainly the MoFLSS, the Ministry for EU Affairs, the Ministry of Labour and Social Security, the Ministry of Culture and Tourism, the Ministry of Finance, the Ministry of National Education, the Ministry of Health, and Ministry of Transport, Maritime and Communications as well as the President of the Presidency of Turks Abroad and Related Communities (LFIP, 2013, Article 105 (1)).

A significant development that further enhanced the role of DGMM in migration affairs is the delegation of RSD. On 10 September 2018, the parallel RSD procedure conducted by UNHCR and DGMM came to an end, and the entire procedure of RSD moved under the authority of DGMM. According to the new procedure, the UNHCR will not be taking any pre-registrations, and the RSD procedure will be conducted solely by the DGMM. Currently, UNHCR's actions are limited to the delivery of counselling services to refugees and asylum-seekers. UNHCR states that it "will continue to have access to international protection applicants and, subject to the consent of the applicant, to the information concerning the international protection application lodged by the individual with PDMM" (UNHCR, 2018). Also, similar to the previous procedures, resettlements will be carried out by UNHCR.

Besides the DGMM, the leading responsible authority for application and RSDs for international protection procedures, judicial state institutions – mainly courts – also participate in the different stages of protection, particularly regarding appeals to negative decisions, and detention and deportation orders. While an International Protection Evaluation Commission (IPEC) Administrative Court tackles initial appeals, the District Administrative Courts take a role in onwards appeals. These processes will be elaborated on in Chap. 4.

Like the DGMM, there are also other new actors in Turkey's institutional architecture governing temporary protection status holders. At the beginning of the mass migration of Syrians to Turkey, the Disaster and Emergency Management Authority (AFAD) was given the mandate to coordinate their reception needs. AFAD was established in 2009 in order to create a single centre for the state's disaster management. It is an amalgamation of the General Directorate of Civil Defence under the MoI, the General Directorate of Disaster Affairs under the Ministry of Public Works and Settlement, and AFAD under the Prime Ministry.<sup>8</sup> AFAD had a particular role in mobilising civil society organisations, which have always been very active in welcoming Syrians since the beginning of mass migration. AFAD acted as the representative of the state in humanitarian assistance. AFAD was also in charge of the camps established at the Syrian border to look after the first incoming groups of Syrians. Until the time AFAD left the field for DGMM in 2018 to coordinate the reception, protection and integration of migrants under temporary protection, it was the main organisation that civil society organisations in the field communicated with when trying to reach the state (Macreath & Gülfer Sağınç, 2017). In cooperation with the relevant line ministries, public institutions, organisations, and the Turkish Red Crescent (TRC), AFAD provided or contributed to housing, shelter, health, security, social activities, education, worship, interpreting, communication, banking and similar services in container and tent cities.

AFAD's role became limited to managing international humanitarian assistance distributed to foreigners with the amendment to the TPR by Regulation 2018/11208 of 16 March 2018 (AIDA, 2019, 16). Now, responsibility for managing Temporary

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<sup>8</sup>For the text of the Law on the establishment of the Disaster and Emergency Management Authority (No. 5902), see <http://extwprlegs1.fao.org/docs/pdf/tur151519.pdf> accessed on 11 August 2021.

Accommodation Centres and providing services, such as health care, lies with the DGMM, which is also the competent authority for temporary protection (Ibid.). This change is also part of a broader transformation because of Turkey's transition from a parliamentary system to a presidential system in 2018. The change has implications for international and temporary protection (TCBB, 2019). The new system reshaped the public administration structure and the division of labour between ministries and the directorate. According to the newly introduced administrative structure, the role and responsibilities of DGMM and AFAD were changed as well.

Additionally, Turkey's cross-border operations and intervention in Northern Syria created a need for AFAD's support to the camps that were established to accommodate internally displaced Syrians to prevent their crossing into Turkey, particularly camps or prefabricated housing. The role shifting between DGMM and AFAD can also be interpreted as the reflection of strategic temporality at the institutional dimension of refugee governance. These institutions take ad-hoc roles that are subject to change according to the political context, humanitarian needs, and policymakers' priorities at the time. They are strategically deployed in one policy area, then moved to another field according to perceived needs on the ground. Regulations about their authority and the scope of their influence are rarely stable but are rather under the discretionary power of the central state and government, mainly the Presidency and MoI.

The MoFLSS has been included in the institutional structure as a newly emerging actor in terms of protection, reception, and integration. Although it does not have direct authorisation for dealing with refugee protection on paper, the changes in the TPR on 16 March 2018 introduced four new responsibilities and control duties to this Ministry (formerly titled the Family and Social Policies Ministry). These responsibilities and authorisations made MoFLSS intensively involved in the protection field, particularly in regulating and monitoring the activities of national and international organisations.

In addition to MoI, MoFLSS, DGMM and AFAD type state institutions, there is another prominent – in-between – actor in the national institutional architecture. As a semi-state association, the TRC emerges as a migration actor since it is directly involved in several policy fields regarding refugees. It has a particular unit called the Migration and Refugee Services Department. TRC launched the “Syrian Crisis Humanitarian Relief Operation” on 29 April 2011 to contribute to the logistics of the cross-border operations of all humanitarian actors operating inside Turkey to help Syria. Through their community centres, TRCs are also involved in a wide range of activities, including social protection and integration, particularly organizing vocational training courses and “safe spaces” for women and children to socialize. Furthermore, TRC has an observatory role concerning the voluntary returns of Syrian citizens and refugees who want to return to their country voluntarily (GocGov, 2018). With this last role, TRC indirectly contributes to the temporality of Syrians in Turkey.

Not only central state actors but also non-state actors take roles, often subsidiary roles, in the field of migration. As a characteristic of multilevel governance, the

local level is prominent for migration affairs. Besides ministries and state institutions, a key actor is local municipalities, particularly as service providers.

Within the institutional landscape, the involvement of other countries and international, intergovernmental, and non-governmental organisations should be underlined to better understand refugee governance. The UNHCR plays an essential role, especially in Turkey's former and current asylum policies. During the Cold War period, it was the leading agency overseeing Turkey's asylum policy and ensuring the resettlement of refugees. Moreover, it was responsible for providing basic assistance and accommodation for asylum seekers and refugees. During the 1980s, UNHCR continued this practice with the growing number of asylum seekers arriving from non-European countries, especially from Iran and Iraq. Turkey-UNHCR relations observed some fluctuations and tensions due to geopolitical developments and security concerns, such as were experienced with the massive entry of Kurdish refugees from Iraq into Turkey in 1991 (Kirişçi, 2005). This tension urged Turkey to enhance its legal structure. The 1994 Asylum Regulation was the legal manifestation of the country's growing securitisation approach.

At this time, the Government ceased cooperation with the UNHCR. The implementation of the Regulation created some rights violations at that time. Nevertheless, UNHCR and MoI officials could rebuild their partnership in 1997 and have been working closely since. After this time, UNHCR became more strategically careful about Turkey's sensitivities around ethnic issues exacerbated by the flow of displaced Kurds from Iraq. Unlike many refugee-hosting countries, Turkey has never fully delegated its asylum policies to UNHCR, and instead, it acted selectively in building cooperation by insisting on its sovereign rights (Abdelaaty, 2021). Within this context, UNHCR has been undertaking its assigned roles. Until 10 September 2018, it was responsible for resettlement and the first registration with the implementation support of a national NGO, the Association for Solidarity with Asylum Seekers and Migrants (ASAM). Since 2018, the registration process has continued with the procedures being carried out by the Turkish authorities, mainly the DGMM. UNHCR still has a country office in the capital city, Ankara, and has sub-offices in Gaziantep, a field office in Van and field units in Istanbul, Izmir, Hatay and Şanlıurfa (UNHCR Turkey, 2019).

As the responsible UN agency for international protection, UNHCR has had a limited role in temporary protection. The UN supports Turkey's national response to the Syrian crisis via an annually prepared Regional Refugee and Resilience Plan (3RP) of the UN-led Inter-Agency Standing Committee (IASC). Overall strategic leadership of the inter-agency response is the responsibility of the Syria Response Group, with technical coordination taking place through the Syria Task Force (UNICEF, 2019). The coordination mechanism within the humanitarian and emergency relief field is built upon a cluster system, including education, food, health-care, shelter, hygiene, protection, and working groups in child protection, gender-based violence, and case management, which are overseen by relevant UN bodies.

As a part of the UN system, the International Organization of Migration (IOM) is also quite involved in international protection and temporary protection. IOM takes subsidiary roles at the border crossing points with its outreach teams. It is the first contact with immigrants following their apprehension by law enforcement actors. It provides information regarding international protection. It also provides interpretation and humanitarian aid support, such as water, food packages, blankets and clothes, while law enforcement officers take immigrants' statements. At the same time, IOM supports law enforcement officers in terms of identifying vulnerabilities and consultancy. It occasionally deals with family unification and support line ministries and municipalities for capacity building, particularly infrastructure. The UNHCR and IOM mainly provide humanitarian aid, interpretation, consultancy for international protection, identification of vulnerabilities, vehicles and transportation, support, and in some cases, infrastructural support at the borders such as providing shelters, tents, mobile containers, mobile toilets and showers, and washing units.

The EU is also one of the important actors regarding international and temporary protection. The EU Delegation to Turkey has a Migration Policy Team, and protection is supported financially by the European Civil Protection and Humanitarian Aid Operations (ECHO). The EU dimension regarding international and temporary protection will be described in detail later in this chapter as a part of a discussion of the broader political context.

UN organisations and I/NGOs support the integration of migrants through the social cohesion programmes that they finance. For some migrants, I/NGO workers are among the only Turks with whom they interact regularly. IOs and NGOs help migrants gain awareness about their legal rights regarding education, health care and employment. They fill the “gaps between official policies and the actual reality that originates from limited and mismatching features of the legal framework” (Sunata & Tosun, 2018, 12). IO and I/NGOs provide translation services and run programmes related to formal integration measures, such as vocational training, language education, and healthcare. Another critical area in which IO and I/NGOs are active through their local implementing partners is “creating spaces where locals and newcomers may meet, spend time together and get to know one another” (Paker, 2019, 13). There are hundreds of national and international NGOs working in protection, reception and integration to support applicants and beneficiaries. Their concrete contributions will be addressed in the relevant chapters that follow.

## 2.3 Political and Discursive Context

As everyone agrees, context matters when it comes to the actual working of institutions and how legislation is put into practice in migration affairs. Strategic temporality inherently assumes that politics shape policy approaches, and they are in design subject to temporality. We recognize that the politics of migration is a critical

constitutive part of refugee governance. Hence, in this section, we briefly delve into Turkey's domestic, regional and international political context when responding to Syrian refugees. We also bring a discursive aspect into the discussion as it is not entirely separable when examining the politics of refugee situations.

### ***2.3.1 Geopolitics, Domestic Developments and Changes in Policy Responses***

First of all, it is important to note that for the period under scrutiny 2011–2021, Turkey's political regime is a unitary presidential constitutional republic. It has been ruled by a single party, the Justice and Development Party (known as AKP or AK Party), since 2001. The regime moved from a parliamentary to a presidential regime in 2018. The president of Turkey now acts as both head of state and head of Government. While legislative power is vested in the Turkish Grand National Assembly (Parliament), executive power is exercised by a Council of Ministers, which is appointed and headed by the President. The President, Recep Tayyip Erdoğan, has been the leading figure both in the AKP and in the government before becoming president.

Turkey's policy responses to the mass migration of Syrians can be roughly separated into three distinct phases (Gökalp-Aras & Şahin Mencütek, 2015, 2016). The dominant perspective on mass migration response has revolved first around the notion of humanitarianism and later around the idea of securitisation in line with domestic and foreign policy priorities. Turkey's initial liberal border and reception approach towards Syrian mass migration, known as "open-door", has gradually turned into a reluctant approach, and starting from 2019, it evolved into deterrence and, in particular, return. Strategic temporality, manifested in forms of ad-hoc responses, has always been a presence in each phase regardless of developments.

During the first phase (2011 to mid-2012), Turkey developed an assertive foreign policy that saw the implementation of an unconditional "open door policy" welcoming all Syrian nationals fleeing from conflict. This policy was mainly driven by domestic and foreign geopolitical policy concerns, such as a desire to present itself as a powerful country in the region, to play a regional mediator role, and to contribute to the solution of humanitarian problems through diplomacy. This strategic response mainly rejected international assistance for its humanitarian efforts, as it sought to cast an image of a strong independent state that was self-reliant and presented a credible alternative regarding political and economic matters (Ahmadoun, 2014). On international platforms, Turkish leaders boasted about the cost of sheltering Syrians in Turkey as a constant reminder to the international community that Turkey was a strong and growing regional power and an exemplary model of a democratic, inclusive, benevolent Muslim country (Chemin & Gökalp-Aras, 2017). Turkey's initial welcoming approach towards Syrians still seems to be 'refugee friendly' and a good example of shouldering burdens and responsibility. Its response

to Syrians is more positive, liberal and advanced compared to restrictive worldwide trends in the international refugee regime and compared to Turkey's past responses to similar refugee movements that explicitly involved a securitisation discourse (Kirişçi & Karaca, 2015).

During the second phase (mid-2012 to mid-2015), the first period's assertive foreign policy was replaced with internationalisation through diplomatic channels, particularly seeking intervention from the UN Security Council. However, due to the failure of these attempts, Turkey classified its foreign policies as a form of "precious loneliness"<sup>9</sup> and its insulation increased. Internationalisation failed, and isolationism started. Turkey continued to emphasise the cost of sheltering Syrians (Gökalp-Aras, 2019b). This period also is characterized by a steady emergence of securitisation discourses. After several incidents at border cities, security concerns were raised, and Turkish military authorities panicked about losing control of Turkey's 822-km-long border with Syria. The sheer volume of displaced people crossing the border and Turkey's lack of capacity to respond to the needs of refugees, coupled with uncertainty about the longevity of the crisis, aggravated the securitisation discourse. In this context, the Turkish military launched its first cross-border operation inside Syria on 22 February 2015 and then continued with other operations in 2016, 2018 and 2019. Within this period, it became clear that the Syrian conflict was long-lasting and that there would be no possibility of international military intervention in Syria. It was also clear that Turkey did not have enough diplomatic or military instruments to control the direction of the Syrian civil war. Paradoxically, despite the evident temporary closure of borders, there is no official declaration regarding the closed-door policy. Since mid-2012, the open-door policy turned into ad-hoc practices and Syrians without passports can no longer cross the Turkish border except in cases of urgent humanitarian need. Turkey made the admission of Syrians at official border crossings conditional to the availability of places in camps, but exceptions were granted given specific humanitarian circumstances. However, the official narrative remained a humanitarian one. For instance, on 13 March 2016, President Erdogan stated: "Ankara's open-door policy for Syrian refugees will continue due to our responsibility towards our Islamic civilisation, contrary to Western hypocrisy" (Daily Sabah, 2016).

With the third phase (mid-2015 to 2019), Turkey's response to mass migration can be characterised by an attempt to externalise the burden-sharing to the EU and behave pragmatically by using the exodus of irregular migrants to Europe via the Greek islands (Gökalp-Aras & Şahin Mencütek, 2016, 105). In 2015, at the peak of mass arrivals from Turkish shores to Greece, Turkish policy and the EU objectives to control irregular migration intersected. Following a sharp increase in crossings from Turkey to Greece in 2015, new policy tools and agreements were introduced regarding external border controls, such as the Joint Action Plan (JAP) of 2015 and the EU-Turkey Statement (hereafter Statement) of 2016. One of the most important

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<sup>9</sup>President Erdogan's foreign policy adviser, Ibrahim Kalin, has termed this new epoch in Turkish foreign policy as "precious loneliness" because it is a "value-based" policy against "immoral" actors in international relations.

policy characteristics of this period is the increasing bilateral conditionality regarding the EU-Turkey relations in migration and asylum (Gökalp-Aras, 2019a, b). In mid-2015, the EU approached Turkey as an important partner in tackling its refugee crisis, with both sides signing various soft law tools, instruments and bilateral statements to that effect. After that, however, the tables turned. After 60 years in which conditionality was experienced mainly on the Turkish side, through the EU's long-standing demands, Turkey started to act more confident and direct in its demands for financial support from the EU and political support for visa exemption for Turkish citizens (Ibid.). In particular, after the European refugee crisis, Syrian mass migration was used as a part of Turkish statecraft in its relations with the EU. Ultimately, Turkey's diplomacy reflects its own foreign policy identity and is an exercise in political agency vis-a-vis the EU within the distinct parameters set by Ankara's obligations to observe EU conditionality.

Besides the geopolitical context, the domestic context also has some consequences for border management, including securitisation and exit controls. One critical juncture is the coup attempt that occurred in Turkey against state institutions on 15 July 2016. Then, an official state of emergency was declared, which lasted until 18 July 2018. The domestic turmoil made Turkey's policies further restrictive in parallel to moving from a delegative democracy to "attributing extensive power to the political leadership and to the rise of 'competitive authoritarianism'" (Esen & Gümüşçü, 2016, 1581; Tas, 2015, 776). The implementation of the emergency law reinforced the power of the President. Meanwhile, the government further infringed on the content of citizenship rights and justified it with the need to confront security challenges due to turmoil in domestic and regional affairs (Rubin, 2017). The government has become more suspicious of national and international NGOs. It criminalised and securitised some of them by accusing them of being "terrorists", "traitors" or a "threat against national unity", as they engage with opposition political groups or are funded by foreign countries (Aras & Duman, 2019, 481). The Government mobilised several mechanisms to enforce legal restrictions concerning civil society, revoke service permits, and limit access to the field which led to several closures. As a country with highly centralised public policy and security concerns entrenched in the long-lasting armed conflict in Syria since 2011, the question of refugee governance became complex.

The fourth phase began in 2019, marked by the domination of restrictive border politics and repatriation-centric discourses (Gökalp-Aras & Şahin Mencütek, 2019). Turkey tightened its border controls, in particular, to prevent irregular escapees from the country. This appears to be an independent factor affecting the securitisation of borders, in particular, exit controls. In the same period, Turkey started the construction of a 764-km border wall, which is called a "security wall" by policy-makers, along its border with Syria. The main motivative was to stop Syrians from entering the country. Both internal and external controls increased. Regarding internal controls, despite the earlier flexible approach to Syrian mobility from one province to another, over time, provincial authorities adopted a range of new restrictive measures. A "travel permit" was introduced and implemented for international and temporary protection beneficiaries who wanted to move from one province to

another. On 24 May 2018, another regulation was adopted to punish Syrians upon their apprehension in irregular border crossings. In 2019, the Governor of Istanbul, operating under the MoI announced that Syrians under temporary protection residing in Istanbul who had initially been registered in other cities at their reception – would be sent back to the cities where they were initially registered or risk losing their protection rights.

A new cross-border operation was conducted in 2019, and official statements linked the operations to the repatriation of Syrian refugees (Gökalp-Aras, 2019a, 7). Following the Peace Spring Operation, the Minister of Interior stated that at least two million Syrians would be returned (CNNTurk Live, 2019). By 2019, more micro strategies were adopted to promote ‘voluntary’ returns, including municipal campaigns to return migrants home, provision of transportation support and ‘go and see visits’ (Şahin Mencütek, 2019). Along with voluntary returns, forced returns or unlawful practices increased. These developments created increasing concern about Syrians’ involuntary returns and individual cases of administrative detention and deportation of irregular migrants, hampering integration and the development of durable solutions.

During this phase, the importance of securitisation, Europeanization and bilateral bargains continued. Following an incident in Idlib on 27 February 2020, Turkey stopped border controls at its EU borders. This act was a clear attempt to instrumentalise the migrant population to attain foreign policy objectives in communicating with the EU (Kaya, 2020c, 2021; Gökalp-Aras, 2021). At this time, immigrants and refugees from various countries, including Syria, began to accumulate, and thousands gathered at the border areas with Greece. While they were trying to enter Europe, they faced severe humanitarian tragedies, trauma and violations. With the outbreak of the Covid-19 pandemic, as of 27 March 2020, most of these migrants were taken by state actors back from the border and distributed to nine cities. In the meantime, the EU Commission made announcements that it would be supporting Greece with 700 million Euros and Turkey with an additional 500 million Euros (New York Times, 2020). Using mobility for diplomatic leverage, the EU Commission also announced that they would consider restarting the visa-liberalisation and visa-facilitation talks with Turkey (DW, 2020). This crisis was eventually resolved after the Turkish President asked security forces to seal off the European borders following a meeting in Brussels with top EU actors on 17 March 2020 (The Guardian, 2020). By 28 March, Turkish state actors had begun to round up most of the migrants and distribute them to satellite cities inside Turkey. This new development once more showed how vulnerable forced migrants are to domestic and regional politics.

Over the course of time between 2011 and 2021, a mounting discourse about the need for Syrians to return has replaced the initial discourses of guesthood and the Ansar spirit. There has not as yet been mass and forced returns from Turkey to Syria. The returns that have taken place have been primarily on an individual case-by-case basis, which might be called spontaneous returns. Voluntary and forced returns governance is fragmented with regard to institutions and practices (Şahin Mencütek, 2019). There are “several concerns about Turkey’s unilateral approach,

its strategy of providing restricted protection while encouraging return, and the principles [voluntariness, safety, and security] that it ignores during returns” (Ibid., 30). The ruling elite has refrained from using a discourse of integration as they strongly believe that it is the discourse of return, which will politically pay off. It is for this reason that the DGMM is reluctant to publicise the Integration Strategy Document.

### ***2.3.2 Changes in Political Discourse and Narratives: Temporariness, Permanency and Return***

During its 10 years of hosting massive numbers of Syrian refugees, Turkey has adopted a wide repertoire of political narratives, which constitute the core of policy responses and provide strong mechanisms for legitimising them. They also serve as a means of targeting the international community when framing Turkey’s demands. In general, the narratives and the above-mentioned policy responses complement and support each other. Our research displays changes in political discourse from temporariness to permanency and return. The adopted narratives contain strategic ambiguities, which give space for manoeuvring for the speakers in terms of defining the audience, the agenda of the event and supporting the policy changes.

The reception of Syrian refugees in Turkey is mainly based on a discourse of tolerance and benevolence driven from path-dependent ethnocultural and religious premises dating back to the Ottoman Empire of the late nineteenth century and the establishment of the Turkish Republic in the 1920s. The vocabulary, which has been used to identify the Syrian refugees, represents a kind of continuity with regard to the naming of migrants, guests, and foreigners since the early days of the Republic. In the official literature, the term guest had been used to refer to refugees of Muslim origin but without Turkish ethnic origin from outside the European continent. In this regard, supported by the geographical limitation of the 1951 Convention, Kurdish refugees in the 1990s and Syrian refugees in the 2010s were named guests, although they are Muslim and lived with Turks in the Ottoman period.

Political discourses about Syrian refugees were primarily mainstreamed around the category of guesthood, which was later coupled with the Islamic mythology of an Ansar spirit that is elaborated further in Chap. 3. The narratives function not only to construct the nation-state in particular ways in terms of “humanitarianism,” “generosity” and “being a great power”, but also to mobilise religious identities and resources to show “hospitality,” which in turn legitimises the Turkish government’s initial open-door policy since mid-2012 (Kaya, 2020a). The narrative is enhanced by the broad political narrative surrounding Turkey’s rising power as a “great example of humanitarianism”. For instance, at a joint press conference with the High Representative of the EU for Foreign Affairs and Security Policy (Catherine Ashton), the Foreign Minister of the period, Ahmet Davutoğlu criticised countries for “keeping their silence at a time when a large number of Syrian refugees are

crossing into Turkey. They should be ashamed of themselves.” He added that “the ‘open door’ policy is a matter of honour for us” (World Bulletin, 2013).

Framing Syrian refugees within a broader discourse has elevated public and private efforts to accommodate Syrian refugees from a humanitarian responsibility to a religious and charity-based duty (Erdemir, 2016). Official discourses gradually crystallised around the idea of charity for people who were said to be only temporarily staying in the country. Essentializing the Islamist and Ottoman heritage has made it easier to control and discipline the large Turkish population of Sunni-Muslim origin and the Syrian refugees with similar religious credentials (Kaya, 2019). The framing of the refugee reality by state actors as an act of benevolence and tolerance is strategically used to shape public opinion. Therefore, based on the past experiences stored in the collective memory of Turkish citizens, the political discourse of the Turkish government constantly underlines the temporariness of the Syrians. Thus, *Ansar* appears as a complementary narrative to strategic temporality for refugee governing.

Although the Turkish Government’s charity and hospitality discourses welcome migrants, they do not imply long-term permanent integration of equal partners, which would represent a fully rights-based integration approach. Dawn Chatty (2017, 178) argues that such discourses of charity and hospitality are unique to Middle Eastern cultures, where we find local and regional “constructions of duty-based obligations to the guest, stranger, and person-in-need, which are not sufficiently appreciated in the West”. In the Turkish context, although Turkey is a party to the 1951 Refugee Convention, Syrians’ access to international protection is blocked under the temporary protection system. Rather than providing a better system of protection, charity and hospitality discourses associated with the temporary protection legislation inhibit the development of a stable, secure integration programme for migrants and increase their precarity.

Simultaneously, this narrative leads to disorganised responses from the stateside. It appears that officials did not plan for the eventual numbers that would arrive and that the conflict would continue for such a long time. The International Crisis Group (ICG, 2016, 3) summed up the situation in 2015–2016 like this: “The concept of “temporary permanence” (*geçici kalıcılık*), pronounced by then Prime Minister Ahmet Davutoğlu’s adviser in December 2015, summarised the convoluted approach and the government’s difficulties to define a strategy. The chaotic policy-making, a patchwork of small initiatives with micro effects, left refugees having to find their own way.”

Soon it turned out that continuously framing refugees as guests was not sustainable in terms of accommodating their urgent needs and coming to terms with increasing resentment among the local populations vis-à-vis the refugees. Turkey first introduced the TPR (Temporary Protection Regulation) in 2014; it frames the refugees with a state of temporariness, at least on paper. However, some discursive shifts were witnessed in the media concerning the state actors’ changing position on the permanent character of at least some Syrian refugees in Turkey. Despite the continuation of temporariness, some policy steps signalled the recognition of permanency. The new policies include the introduction of work permits in early 2016,

incorporating Syrian pupils into public schools, creating of quotas for Syrian students in higher education institutions and granting citizenship to Syrians. However, durable solutions and integration have been used in only limited ways and stop short of long-term legal and practical inclusion. By 2019, instead of integration, a discursive shift in favour of return was widely visible. The Minister of Interior, Süleyman Soyly, started to give a detailed account of Syrian returnees in his monthly organised press conferences in 2018 and 2019 (CNN Türk, 2019; T24, 2019). It also turned into hotly debated topic during local election in 2019 as mentioned in the introduction.

From one point of view, it appears that Turkey skipped from reception to return, bypassing the integration of refugees altogether. Kaya (2020b) argues that the discourse of integration is no longer on the agenda of both government and oppositional parties. On the contrary, both sides promote a return discourse, despite Syria being still far from being stable. The media announcements of the Minister of Interior every month put how many Syrians voluntarily returned very baldly. At the same time, the municipal mayors and oppositional party leaders constantly talk about the need for a massive return of Syrians to their homeland.

### ***2.3.3 EU-Turkey Relations and Its Impact on Migration and Asylum Policies***

Besides the domestic and local political context, the broader regional context has an impact on migration affairs. In the case of Turkey, relations with the EU have been of the utmost importance for migration and asylum policies in the last decades. We will now briefly summarize the main issues and developments in terms of relations.

Turkey has had a long and complex relationship with the European Union (EU). EU-Turkey relations have been characterised by a distinct pattern of continuity and change in immigration and asylum. Syrian mass migration appears to have been a critical juncture and a significant ‘game changer’ in EU-Turkey relations because Ankara was able to ‘turn the tables’, having gained invaluable bargaining leverage towards the EU, and started to use migration as a foreign-policy tool against Brussels, in particular after the European refugee crisis in 2015 (Gökalp-Aras, 2019a). Against this background, it makes sense to analyse the EU dimension in two periods: from 1999 to 2011 and from 2011 to the present.

During the first period (1999–2011), Turkey lacked a unified legal and institutional framework for immigration and international protection. After granting official candidate status to Turkey at the Helsinki Summit of the European Council in December 1999, Turkey’s status as a leading transit country solidified, and the need for reforms became all too pressing. Turkey adopted a set of migration reforms during the 2000s, mainly at the behest of Brussels, and these mainly were part of the latter’s long-term policy of externalising the EU’s immigration and asylum policy to third countries. Following the Helsinki Summit, the EU adopted an Accession

Partnership (AP) strategy for Turkey in 2000, followed by the National Program for the Adoption of the Acquis (NPAA) accepted by the Turkish Government, which has been updated several times.

While changes in asylum policies in the mid-1990s had some local drivers, the EU was arguably the most critical factor in Turkish immigration and asylum policy reform after the end of the Cold War (see, among others, Lavenex, 2020; İçduygu, 2011a, b; Tolay, 2012). An extensive legal framework<sup>10</sup> and ongoing accession partnership diplomacy between the two sides framed migration management in this context. The EU's main demands on Turkey were as follows: to support the EU's external border control, to adopt the EU's visa policy, to sign the EU-Turkey Readmission Agreement, and to abolish the geographical limitation for the Geneva Convention (1951). In return for compliance with these demands, the EU promised Turkey capacity-building and financial support (which was substantial in the migration management area), visa exemption, and in the end – if all other membership conditions were met – full membership.

The negotiations for full membership began on 3 October 2005, opening a new phase for relations, and Turkey undertook considerable reforms (Açıkmeşe, 2010; İçduygu & Aksel, 2012; Tocci, 2005; Müftüler Baç, 2005). Substantial domestic obstacles to asylum policy adjustments were brought to the fore as the newly promised EU membership was still credible, and Turkey's cost-benefit calculation was based on the clear benefit of prospective EU membership. After negotiations for full membership started in 2005, Turkish actors became increasingly critical of the EU approach, even as they continued to implement many EU reform initiatives. Criticism was centred on the EU's self-oriented and narrow-minded security-based perspective; the framing of Turkey as a buffer or 'dumping zone' in the fight against irregular migration; the EU's ignorance of economic, social and political dynamics in Turkey; and the lack of burden-sharing on the part of the EU (Gökalp-Aras, 2019b). In this regard, Turkey's Europeanisation path was not linear but involved resistance (Tolay, 2012, 42). Turkey's policy was to resist some EU demands, such as retaining the geographical limitation and continuing the liberal visa regime for some countries on the EU's negative list. Thus, as far as EU-Turkey relations are concerned, conditionality characterised the approach of both sides, although this operated more in favour of the EU. For Turkey, the policy offers – such as potentially lifting the geographical reservation or signing readmission agreements – were based on rational calculations, and were not used as mere bargaining chips.

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<sup>10</sup>The general framework of EU-Turkey relations (including accession) is embodied in the following documents: the Ankara Agreement (1963) and protocols (the Additional Protocols of 1977 and 2005), the Regular Progress Reports (prepared by the European Commission since 1998), the National Programmes for the Adoption of the Acquis (NPAA), accession partnership documents, association council decisions and the Enlargement Strategy Papers (since 1998). Other important documents include the Turkish National Action Plan for the Adoption of the EU acquis in the field of Asylum and Migration. All documents are available in English at <http://www.ab.gov.tr/index.php?p=113&l=2>

The second period (2011–present) coincides with the onset of Syrian mass migration in 2011, which provoked significant shifts in immigration and asylum policy for Turkey and the EU and, thus, impacted EU-Turkey relations more broadly. Turkey was still implementing previous EU demands when the migration wave started, and increased pressure to complete them arose. This was partially achieved with the enactment of the LFIP in 2013. The new law is practically the most evident illustration of Europeanization in Turkey. It was created through a process through which the EU actively supported Turkish institutions through capacity building and technical infrastructure in drafting asylum legislation.

Within this period, the most significant driver, Syrian mass migration, caused a shift in EU-Turkey relations regarding the relative advantage of the parties in terms of migration cooperation. One of the significant developments was the EU-Turkey Readmission Agreement was signed on 16 December 2013 in parallel with the commencement of the Visa Liberalisation Dialogue. Both sides committed themselves to international burden sharing, solidarity, joint responsibility and common understanding. The two sides also agreed to remove Turkey's geographical derogation in the 1951 Convention; however, Turkey agreed to remove this restriction upon the completion of the accession negotiations to become a full member. The determination of both sides was to make sure that the Readmission Agreement was successfully operated and that Turkish citizens could have the right to visa-free travel. On 22 July 2019, however, the Turkish Government officially announced the suspension of the EUTRA in response to the EU's sanctioning of Turkey's gas drilling operations in Cypriot waters. Turkish Foreign Minister Mevlüt Çavuşoğlu announced that the Government suspended its readmission agreement "not only due to the EU's recent sanctions. The decision was also taken because the EU still has not introduced the agreed-on visa-free regime for Turkish citizens" (Euractiv, 2019). Çavuşoğlu also stated that "We will not wait at the EU's door. The readmission agreement and visa-free deal will be put into effect at the same time" (Daily Sabah, 2019).

Another turning point within this period was reached in 2015, when a dramatic increase in irregular and mixed flows and migrant deaths at EU external borders occurred, a development that came to be known globally as the European refugee crisis. Despite the EU's longstanding image as a normative power, a lack of EU solidarity undermined the formation of a collective response to the crisis, casting the limitations of common border and migration control and refugee burden-sharing systems within the EU into sharp relief. As the refugee crisis climbed to the top of the European political agenda, Turkey found an opportunity to use migration as a foreign policy tool. Thus, the refugee crisis appeared to be an asset for Turkey to use mass migration as a bargaining chip in its relations with Brussels. The mass migration from Syria was incorporated into the broader EU-Turkey negotiating field, where Turkey gained valuable leverage vis-à-vis Brussels (Gökalp-Aras, 2019a). Due to the sharp increase in crossings from Turkey to Greece, a new policy tool, the Joint Action Plan (JAP, 2015) and the EU-Turkey Statement (Statement, 2016) were introduced.

With the Statement, the European Council and Turkey agreed on three main objectives: preventing loss of lives in the Aegean Sea, breaking migrant smuggling networks, and replacing illegal migration with legal migration. According to Article 1 of the Statement, Turkey agreed to accept the return of all migrants not in need of international protection who crossed into Greece after 20 March 2016 and to take back all irregular migrants intercepted in Turkish waters. It formulates a regulation known as the “one-to-one” formula, which states that for every Syrian returned to Turkey from the Greek islands, another Syrian will be resettled in the EU, up to a maximum of 72,000 people (Article 2). The Statement also mentions upgrading the customs union and “re-energising the accession process” for Turkey to obtain full membership. The existing incentives within the externalisation framework, such as capacity building support and financial aid, are also included, but on more generous terms (Statement, 2016).

From 2016 onwards, Turkey began to hint that it might open its borders if the EU failed to meet its demands. After the European Parliament voted on 24 November 2016 to suspend accession talks with Turkey. The Turkish Government continued this threatening rhetoric targeting EU until 28 February 2020, then acted on it by opening the Turkey-Greece border. The timing of the action is not coincidental, and it is strategic. This came in response to attacks against the Turkish military in Idlib in Syria. However, neither the EU nor Turkey repudiated the EU-Turkey Statement as this new crisis unfolded. The last readmission was completed in March 2020 with 23 readmissions (UNHCR, 2020), a number which was confirmed by representatives from NGOs, IGOs and the EU as part of the second tranche of fieldwork.

After 5 years in operation, the future of the EU-Turkey Statement remains an essential and highly discussed question. Both Turkey and the EU frequently highlight its ‘success’ in reducing the number of irregular entries and deaths in the Aegean. Regarding the future of the Statement and its renewal, Turkey emphasises the need to reflect Turkey’s emerging demands and to revise its financial component as well as to expand it to include other nationalities, not only Syrians. Turkey also stresses the need for collaboration in cross-border operations to expand the number of safe regions in Syria for voluntary returns (TRT Haber, 2021).

## 2.4 Conclusion

The above mentioned legal, institutional, political and discursive frameworks consistently create temporality, precarity and complexity in the form of a variety of stratified legal statuses. This is further enhanced by implementations on the ground. The most explicit outcome in this regard is that Turkey does not provide full refugee status to non-European asylum seekers, who make up the majority of internationally displaced people who made their way to Turkey. This is not accidental or an outcome of lacking experience in law-making; rather, it is a strategic choice. The motivation is to partially to prevent the situation of being a permanent country of asylum that has to oblige in giving all rights, including integration options, because of

granting refugee status to a large number of asylum seekers fleeing from turmoil in the Middle East and Asia. As such, the Turkish state seeks to retain a space to manoeuvre around refugee rights if it perceives a political need, particularly in the case of “crisis-like” situations touching upon domestic security issues and geopolitics, as experienced with the 2011 Syrian flows. As will be discussed in the following chapters, strategic temporality at the governance level confines refugees into the indeterminate situation of liminality. The complexity of legal statutes and ambiguity of everyday state practices worsens this endless liminality situation for many refugees who find themselves reacting to or coping with the situation.

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# Chapter 3

## Reception



### 3.1 Introduction

In this Chapter, we describe the strategic temporality embedded in the Turkish reception system for Syrian refugees. First, we focus on the effect of laws and how they lead to nuances in multilevel governance on the ground where a local turn is observable, and a politics of subsidiarity is created. We discuss the discursive dimension of reception governance, which centres on cultural intimacy and guesthood rhetorics. These narratives reflect the strategic approach of policymakers who consistently underline that migrants' reception is a temporal phenomenon. The chapter provides a multi-layered emphasis on discourses and practices that show how the reception is a policy field where strategic temporality is a dominant mode.

Turkey's reception system shows traces of subsidiarity politics, which ensures that the central state delegates tasks among different actors both vertically and also horizontally. The principle of subsidiarity requires multilevel governance in devolving decision-making to the lowest capable level for achieving the tasks required in order to better engage local bodies, individual actors, relevant NGOs, and faith-based institutions, but also to preserve strong roles for governments in providing direction, standards, guidelines, incentives and sanctions. This system bears the logic of multilevel governance, originally defined as the dispersion of authority away from central government – upwards to the supranational level, downwards to subnational jurisdictions, and sideways to public-private networks (Hooghe & Marks, 2001). Despite its selective subsidiarity, the Turkish state also shows the characteristics of a state-centric model of reception.

The multilevel governance of the reception system in Turkey has evolved in parallel with the deployment of the political discourse of cultural intimacy based on the rhetorics of guesthood, Ansar spirit and religious brotherhood displayed by the Justice and Development Party (AKP) Government (hereafter the Government) (Rottmann & Kaya, 2021). As will be discussed below in more detail, this culturalist and Islamic manner of reception of Syrian refugees by the Government was also

shared by most of the Turkish population in the first years of mass migration. Syrians also embraced this approach. However, after 10 years of mass migration of Syrians, the political discourse of cultural intimacy is no longer socially reciprocated by most Turkish citizens. The discourse of return has become more widespread since 2018 as hostility against Syrians escalated due to increasing socio-economic and political unrest. This discursive shift has also become visible in the speeches of state actors, who are often underlining the temporary character of the Syrians' stay in Turkey. However, the culturalist discourse is still intact for most Syrian migrants. The interview data collected for this book reveal that the main source of comfort for the Syrians in Turkey is a set of ethnocultural, religious, and historical ties between most Syrians and native Turkish citizens.

This Chapter is composed of two main parts. The first part explores the strategic temporality of reception directly drawing from extensive desk research about relevant secondary literature on reception policies, laws and discourses in Turkey, legal documents, policy documents, officials' speeches and archival resources. The second part benefits from structured interviews with Syrian migrants under temporary protection in İstanbul, İzmir and Şanlıurfa to understand how refugees perceive reception policies, regulations, and practices. The second part will also discuss the findings driven from the semi-structured interviews with politicians, administrators, and implementers concerned with different dimensions of reception, such as education, labour market, housing, allowances, health services, and social services. The analysis of rich material confirms that reception is envisioned not as a temporary period for a migrant, but it is actually defined as permanent temporariness. The entire framework, with its legal, discursive and practical features, institutionalises strategic temporality.

### 3.2 The Formulation of Temporary Protection Policy

The first group of Syrian nationals found refuge in Turkey by crossing into the province of Hatay on 29 April 2011. Initially, the Government expected that the Assad regime would soon collapse, and it estimated that, at most, around 100,000 Syrians would stay in Turkey for 2–3 weeks (Erdoğan, 2014). Following the escalation of armed conflict in Syria, the Government declared an open-door policy for the Syrian refugees in October 2011. Accordingly, Turkey has allowed Syrians with passports to enter the country freely and treated those who may have entered without documents in a similar way; it has guaranteed the principle of non-refoulement, offered temporary protection and committed itself to providing the best possible living conditions and humanitarian assistance for the refugees (İçduygu, 2015a; Kirişçi, 2014). Meanwhile, a discursive component of reception started to become more apparent. State actors framed Syrians as guests. This political discursive frame was later complemented with the religiously-loaded discourse of *Ansar* spirit.

In a short time, the Turkish Government codified its Temporary Protection Regulation (TPR) in 2014, echoing the EU's Directive (TPR, 2014). The directive

grants Syrians almost the entire spectrum of refugees' social and civil rights in western societies. Since then, the number of Syrians has increased, while their statuses have varied, as presented in the table and elaborated further below (Table 3.1).

As of 2 September 2021, Turkey's Temporary Protection regime granted 3,707,564 Syrian nationals the right to legally stay in Turkey and some level of access to fundamental rights and services. There are also other Syrians in Turkey who were granted citizenship and residence permits. However, the temporary protection regulation blocks the path to citizenship and access to the application for individual international protection (except for circumstances called exceptional citizenship, noted in Chaps. 2 and 4).

### 3.3 Material Reception Conditions and Practices

While Turkey's asylum law, the Law on Foreigners and International Protection (LFIP), does not employ the term "reception conditions" as such, Articles 88 and 89 of the LFIP commit to a set of rights, entitlements and benefits for international protection applicants, which fall within the scope of the EU Reception Conditions Directive.

The first 4 years following the reception of Syrians can be considered the first period in which both authorities and the Syrians themselves regarded the crisis as a rather short-term problem. In this period, meeting the temporary needs of refugees, such as accommodation, nutrition, and access to health services, was prioritized and perceived to be more important than planning for their future. The second period includes the years after the first 4 years. In this period, due to the anticipation that the crisis would not be resolved shortly, there was mobility from the border cities towards the big cities in the western parts of the country, which had more employment opportunities. The Syrian population that used to live around the border towns and in South-eastern Anatolia migrated to industrialised cities where the labour market is more active. Today, İstanbul alone hosts around five hundred thousand Syrians, Bursa around two hundred thousand, and İzmir around one hundred fifty thousand (DGMM, 2021). The focal points of this second period have been Syrians' participation in education in higher numbers, meeting the special needs of women and children (addressing the problems of child marriage and child labour) and confronting problems faced by people with chronic diseases, the disabled, the elderly and others with special needs. Protection has come more to the forefront during this period, and the actors have focused more on the aforementioned issues.

In this section, a detailed analysis of the existing forms of such reception conditions, services, programs and schemes will be discussed in light of the findings of our fieldwork. Specifically, we focus on experiences in accommodation and housing, financial allowances, access to the labour market, education and health care services in the early periods of arrival.

**Table 3.1** Changing Number of Syrian refugees in major cities between November 2014, 21 July 2017, 12 August 2019, and September 2021

City	November 2014	July 2017	August 2019	September 2021	City	November 2014	July 2017	August 2019	September 2021
İstanbul	330.000	495.027	547.943	532.153	Batman	20.000	20.181	22.392	15.702
Gaziantep	220.000	336.929	445.748	457.183	Şırnak	19.000	15.080	15.019	14.993
Hatay	190.000	397.047	432.436	436.951	Kocaeli	15.000	34.957	57.745	55.906
Şanlıurfa	170.000	433.856	429.735	424.827	İzmir	13.000	113.460	145.123	149.273
Mardin	70.000	96.062	87.507	90.076	Osmaniye	12.000	46.157	50.295	46.430
Adana	50.000	165.818	240.376	254.036	Antalya	10.000	458	1.786	3.552
Kilis	49.000	127.175	116.317	106.026	Kayseri	9.500	62.645	79.161	81.338
Mersin	45.000	153.976	201.887	233.520	Diyarbakır	5.000	30.405	33.245	24.010
Konya	45.000	79.139	108.419	121.444	Adıyaman	2.500	27.084	25.549	22.610
Kahramanmaraş	44.000	93.408	90.073	94.879	Samsun	1.230	4.540	5.852	8.320
Ankara	30.000	80.279	93.120	102.199	Niğde	1.100	3.848	4.674	6.446
Bursa	20.000	114.498	174.865		Aydın	1.000	8.806	7.922	

Source: DGMM (2021)

### ***3.3.1 Accommodation and Housing***

The term ‘housing’ refers to accommodation and a means of subsistence in the receiving country for first arrivals, food/water and coal or wood for heating purposes. There have been three different forms of housing for Syrian refugees since 2011: temporary accommodation centres, private housing, and informal settlements (such as staying with friends, in squats, and makeshift). In the very beginning, Syrians were accommodated in the 22 temporary accommodation centres (camps) located at the Syrian border. For a long time, the international community and national governments have favoured the camp model based on political calculation. However, Turkey showed only short-term interest in having refugee camps. Since the beginning of the mass migration, an overwhelming majority of Syrians have stayed in private housing, while a small proportion of them stayed in informal settlements.

Institutionally, Temporary Accommodation Centres were first run by the Disaster and Emergency Management Authority (AFAD), which was established in 2009 under the auspices of the Prime Minister’s Office. Responsibility for AFAD’s management was then transferred to the auspices of the Ministry of Interior (MoI) in 2018. When AFAD was transferred to the MoI, its mandate on the temporary accommodation centres was transmitted to the Directorate General of Migration Management (DGMM), which is also operating under the same ministry. Temporary Accommodation Centres are now only available in seven places located in five cities: Adana (1), Hatay (2), Kahramanmaraş (3), Kilis (4), and Osmaniye (5). A total of 22 camps were used to host over 217,000 Syrian refugees up until early 2018. Those who were accommodated in the camps constituted only 5% of around 4 million Syrians under temporary protection. The camps started to be closed in 2018 based on a government decision. People staying there were given the option of either moving to cities for self-settlement or returning to Syria. They were also offered a small amount of cash assistance (Şahin Mencütek, 2021). The number of Syrian refugees in the Temporary Accommodation Centres was only 139,150 persons as of 11 April 2019 and 53,130 persons as of 2 September 2021 (see DGMM website). Camps offered power, hot water, schools, playgrounds, and job training courses to the migrants. Turkey’s camps were even praised by international media as the “perfect refugee camps” (BBC, 2012). Major humanitarian organisations, from the Red Cross to UNHCR and the United Nations Children’s Fund (UNICEF), and many smaller NGOs, worked to supply the camps and other settlements with the basics: housing, food, water, clothing and hygiene items. The camps were in good condition, both in infrastructure and their ability to meet basic needs. They offered kindergartens and schooling facilities from primary degree to high school, courses for vocational training, language courses (mainly in Turkish), internet rooms, grocery stores and markets, and health centres and post offices.

Irrespective of the conditions within camps, however, more than 95% of refugees in Turkey have chosen self-settlement from the beginning, mainly in urban areas, rejecting the camp option. Nearly 3.5 million are spread across the nation living in

conditions varying from group homes to informal camps in rural settings. Affordable and quality accommodation outside camps for Syrian refugees is one of the most critical challenges, given that now almost all Syrians under temporary protection have become urban refugees (Balkan et al., 2018). Housing issues add to refugees' feelings of being liminal and are discussed in detail in Chaps. 4 and 5.

In addition to Syrian refugees, Turkey has also seen an unprecedented number of asylum applications from Afghans, Iraqis, and Iranians in recent years. On paper, article 95-2 authorised the DGMM to set up "Reception and Accommodation Centres" for the accommodation, nutrition, healthcare, social and other needs of international protection applicants and status holders. There are seven Reception and Accommodation Centres in operation, located in the following cities: Erzurum, Gaziantep, İzmir, Kırklareli, Kayseri, Van and Yozgat. Non-Syrians also suffer from housing problems encountered by Syrians. Like Syrians, non-Syrians are also governed with a rationale of strategic temporality, which has kept material reception conditions minimal.

### ***3.3.2 Access to Livelihoods***

A significant challenge at the reception stage is the provision of financial aid to displaced people as a livelihood source, considering that the majority live in urban spaces. In Turkey, two main financial allowances are available to Syrians, including the Emergency Social Safety Net Program (ESSN) and the Conditional Educational Assistance to Foreigners (CCET). International protection applicants, who are also registered with UNHCR-Turkey since 2018, are rarely granted the right to seek financial assistance from UNHCR. Although financial assistance is aimed at supporting the initial needs of refugees at the reception stage, in Turkey, the support has been long-lasting as part of the logic of strategic temporality of hosting.

Institutionally speaking, the financial allowance is the issue area that manifests how multilevel governance works on the ground. The European Commission introduced the ESSN following the EU-Turkey Refugee Statement of 18 March 2016 (European Council, 2016). The ESSN programme aims to help the most vulnerable of refugee families residing in Turkey. ESSN is put into practice through the EU's collaboration with the DGMM, Turkish Crescent, and Halkbank, a public bank. The scheme provides 1.5 million Syrians with an ESSN debit card, giving them access to a fixed amount of money every month. They can use the money to buy whatever they need most for their families: food, fuel, rent, medicine, and pay bills. Refugee families receive 150 Turkish Liras (currently about 15 euros) per family member under the condition that no family member works in any formal job and has at least three kids (ESSN, 2021). The ESSN program does not include those with formal work permits and those who were granted Turkish citizenship.

As the second financial allowance, the CCTE provides monthly cash assistance to Syrian primary and secondary school students. The CCTE aims to support the integration of refugee children into the national education system through a

financial incentive when the children attend classes regularly. The criteria for benefiting from this aid is to be a member of a needy family that does not have any social insurance. The assistance is conditional upon the regular attendance to school evidenced by the school administrators. The EU funds the program through the Humanitarian Implementation Plan. It is run by UNICEF, MoFLSS, the Turkish Red Crescent and the Ministry of Education. It has committed 34 million euros for 2016, 50 million euros for 2017, and 20 million euros for 2019 (European Commission, 2021).

Besides financial allowance, in-kind assistance is also an issue at the reception stage. Article 79-2 of the LFIP states that international protection applicants identified “to be in need” are granted access to social assistance and benefits dispensed by the provincial governorates, which dispense social assistance and benefits under this scheme by means of the Social Solidarity and Assistance Foundations. The Governorates provide in-kind assistance, such as coal and wood for heating purposes, food and hygiene items and financial assistance to “poor and needy residents” in the province, including foreign nationals. It is up to the provincial Social Solidarity and Assistance Foundation to determine whether applicants qualify for the “poor and needy” threshold.

The financial allowances are not adequate to meet the basic needs of many refugees (Barbelet & Wake, 2017). Food and rent constitute the largest portion of monthly expenditures by refugee families. In terms of food security, studies have reported consistent poor dietary diversity amongst the refugee population, and 24% of under 5 years old children suffer from chronic under-nutrition (MDMT, 2019; FAO, 2018; Kaya & Kırac, 2016). NGOs told us that food vouchers supplied by the local authorities or aid agencies were their main sources of income. Research reveals that some families sell their food aid or vouchers in exchange for cash (Kaya & Kırac, 2016). The average monthly expenditure of a Syrian refugee family is much less than the poverty threshold of a Turkish family with four members (Ibid.). Using the World Food Programme’s standard (0–21 Poor; 21.5–35 Borderline; >35 Acceptable) as the thresholds for the Food Consumption Score, Kaya and Kırac (2016) found that 12% of the refugee population in İstanbul did not have an adequate diet and can be considered food insecure. Around 15% of refugee households are borderline, meaning that these people are also considered at-risk in terms of food security (Ibid.).

For families with low Food Consumption Score, food support coming from the municipalities, various foundations, or NGOs has been essential since the very beginning of their reception to Turkey. During our interviews, a 50-year-old man married with ten children residing in a Temporary Accommodation Centre in Şanlıurfa expressed his appreciation with regard to the food boxes coming to his house regularly. He said: “*Sosyal Yardımlaşma Vakfı* [Social Assistance Foundation] brings some aid, such as food boxes, meat, clothing etc. Five of my kids go to school, and they are given aid for attendance. We follow up all aids, as we like having children a lot, and we have many kids; hence we need support in feeding them” (Interview\_Şanlıurfa\_23 July 2018\_SRII).

Our interlocutors mostly state that they get food boxes from local sources, such as municipalities and NGOs. A 41-year-old female married with four children in İstanbul said the following when asked about food supplies:

I was feeling embarrassed to ask for help, but they insisted and brought me a lot of furniture. Also, they were giving me food continuously until I got the *Kimlik* [Temporary Protection Identity Card]; for about 10 months, I lived with the help of people (at that time, my husband was still with me). After that, when I got *Kimlik*, they told us to register in the *Belediye* [Municipality] to get help. We registered, and they gave us 400 TL and a carton of food. Then the number of people started to increase, and the support decreased (Interview\_İstanbul\_19 July 2018\_OzU).

One of our interlocutors in İstanbul responded to our question about access to food and hygiene with a very critical gaze. A 29-year-old female student who is trying to complete her engineering degree, which was interrupted because of the war in Syria, criticised the way the international community treats Syrian refugees:

We do not want food support from the UN, and we do not want to be given a salary. We want them to consider us as normal people, not to make us like the Palestinians. We can't enter most countries. This is the most important thing, to be like a normal person. I think the organisations are not searching for a solution, they only give a glass or cup or some food, but we don't want that. There is a lot of food in Syria. We want them to respect us, treat us as normal people, give us our rights, and have the right to travel to other countries, even Arab countries. If the UN wants, they can tell Jordan, for example, to open the border, and they will open it immediately, but they don't want a solution. We live a good life for the Syrians outside Syria, but the people inside are suffering (Interview\_İstanbul\_2 July 2018\_OzU).

Such critical voices against the international community were rather limited, as seen in previous interviews. Also, some other interlocutors expressed their appreciation for being in Turkey and away from Syria, which did not offer any prospects for their children, even in times of tranquillity. A 40-year-old man married with three children said the following when asked about the living conditions in İstanbul:

I am living here better than I was in Syria. I am living in luxury more than in Syria. In Syria, I was taking in 15,000 in a month, and it wasn't enough. I had to pay 5000 for house rent, and I lived on 10,000. It was always 'cleaned out' [I spent all that I got]. If I wanted to buy something for my children, I couldn't. Here, the salary is good, and there is support, so I am living well. In Antakya, I was taking a lot of support cards, a German card, and a food card. I got 300 or 400 TL to buy everything (Interview\_İstanbul\_31 July 2018\_OzU)

Refugees that we interviewed resorted to several different coping strategies as far as socio-economic constraints were concerned. The most frequently observed coping strategy for families is to rely on less preferred and less expensive food items. At the same time, some reduced the number of meals eaten per day, some borrowed food from others or relied on help from others, and some reported reducing the portion size of meals. Some restricted consumption by adults in order to feed infants and young children, and some resorted to sending family members elsewhere to eat.

Non-food item needs also remain substantial amongst Syrian refugees, especially for those living in rural areas. Needs range across sectors, from bedding supplies, such as blankets, mattresses, clothing, kitchen equipment, and heating systems

(fuel and heaters/stoves). Households' depleted resources and inability to access and afford such items due to their high cost, lack of humanitarian support and distance to local markets were the most cited challenges in accessing non-food items. Yet, findings show geographical variations, and while poverty cuts across locations, refugees in rural areas also tend to face higher physical constraints such as distance to markets selling non-food items or non-food items not being available in their local markets (MDMT, 2019).

Refugees with very poor conditions move frequently or stay with acquaintances or family, or in some cases, groups of single men live together. Refugees in the survival category relied on short-term strategies designed to reduce their living costs and provide them with immediate cash. Upon arrival in Turkey, these refugees often shared crowded accommodations and lived at their workplaces or makeshift places. With no savings or direct support through existing networks of friends or family, daily labour was their main source of income.

During the fieldwork, most of our interlocutors expressed concern about the dire conditions in which they had to live. One of our interlocutors, a 60-year-old Kurdish man married with four kids from Damascus living in Kasımpaşa, İstanbul, explained how he was mistreated ever since he came to Turkey:

We came to Turkey and stayed for two or three months in Mardin. The life, I told you, was below zero. And one like you, told me why wouldn't you go to İstanbul? You have children. I told him I didn't have money, and he said, "If I found you a workshop for jackets would you go?" I told him yes. He called, and the owner of the workshop brought us here. For two years, we have been working, but we couldn't pay for rent from the salary as it was not enough. We paid for the car from there to here. And no one here is helping us, my brother. No one here is helping. I went to *Kızılay*, and they didn't help me. I went to the organisations in Fatih there are organisations, I went to them, and they didn't help me (Interview\_İstanbul\_25 July 2018\_Bilgi).

However, some others did not experience such dire conditions. A 23-year-old woman married with two children from Aleppo, who stayed in Hatay for the first 3 years and then moved to Yedikule, İstanbul, explained how they were lucky now, thanks to an NGO, called Qnushyo<sup>1</sup>:

Here they helped us a lot, in the centre here, the Qnushyo, they helped us with putting the girl in school. She's in kindergarten, and they paid the money, whatever was requested, whatever the school requested they, -I swear- they facilitated all the documents, we just took the kids to the first day at school (Interview\_İstanbul\_27 July 2018\_Bilgi).

The testimonies of our interlocutors change from city to city. For instance, one of our interlocutors explained a sad experience on public transportation during which she was asked about the subsistence of her family. She was a 60-year-old woman with her three children (two married and one single) from Humus living in İzmir:

Once, I got on a bus, and the ticket card did not work properly; a Turkish woman started to scream at me, saying that "you have a lot of money, the state gives you tons of money, you get on buses". And then they got me out of the bus, and they did not allow me to stay on the

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<sup>1</sup>For further information about Qnushyo see <http://qnushyo.com/> It was RESPOND Project's Advice Hub in İstanbul from 2018 to 2020.

bus as my ticket did not work'. But this is not true. We did not receive any aid from the state, I do not understand why do they treat us like that, I got upset a lot. Why do they treat us in this way, Erdoğan called us, he accepted us. Why do people treat us like that? We do not receive any money (Interview\_İzmir\_5 August 2018\_SRII).

The interviews that we conducted mainly show that the cash given to more than a million Syrian refugees under temporary protection makes a very big difference in their everyday lives and the ability to pay for bills, rent, and food. Similarly, NGOs' help also contributes to their survival by providing them with basic needs. As described, the central state delegates the tasks of financial assistance among different actors; it outsources this service to international actors and non-governmental organisations, which is a form of subsidiarity. Notably, the aid is neither guaranteed nor permanent. These organizations' stay in Turkey, and available funds are also unstable. All of our findings show how temporality governs refugee reception. As discussed in the section on Context in Chap. 2, negotiations for securing financial support from the EU are themselves a strategic process in which Turkish policy-makers consistently underline the temporariness of hosting refugees.

### ***3.3.3 Formal and Informal Pathways for Employment***

In the early days of mass migration, Syrians used their existing informal labour networks widely, as those living in urban areas had to work to sustain themselves. Labour networks are widely applied in the process of migration in other national contexts as well. Not only do they help potential migrants obtain information about the availability of jobs, but they also help new migrants settle before starting a job. Even though using labour networks might be helpful, it should be highlighted that they cannot always be trusted. During the interviews, several Syrians stated that the jobs that were offered to them via labour networks turned out to have poor working conditions and low salaries that were often not paid on time and consistently.

At the heart of self-sufficiency is the ability of individuals to earn a living and provide for their families. Under temporary protection, refugees do not have the automatic right to work, and without the legal channels to access the labour market, the informal sector becomes the only option for individuals to earn a living. Anecdotal evidence points to a boom in the construction sector arising from the arrival of the refugees, particularly in the provinces bordering Syria, and that textiles and clothing manufacturing, agriculture and service sector were other major sectors of informal employment for refugees (Kaya & Kırac, 2016; Erdoğan, 2014; Ferris & Kirişçi, 2016; Erzan et al., 2018). Wages for Syrians are generally reported to be only half of the minimum legal salary, and some participants reported making as little as 30 TL a day (around 2–3 dollars). It should be mentioned, of course, that none of these jobs provides job security, occupational safety, or social security benefits.

At the beginning of the mass migration, the neighbouring cities at the Syrian border (Kilis, Hatay, Şanlıurfa, Gaziantep) were affected the most. As these cities mostly have agricultural fields to accommodate their own inhabitants, Syrians also tried to find job opportunities in the agricultural sector. Initially, there were only international organisations and local ethnocultural kinship networks which helped the Syrians find jobs. Some of the migrants also volunteered to contribute to the well-being of their compatriots by working as teachers, doctors, dentists, etc. The local communities also needed such help as the central state did not offer any financial help to those municipalities in parallel with the increasing number of inhabitants of the border cities. A 46-year-old male teacher in Şanlıurfa expressed his experience with the following words:

When Syrian teachers first came here, they were accepted as volunteers, and they could work in district education centres with their diplomas. There were those who abused it, those who issued false diplomas, and so those who deserved to work as teachers were not recruited afterwards. There were also some other problems, such as the assignment of unqualified ones. In this sense, we cannot criticise the Turkish Government. On the contrary, they have always been very empathetic to our conditions from the beginning. But right now, temporary education centres are closed, and some Syrian teachers are transferred to public schools. Their work contracts are temporal and they are paid by the EU and UNICEF (Interview\_Şanlıurfa\_19 July 2018\_SRII).

Syrians who found refuge in the border cities were mostly hosted by their relatives and friends in the first years of their exodus. Traditional kinship networks helped them struggle against the difficulties of everyday life, including finding a job. Other than that, international organisations such as IOM and UNHCR also helped Syrians obtain the right qualification to find jobs. Having graduated from a medical faculty in Damascus and now working as an Imam, a 36-year-old man married with three children from Damascus living in Şanlıurfa said the following to explain the support of international organisations:

Upon arrival, some of us first worked at the temporary training centre, where we learned to do things. We were also paid to attend these training. The project did not last long. We continued until UNICEF came. I am now currently teaching at a school to teach religion to students. I also work in the temporary education Centre [GEM] to teach Syrian students (Interview\_Şanlıurfa\_19 July 2018\_SRII).

In metropolitan cities such as İstanbul and İzmir, Syrian migrants did not find jobs. Those with kinship networks preferred to rely on their kin, but those without any network mostly found underpaid jobs in the informal markets in the textile, construction, service and agriculture sectors. A 48-year-old man married with four children expressed the difficulties of finding a job when he first came to İzmir: In the beginning, we did not find any job, we did some textile jobs at home, but they were paying very little, or they escaped without paying at all, we did not have any money, any bread to eat really (Interview\_İzmir\_17 August 2018\_SRII).

Some have argued that there is an urgent need for better and innovative policies to facilitate the integration of Syrians into the Turkish labour market, considering the country's economic needs as well (Erdoğan et al., 2021). Multiple benefits can emerge from providing a dignified life for Syrians.

### 3.3.4 *Education and Health Care Services*

Turkey recognises the right of all children in Turkey to receive an education. For Turkish nationals, enrolment in schooling is mandatory up to grade 12. Currently, 95% of school-aged children are enrolled in primary education, while 86% are enrolled in secondary education (MEB, 2018). In the case of Syrian children, the Turkish state has given a strong message in favour of education and centralised accountability at the highest levels. During consultations with the Ministry of National Education members during the field research, the local representatives repeatedly emphasised that they see education for Syrians as an opportunity for a brighter future and the ability to contribute to rebuilding Syria. This is also a position that is often reiterated by the officers of the DGMM (Jalbout, 2015). In the meantime, their massive migration to Turkey offers them a safer, more comfortable, and more productive experience during their stay, allowing them to become independent and more engaged members of their host communities. This policy stance was reflected in the Ministry of National Education's Circular 2014/21 on Foreigners' Access to Education, which has eased the administrative barriers for Syrian children to enrol in public schools.

The Ministry of National Education Circular 2014/21 on "Education Services for Foreign Nationals" of 23 September 2014 introduced the concept of Temporary Education Centre (*Geçici Eğitim Merkezi*, GEM). It provided a legal framework for the supervision and monitoring of private schools run by Syrian charities, which had existed outside the regulatory framework of the Ministry of National Education (MoNA) and were therefore unlawful but tolerated by provincial authorities. GEM is specifically defined as schools established and run to provide educational services to persons arriving in Turkey for a temporary period as part of mass migration.

The MoNA authorities have stated that the children accommodated in the camps have unimpeded and virtually full access to primary education, mainly at GEM administered inside the camps. On the other hand, children of school age outside the camps can either attend a public school in the locality, which teaches the Turkish school curriculum and instruct in Turkish, or a GEM. Alternatively, they were also some private Syrian schools for a while, but they are generally not free, and some do not have diploma recognition. They charge students varying amounts of fees. It remains unclear what legal validity any diplomas or certificates issued by the temporary education centres will have going forward. At the same time, the Provincial Directorate of MoNA authorities is authorised to determine such questions if and where the child is subsequently admitted to a public school or a university in Turkey. Another challenge concerns the quality of education provided in GEM, since Syrian teachers teach courses, often volunteers, who need remuneration and professionalisation, according to the interviewed bureaucrats working for the Ministry.

The MoNA has been on the way to a gradual phasing out of the GEM. From September 2016 onwards, all Syrian children entering kindergarten or first grade have to be enrolled in Turkish schools since it has been decided that the GEMs would be gradually closed down. The MoNA has also encouraged children entering

fifth and ninth grade to register at Turkish schools. According to the October 2021 figures of The General Directorate of Life-Long Learning's Migration and Disaster Unit, regarding the 5–17 age group, 731,713 Syrian children out of 1.2 million continue their education in Turkish schools.<sup>2</sup> The numbers are particularly high in Hatay, Gaziantep, Şanlıurfa, Adana and Kilis, which are the most densely populated by Syrian citizens and Syrian students.

During fieldwork, some of our interlocutors talked about the difficulties of adapting themselves and their children to the Turkish educational system. A 40-year-old man with three children from Aleppo residing in İstanbul in the summer of 2018 said the following when he was asked about his experiences regarding access to education:

My daughters are in Temporary Syrian Schools [GEM]; at the beginning of this year, I wanted to transfer them to Turkish schools, but there was a problem. We transferred them to schools that were quite far away. And it's a problem, they're far, and if it doesn't work out, I'll have to send them with someone (Interview\_İstanbul\_31 July 2018\_Bilgi).

Since the beginning of the mass migration, one of the most significant difficulties experienced by the Syrians is the problems they encounter in having their degrees, or formal educational levels, recognised by the Turkish state (Çelik & İçduygu, 2018). When asked whether he had difficulties in having access to education, a 21-year-old male from Damascus living in Sancaktepe, İstanbul, expressed his feelings as such:

School – it was not easy to complete my studies here. In Syria, I finished 8th grade. When I came here, I registered in a Syrian school; when I finished the 9th grade, I discovered that the school was not accepted by the Turkish Government. The Turkish schools wouldn't accept my certificate. I waited for some time until the school was accepted by the Government. This happened two years ago. I then went to the Turkish education ministry. They told me it was a fake certificate, and we couldn't accept it. I went then to the headmaster there and told him about my situation. He didn't accept it either. He said it was because it had only the school stamp, not the Ministry one. He said, 'we can't help you; we don't have a system that saves the names of students! I lost my future because of that (Interview\_İstanbul\_10 August 2018\_OzU).

Syrians often talk about a lack of institutions teaching the Turkish language as one of their most serious difficulties in Turkey. In the early days of their reception, many were not offered any opportunity to learn Turkish through formal institutions because their stay was considered temporary. However, over time, various local institutions such as ISMEK (run by the Metropolitan Municipality of İstanbul), *Halk Eğitim Merkezleri* (Public Education Centres operating under the MoNA), TÖMER (a public institution teaching Turkish as a foreign language)<sup>3</sup> and the Association of Solidarity with Asylum-Seekers and Migrants (ASAM),<sup>4</sup> a

<sup>2</sup>For further information for schooling rates of Syrians as of October 2021 see [https://hboqm.meb.gov.tr/meb\\_iys\\_dosyalar/2021\\_11/05171729\\_ekim3.pdf](https://hboqm.meb.gov.tr/meb_iys_dosyalar/2021_11/05171729_ekim3.pdf)

<sup>3</sup>For further information for TÖMER see TOMER, <http://tomer.ankara.edu.tr/en/home-page/>

<sup>4</sup>For further information for ASAM see <http://en.sgdd.info/>

nation-wide NGO, started to introduce Turkish language courses for foreigners and individuals under temporary protection.

Healthcare services also fall under reception conditions. Article 89-3 of the LFIP states that applicants who do not have any health insurance coverage and who do not have the financial means to pay for healthcare services are to be covered by the General Health Insurance Scheme (GHIS) under Turkey's public social security scheme and financed by the DGMM. Beneficiaries need to be assigned a Foreigners ID Number as a prerequisite for coverage by the GHIS; applicants processed under the accelerated procedure cannot have access to this benefit since they are not issued the International Protection Applicant Identification Document (IPID). As defined by Turkish healthcare legislation, applicants who are not processed under the regular procedure only have access to urgent and basic healthcare services.

Syrian refugees are impacted significantly by difficulties in registration, as it affects their access to healthcare services. Many interlocutors during the field research reported that there is a lack of healthcare facilities providing Arabic-speaking staff and doctors, and they attributed this as a major concern and barrier for the access of Syrians to essential services. Due to the size of big cities such as İstanbul and İzmir, local transportation is also reported to be another significant barrier in terms of access to services.

All Syrians under temporary protection in Turkey are eligible to receive the same healthcare as Turkish citizens, being covered by the national health insurance scheme. Emergency medical services are also provided to non-registered persons. Syrians have the right to access free-of-charge health care services provided by public health institutions for both primary and secondary care. A subsidy of 80% applies to medication costs, which used to be covered by AFAD, and is now by DGMM (since March 2018). Besides primary health care services and public hospitals, Syrians can also approach one of the many Migrant Health Centres (MHC) located in the provinces with high refugee population density. These centres are staffed by both Syrian doctors and nurses and bilingual (Turkish-Arabic) Turkish medical staff. As of May 2018, 1.515 medical staff (75% being Syrian refugees, 16% Turkish citizen Syrians) are delivering primary health care services in 169 Migrant Health Centres supported by the project. Syrians under temporary protection can also benefit from mental health services provided by public health care institutions. In most health care facilities, interpreters are not available, rendering communication with health care providers challenging since the beginning of the mass migration (Batalla & Tolay, 2018). Some NGOs, including the Turkish Red Crescent (KIZILAY) and ASAM are trying to bridge this gap. A 37-year-old man married with four children said the following when asked about his access to health services:

The area [I live in] has everything, but there is a healthcare centre in the same neighbourhood. They don't receive us, the Syrians, I don't know why. They tell us to go to Kasimpaşa [a district of İstanbul in The European continent], well I have the *kimlik* [temporary protection ID] and everything, and it is a healthcare centre, they should receive us. I called and complained against them. They said I should go to the directorate of migration [DGMM in İstanbul], so I called them. Nobody, I called this number 100 times and this Red Crescent

number, and others, they advised me to go to the directorate of migration, and I would have to go and come. No. I don't want to be silent. If I see something wrong, I have to speak up, and if it is here or anywhere else, I have to speak up (Interview\_İstanbul\_1 August 2018\_Bilgi).

The language barrier has always been a challenge in the healthcare field since the reception of Syrians. Though it was reported to be less of a problem in the cities at the Syrian border, where Arabic was one of the commonly spoken languages during the early years of mass migration, it became a more significant issue after Syrians started to migrate to the bigger cities in the country. One of our interlocutors in Şanlıurfa confirmed this observation with her experience. The 60-year-old woman with a son, and divorced years ago in Syria, said the following when asked about access to health services: “Hospitals and health services here are very good here, all of them have translators. They give the medicines for free, and they do the treatment for free.” (Interview\_Şanlıurfa\_12 July 2018\_SRII).

Although healthcare services have been provided for free to all migrants under temporary protection since the beginning of their reception, the language problem remains a significant issue raised by Syrians.

### ***3.3.5 Mobility and Travel***

Mobility is a critical part of exercising one's rights. According to Article 43 of the TPR, migrants under temporary protection living outside the camps should apply to the Provincial Directorate of Migration Management (PDMM) in their provinces and request a travel permit. In some places, migrants under temporary protection have an obligation to make regular declarations to the relevant authorities by obtaining their signature/fingerprint. Those migrants who live in temporary accommodation centres (camps) are also required to obtain permission from the camp administration to travel to the province where they live. If they wish to travel to another city, they must obtain a travel permit from the Provincial Directorate of Migration Management as described above.

Security forces conduct their work under the coordination of the DGMM and make travel permit control checks for Syrians travelling to another city. Bus companies do not sell tickets to Syrians without a permit, and similar applications are being carried out at the airports. Those who pass through the search points and have permission to travel are allowed to do so. These efforts aim to register Syrians and make them stay in their residences in order for them to benefit from services. However, Syrians express their discontent about the legal barriers to their mobility. A 40-year-old woman married with six children from Daraa living in Sancaktepe said the following about the difficulties of getting travel permits:

It is hard to meet a relative because of the travel permit, and it is difficult to take it. I visited my sister once, but before, a travel permit was required. When we went to bring the girl that my son chose [as a bride], we went to the government office to take a travel permit, and they

asked a lot of questions such as why you want to go? How long will you stay? etc. We told them that we were going to bring a girl who would be the bride of my son, so they gave us a permit for ten days (Interview\_İstanbul\_16 July 2018\_OzU).

When asked about their ability to travel in and outside of Turkey, a 23-year-old man married with two children living in Yedikule, İstanbul, said the following concerning his appreciation of the opportunity to go to Syria and come back:

Everyone gives you a way, an idea. There are many people who advise us to go outside of Turkey, Germany, Sweden or such. But we liked to stay here, I have family in Syria, I mean here I am able to go to Syria and see my family every Eid [Islamic Holiday, “Bayram” in English it is also transliterated into Eid al-Fitr and Eid al-Adha], in the Eid we travel, we see them and come back. My in-law’s house is also the same. They live next to us; because of that, we did not like to travel outside of Turkey (Interview\_İstanbul\_27 July 2018\_Bilgi).

Turkey has begun to have a public debate about whether or not the state should let those who want to visit their relatives in Syria back into Turkey after the religious holidays (Hürriyet Daily News, 2017). There is an increasing demand among the Syrians to visit their relatives to assuage feelings of longing for their homeland and to meet some subsistence needs. A 60-year-old divorced woman with a son in Şanlıurfa said the following: “We did not travel anywhere else beyond Urfa. I visited Syria three years ago, crossing from Akçakale border gate for festive time [Eid], and stayed there for 1.5 months. I went to ask money from my brother while returning I came through.” Afrin (Interview\_Şanlıurfa\_17 July 2018\_SRII).

Syrians try to find different coping strategies to overcome issues related to the difficulties of geographical mobility. Applying for Turkish citizenship is one of them. A 35-year-old married man with two children living in Şanlıurfa said the following:

Yes, if I can take citizenship, I can work here. For example, right now, when I need something, I cannot go to Adana, İstanbul or go to the border to view our goods, or to talk with customers etc., but if I get citizenship, I can travel freely, do you understand that, if I can have a nationality, I can work freely, I can talk with people, government, I will not have any problem then (Interview\_Şanlıurfa\_11 July 2018\_SRII).

It seems that geographical mobility for the Syrians under temporary protection will become more complicated as central state actors and the ruling party, the AKP, have become more repressive in keeping Syrians in the cities where they are initially registered, as mentioned in the opening vignette of this book.

### **3.4 Discursive Dimensions of Reception: Changes from Guesthood and Cultural Intimacy Framings to Social Tensions and Repatriation**

The reception of Syrian refugees in Turkey is mainly based on a discourse of tolerance and benevolence driven from path-dependent ethnocultural and religious premises dating back to the Ottoman Empire of the late nineteenth century and the

establishment of the Turkish Republic in the 1920s. The vocabulary, which has been used to identify the Syrian refugees, represents a kind of continuity with regards to the naming of aliens entering the country legally and discursively identified as “migrants”, “guests”, and “foreigners” since the early days of the Republic. All these terms have strong ethnocultural and politico-religious connotations in Turkey.

The Law on Settlement (1934) is one of the foundational legal texts defining how the Turkish state has identified newcomers. The Law on Settlement was adopted in regard to the arrival of ethnic Turks in the early years of the Republic. Moreover, it continued to be the main legislative text dealing with immigration, and it determines who can enter, settle and/or apply for refugee status in Turkey. It also provides individuals of Turkish descent and culture with the opportunity to be accepted as “immigrants” and refugees in Turkey (İçduygu, 2015b). For instance, Uzbeks, Turkomans, Bulgarian-Muslims and Uighurs migrating to Turkey from different parts of the world are named “migrants” (*göçmen*) in the official documents as in everyday life as they are of Turkish descent ethnically. In this regard, there are two other terms that need to be elaborated further: guest (*misafir*) and foreigner (*yabancı*).

In the official literature, the term guest has been used to refer to refugees of Muslim origin but without Turkish ethnic origin from outside the European continent. Kurdish refugees in the 1990s–2000s and Syrian refugees in the 2010s were named as guests’ since Turkey officially does not accept refugees from outside its western boundaries. Bosnian and Kosovar refugees seeking refuge in Turkey in the 1990s set up an exception as they were coming from the western borders of Turkey and had the right to apply for asylum in Turkey (Kirişçi & Karaca, 2015). On the other hand, the term “foreigner” is often used in official texts and in public to refer to those who are not Turkish or Muslim. These groups can also not be incorporated into the prescribed national identity, which is mainly based on what one might call the holy trinity of Sunni-Muslim-Turkish elements. Accordingly, not only the non-Muslims coming from abroad but also autochthonous groups such as Greeks and Armenians are named “foreigners” or “local foreigners” in legal texts (Çetin, 2002).

To this extent, a more recent metaphor to qualify the role that the Turkish state and the pious Muslim-Turks play for Syrians in Turkey, especially during the first years of the mass migration, has been the *Ansar spirit* (Arabic for “helpers”), a politico-religious discourse embraced by the AKP rule. As a metaphor, *Ansar* refers to the people of Medina who supported the Prophet Mohammad and the accompanying Muslims (*muhajirun*, or migrants) who migrated there from Mecca, which was under the control of the pagans. The metaphor of *Ansar* originally points to a temporary situation as the Muslims later returned to Mecca after their forces recaptured the city from the pagans (Haber7, 2014). Hence, the Turkish Government has used a kind of Islamic symbolism to legitimise its acts regarding the resolution of the Syrian refugee crisis, inspired by some “ideological-sectarian reasons” (Gümüş & Eroğlu, 2015). Turkish government leaders have consistently compared Turkey’s role in assisting the Syrian refugees to the *Ansar*, referring to the Medinans who helped Muhammad and his entourage, linking it with foreign policy approaches around “strategic depthness” and humanitarian diplomacy (Davutoğlu, 2001, 2013a, b).

The Prime Minister at the time, Ahmet Davutoğlu, in his speech in Gaziantep, one of the most popular destinations for Syrian refugees at the Syrian border, publicly stated that the inhabitants of Gaziantep were from a city of Ansar: “Gazi[antep] is an Ansar city now. God, bless you all” (Akşam, 2014). Similarly, President Erdoğan used the same discourse in his speeches in 2014 and afterwards: “In our culture, in our civilisation, guest means to honour and blessing. You [Syrian guests] have granted us the honour of being *Ansar* and brought us joy and blessing. As of today, we have more than 1.5 million Syrian and Iraqi guests” (Hürriyet Daily News, 2014). The discourse has continued until recently, Deputy PM, Numan Kurtulmuş, referred to the same rhetoric when he introduced the right to work granted to the Syrian refugees under temporary protection:

The reason why the Syrian refugees are now settled in our country is the hospitality and Ansar spirit that our nation has so far adhered to. There are other countries that cannot do anything when they encounter a few hundred thousand refugees. However, contrary to what the rich and prosperous countries could not do for the refugees, our country did its best for the refugees as a generous host, friend, brother and neighbour. (Yeni Asya, 2016)

The main common denominator for the ruling political elite is that the Syrian refugees were mostly portrayed and framed by means of an act of benevolence. Hence, the assistance of the state to refugees is accomplished based on charity rather than on universally recognised rights that are supposed to be granted to refugees fleeing their homelands. Such a religious-based discourse regarding the reception of Syrian refugees in Turkey has also been embraced by the bureaucrats working in the migration sector, as well as by some local municipalities and some civil society actors. The use of the discourse of Ansar spirit by the Government and the President also goes in parallel with the use of Islamist, neo-Ottomanist and populist rhetoric by the same political actors. Essentializing the Islamist and Ottoman heritage has made it easier to eliminate possible critics of the Turkish population that is large of Sunni-Muslim origin (Kaya, 2019). The Government strategically chose such appealing historic frames to appease the opposition and garner social support in receiving newcomers, particularly in border cities.

After a short time, it became clear that framing the refugees as guests was not sustainable in terms of accommodating their urgent needs and coming to terms with the increasing resentment among the local populations vis-à-vis the refugees. Following the implementation of the TPR, which still frames the refugees as temporary, some discursive shifts became apparent in the media concerning the state actors’ changing position on the permanent character of at least some of the Syrian refugees in Turkey. These discursive shifts have so far mainly emphasised the permanent nature of the issue – the introduction of work permits in early 2016, the incorporation of pupils into public schools, creation of quotas for Syrian students in higher education institutions (all of which are discussed in the next chapter). Even though permanency was recognised, it was very limited and selective and still partial, leaving migrants in a liminal state, so to speak.

As strategically intended by politicians, the framing of the refugee reality by state actors as an act of benevolence and tolerance has also shaped public opinion.

Although it delayed the process, the framing did not prevent the exposure of some racist and xenophobic attitudes vis-a-vis the Arabs in general and Syrians in particular. The increasing economic and financial crisis in Turkey in the aftermath of the failed coup attempt of 15 July 2016 created further societal and political divides and polarisation, which has led to the scapegoating of Syrian refugees by many native groups as well as to the birth of Arabophobia, the origins of which may go back to the World War I (Khoury, 1983). Therefore, via both the past experiences stored in the collective memory of Turkish citizens and current political discourses, the Turkish Government strategically underlines the temporariness of Syrians.

However, these frames were intensively used in the early years of reception, then were not voiced extensively later, clearly displaying their temporality in the socio-political context. After 10 years of mass migration of Syrians, the political discourse of guesthood is no longer socially reciprocated by the majority of Turkish citizens. Hence, there is a discrepancy between how Syrians and locals perceive what one may call cultural and/or religious intimacy. The picture in Turkey is no longer as serene as the Government depicted it in the early years of mass migration. There is also growing public and political attention to the eventual return of Syrians. The discourse of return has become more widespread since 2018 as hostility against Syrians escalated in Turkey due to increasing socio-economic and political unrest.

The discursive shift also became visible in the speeches of the Minister of Interior, Süleyman Soylu, who started to give detailed accounts of Syrian returnees in his monthly organised press conferences in 2018 and 2019 (Hürriyet Daily News, 2019a). The discursive shift of the Government became even sharper in the aftermath of the local elections held on 23 June 2019 when the ruling party lost metropolitan cities such as İstanbul, Ankara, İzmir, and Antalya. As mentioned in the beginning, following the loss of elections in İstanbul, the governor of İstanbul announced that Syrians under temporary protection residing in İstanbul without proof of documents showing İstanbul as their city of registration would be deported to the cities where they were initially registered, or to Syria. These changes in policy practices show that what is happening to the Syrians is not only a discursive shift but also an actual transformation of policies and practices from guesthood to return (Gökalp-Aras & Şahin Mencütek, 2019). However, the repetition of the demand for returning Syrians has somehow been interrupted by the COVID-19 pandemic.

Turkish host communities perceive that the massive increase in the number of refugees outside of camps and the lack of adequate assistance policies have aggravated a range of social problems. There is now a growing concern about underage Syrian girls being forced into marriage with Turkish men (Kaya, 2017a, b) and fears that a recent constitutional court ruling decriminalising religious weddings without civil marriage will lead to a spread of polygamy involving Syrian women and girls (Kirişçi & Ferris, 2015). There have also been reports of occasional violence between refugees and the local population (Şahin Mencütek, 2020a, b). In turn, this reinforces a growing public perception that Syrian refugees are associated with criminality, violence and corruption. It is not a surprise that Turkish society has witnessed several lynching attempts, and the prevalence of stereotypes, prejudices, communal conflicts and other forms of harassment against Syrians is increasing

(Gökay, 2015). These attitudes contrast with the observations of local authorities and security officials that criminality is surprisingly low among refugees and that Syrian community leaders are very effective in preventing crime and defusing tensions between refugees and locals (Kirişçi & Karaca, 2015). Societal tension is predictable to some extent because, from the beginning, Syrians were largely portrayed as temporary guests with limited rights. They were not seen as equal members/citizens. Thus, it was easy for them to become targets of blame or scapegoats for growing economic problems, such as inflation and unemployment, which they do not necessarily cause, but instead, have structural reasons. In some local contexts, like Şanlıurfa such tensions were mediated through the cooperation of Syrian community leaders and local religious actors, in other context like Gaziantep or Istanbul, tensions escalated quickly due to a lack of mediation efforts (Şahin Mencütek, 2020a, b).

### 3.4.1 *Cultural Intimacy for Syrians as A Way of Combating Temporality*

As stated above, the political discourses of guesthood, Ansar spirit and religious brotherhood were successfully formed by the Government Party leadership to accommodate the high number of Syrians. The Syrian interlocutors have reported ethnocultural, religious and historical ties between most Syrians and native Turkish citizens as the main source of comfort for their stay in Turkey. This can be seen as a local strategy or discourse to cope with the temporality imposed on them. This echoes what Michael Herzfeld (2005, 2013) calls cultural intimacy. This intimacy functions as a kind of reassurance for Syrian refugees to remain in Turkey despite social-economic difficulties, deprivation of rights, exclusion and exploitation in the labour market and in everyday life. Herzfeld's notion of cultural intimacy includes various acts and attitudes repeated by members of a group of people, which lead to the formation of a Manichean understanding of the world divided between "us" and "them". These acts and attitudes may range from essentialising culture and past, practising various stereotypes in everyday life, performing persuasive acts of resemblances, ordinary acts of embarrassment kept as intimate secrets of the group, and different forms of iconicity such as mythical, visual, musical and gastronomic images bridging a sense of resemblance with the other members of the group at large (Herzfeld, 2016).

The discourse of cultural and religious similarity is noticeable in the statements of the Syrian interviewees. A 40-year-old woman married with six children said the following when asked about the living conditions in İstanbul:

Our third son travelled illegally to Germany, and he stayed there for 2.5 years. He learned German and reached a very good level in it. But recently, when he was there, I felt that his attitude began to change. My husband told me, "I would try hard to make him come back to Turkey but without letting him [the son] know about that." I believe that Turkey is better than other countries, it is an Islamic country, and we can hear the sound of *ezan* [call to

prayer)] here, this advantage is enough. We decided to stay here, and we didn't want to go to another country because we would again start from scratch, so we decided to stay here until our country's situation became better (Interview\_İstanbul\_16 July 2018\_OzU).

Our interlocutors in İstanbul have mostly expressed their appreciation for the city's welcoming culture at all levels. A 37-year-old-woman with two children said the following when she was asked whether she wanted to go to Europe: "No, I don't think that we will use this chance, and even if we did, we don't want to go there mainly because of the kids, they got used to being here. My son always says that my country is Turkey, my president is Erdogan" (Interview\_İstanbul\_25 July 2018\_OzU).

There are, of course, some other interlocutors in İstanbul who have mixed feelings and experiences as far as their encounters with the locals are concerned. A 37-year-old man married with four children in Balat, İstanbul, said the following when asked how the locals are receiving him:

It's mixed; there are those whom I would like to thank, such as the Turkish government, and the Turkish people in general, without exception, those who accepted me well and those who didn't. Because none of the Arab countries or any other country in the world, except Germany, did what Turkey did. Turkey accepted and received us. I see that all the world governments and all the world countries are conspiring against the Syrian people (Interview\_İstanbul\_1 August 2018\_Bilgi).

Similarly, our interlocutors in Şanlıurfa frequently stated that they feel at home because of cultural, religious, linguistic, and geographical similarities. Syrians who found refuge in the border cities in the Southeast Turkey are reminded by their collective memory that Aleppo, the province where they mostly come from, was the third most cosmopolitan province of the Ottoman Empire after İstanbul and İzmir, and also that Aleppo province included some cities which are now parts of Turkey such as Hatay, Kilis and Şanlıurfa (Watenpaugh, 2005). A 23-year-old single woman said the following about her everyday life in the city: "I am very happy here. Sometimes I miss Syria, of course, but here I have my aunt, my neighbours. We are communicating with them very well. I also have very good relations with the people in my workplace. They are like my family. I don't really feel like a stranger here" (Interview\_Şanlıurfa\_16 July 2018\_SR11).

This kind of similarity comforts Syrians is limited to religious and linguistic aspects and gastronomic and musical tastes on both sides. As one manifestation of this, the number of Syrian restaurants has rapidly increased in İstanbul, Şanlıurfa, Bursa and other cities. These restaurants attract not only Arab tourists who feel a kind of cultural intimacy with the food and beverages served there but also Turkish locals who feel a similar cultural intimacy with the Arabic cuisine, which has always been an essential part of the cosmopolitan Ottoman cuisine. Similarly, the number of Syrian street music bands is also increasing. Radio stations such as *Al-Kol*, *Muftah* and *Alwan* were established in İstanbul to broadcast to the emerging Syrian diaspora in Turkey and the homeland in Syria (Alarabiya News, 2013). The sound of Arabic music echoing in the streets of cities such as İstanbul and Şanlıurfa as well as in the Arabic radio stations, construct new bridges between the Syrian refugees

and the members of the local communities. They are somehow appealing by virtue of their resemblance to the popular Turkish Arabesque music (Kaya, 2017a, b). In general, there are clear signs of diaspora formation in the Syrian refugee communities, which also build more transnational connections (Şahin Mencütek, 2020b).

It could be argued that cultural intimacy comes into play when Syrian refugees residing in İstanbul as well as in other parts of Turkey, especially in the South-eastern parts of the country, are asked to express their opinion about migrating further away to the European countries (Kaya & Kıraç, 2016; Fabbe et al., 2017). Their hesitation in going to Europe seems to derive partly from their strong belief that the Europeans disapprove of them and partly from the life-threatening nature of the journey, which has already led to the death of thousands of people *en route*. During the research, interlocutors often put forward that the tragedies that their Syrian fellows had to go through during their exodus from Syria to Greece have left very negative marks on them. The traces of the heart-breaking images of Aylan Kurdi, whose dead body was lying down on the Aegean shores of Bodrum, Turkey (Smith, 2015), were still fresh in the minds of the interlocutors when interviewed. When asked why they came to İstanbul a year ago and if they did not want to continue the journey to Europe, where her husband had been waiting for them for the last 3 years after he was smuggled to Germany, a 28-year-old mother with two children from Damascus residing in İstanbul expressed her fear of death with the following words:

We first stayed in something like a studio. It was my brother's wife and me, and she also has a girl [crying]. We stayed for a period, trying so we would be able to continue our way through smuggling to Greece. They scared us too much about the journey. Death and no death, like that we kept hearing stuff like that a lot [crying], we... Whenever we went to see a smuggler and talked so that we would continue. I don't feel comfortable. [Smothered cry] We got scared. We gave up the idea. So that we would stay here and wait until family reunification happens, that was it (Interview\_İstanbul\_27 July 2018\_Bilgi).

The cultural and religious similarity is undoubtedly an essential element, creating comfort zones for some Syrians. A 54-year-old man with two spouses and 11 children from Damascus said the following:

Actually, we were thinking of fleeing to Europe in the beginning, but then we changed our minds; living there is hard. I would not have control over my kids and wife there. There, the rule is on their side. I could not control them anymore. I heard a lot of stories about women who arrived there and left their husbands and stayed with only their children. Just ten per cent are living there normally as a family. If a man wants to live there, he has to let the woman act like she wants (wearing a scarf or not, praying or not), but we are not like that. We like to live the traditional Syrian life in which the man is in control of the house. Another thing is, I thought about leaving Turkey because of its restrictions because of the Turkish people's treatment. I thought seriously about going to Egypt, but unfortunately, the Arab countries closed their doors in our faces. (Interview\_İstanbul\_29 July 2018\_OzU)

During the field research, several testimonies, such as these, were expressed by our interlocutors. It seems that such cultural intimacy prevents most Syrians from generating a willingness to go to Europe. An extensive study conducted by Kaya and Kıraç (2016) in İstanbul in 2015 and 2016 revealed that only 1.6% of the interviewed Syrians were willing to go to Europe, while 79% expressed their willingness

to go back, and around 20% stated their willingness to stay in Turkey when the war is over. A similar tendency was revealed among the Syrian refugees surveyed in Gaziantep, Urfa, Hatay and İstanbul in 2016 (Fabbe et al., 2017). In their survey, it was around 5% were willing to go to Europe. Their hesitation to go to Europe can be explained through various factors: cultural intimacy with Turkey, ethnic and religious affinity with the natives in Turkey, most of the Syrians' being Sunni-Muslim-Arab who have communal, religious and ethnic ties in Turkey (especially in Southeast Turkey as well as in İstanbul), growing anti-refugee sentiments, Islamophobia and right-wing populism in Europe, the absence of safe passage to Europe, obvious risks at sea, the economic burden of the journey, and the news with regards to the deadly journeys circulated in the social and mainstream media (Rottmann & Kaya, 2021).

However, there is an increase in the tendency of Syrians to be willing to go to Europe. The survey conducted by the Multilevel Governance of Mass Migration in Europe and Beyond Project (RESPOND) with 750 Syrians residing in İstanbul, İzmir, Şanlıurfa and Batman revealed that around 45% of Syrian respondents were ready to move further towards Europe if only there was a chance (Jancewicz, 2021). This representative survey reveals that Syrians are becoming less likely to stand for all kinds of socio-economic problems, unemployment, exploitation, intersectional forms of discrimination, societal and political polarisation, the COVID-19 pandemic, and the ramifications of growing Turkish nationalism that they face in everyday life.

It is undoubtedly a relief for Syrians to stay somewhere near their homeland so that they can stay connected with it and with their remaining relatives whom they can visit at least from time to time during the religious Eid season twice a year. The Turkish government allows Syrians to visit Syria for a total of 3 months during two Muslim religious festive/vacation (*bayram*) times if they apply in advance to the Provincial Directorate of Migration Management to get a travel permission document. A limited number of those who had visited Syria returned to their hometowns and only if they found conditions bearable; however, the majority returned to Turkey (Şahin Mencütek, 2020b, 130). Thousands of Syrians take advantage of the opportunity for short visits, not only to enjoy celebrations but also, to look after their properties and to visit relatives. The one situation that requires visits to Syria is the conduct of funerals. One interviewee from Şanlıurfa noted that adopting the funeral customs of Syrians in Turkey is quite difficult as they lived in smaller houses, where visits of their friends and the associated crowd at such times were not welcomed by local Turkish neighbours. It was also the case that the closest members of families, such as sons and daughters, tried to visit Syria for the funerals of their parents or other close kin. Such visits necessitated private travel permits for a week issued by the authorities in the border provinces (ibid.). Almost all of the interviewed Syrians reported that they often connected with close and distant relatives in Syria and those dispersed to other countries via mobile phones and social media. When refugees were asked about the existence of such connections in the form of emotional ties with the home country, themes about missing home, unhappiness and nostalgia were mentioned with the aspiration of moving back to Syria (Ibid.).

### 3.4.2 *Encounters with Officials, Civil Actors, and The Receiving Society*

Our research has revealed that most local residents where we conducted the fieldwork have been supportive of the rhetoric of the *Ansar Spirit* reified by state actors in general and the Government in particular. The *Ansar Spirit* has been embraced by pious Muslim Turkish citizens who perceive the Arabs and the Arabic language that they speak as sacred. The fact that Prophet Mohammad was of Arab origin, and the language of the Quran in Arabic, carries much significance for pious Muslims in Turkey and other non-Arabic geographies of Islam. The members of local communities in the municipal districts run by the Government party have often referred to the cultural and religious intimacy they have practised in everyday life with the Sunni-Arabs coming from Syria. Hence, religious and linguistic similarities are instrumentalised by Sunni-Muslim-Syrian refugees and by members of the Sunni-Muslim local communities who have already reified the language and the ethnicity of the Sunni Arabs (Kaya & Kıraç, 2016; Deniz et al., 2016).

However, some locals do not seem to be at ease with the *Ansar Spirit*. Our interlocutors mainly reported this kind of attitude in İzmir. A 35-year-old divorced woman with five children, two of whom live with her and three of whom stayed behind in Aleppo with her ex-husband, said the following when she was asked about the way the local inhabitants and authorities treat them:

There is a bit of change now. I feel like they don't like us anymore. They used to help us before. For instance, I get milk support for my children. When I am not at home, they drop the milk at the office of the Muhtar (local authority). When I go there to pick up the milk, he screams at us, saying, "We don't want Syrians anymore" (Interview\_İzmir\_30 July 2018\_SRII).

During the fieldwork in İzmir, we encountered more such experiences compared to İstanbul, Ankara and Şanlıurfa. A 27-year-old Arab woman married with two children from Aleppo said the following along the same lines:

Yesterday, I was waiting at the bus station in the queue to go to the hospital. There were two other Syrians in the queue. A Turkish woman came and told us to get out of the queue as we were Syrian, she said first Turks would get on the bus, and then the Syrians would get on. She was not a bus driver; and she was another passenger. She did not allow us to sit down and looked at us strangely. Such incidences happen on buses too. They accuse us of making the bus crowded (Interview\_İzmir\_16 August 2018\_SRII).

Similarly, a 48-year-old man married with four children said the following when asked how they were received by the locals in İzmir:

In the first years, we encountered good people, but in the last year, we faced bad people. Once, young boys came in front of our house, they stoned our house, and they said bad things to us. They say these things in the school of my daughter too. "Suriyeli bomba" (Syrian bomb) "okula gelme" (don't come to school). Her teacher is very good, but some pupils treat our daughter badly. Similarly, one day, one girl did not want to play with my daughter. Her mother came and warned them and wanted her to play with my daughter too (Interview\_İzmir\_17 August 2018\_SRII).

A Syrian Turcoman father living in İzmir told us that.

In the first years, the locals loved us and treated us very well, but then they got tired of Syrians as Syrians became more crowded here. I have sons working in shoe-making workshops. I advise them to be invisible, to come home directly from their work, not stay outside at night, and not talk Arabic in public spaces like on the bus. We are not wanted anymore (Interview\_İzmir\_04 August 2018\_SRII).

This kind of discourse has also become relatively widespread in printed and social media. In the case of a popular conservative-pious-Muslim poet, İsmet Özel has treated the Syrian refugees as “traitors” (Özel, 2016). Defining the Arabs as traitors in Turkey is actually a rather old habit dating back to the dissolution of the Ottoman Empire in the late nineteenth century and early 20th century. Turkish nationalists perceived the Arabs in those days as “traitors” since they believed that the Arab nationalists stabbed the Turks in their back by collaborating with the western imperialist forces (Pope & Pope, 1997). Such a stereotype is still powerful in the collective memory of Turkish citizens.

Refugees are easily portrayed as inferior, malign, dangerous, or threatening (Wodak & van Dijk, 2000). Due to lacking the resources of public communication and relevant language skills as well as concerns about their safety, most refugees are unable to contest such labelling, stereotypes and xenophobic attitudes generated by the majority society (Marfleet, 2007, 2013). Social acceptance of Syrians shows fluctuations as public attitude surveys display (Erdoğan, 2015, 2017). In their electoral campaigns, the main oppositional parties had also employed such a xenophobic discourse prior to the 07 June 2015 General Elections. The Republican People’s Party (CHP) and the Nationalist Action Party (MHP) were using a populist discourse scapegoating Syrian refugees for the political, social and economic ills in Turkey (Yanaşmayan et al., 2019). Syrian refugees have been instrumentalised by both parties to express their critique against the AKP, which they blamed for deepening the Syrian crisis in the first place, thus leading to massive migration of Syrians to Turkey at the expense of Turkish citizens (Werz et al., 2015). Upon growing criticisms from civil society organisations and academics, it should also be noted here that both parties, especially the CHP, gave up on such discourses prior to the second general elections held on 01 November 2015 and have since then used a rather constructive and friendly discourse vis-a-vis the Syrians (Canyaş et al., 2016). However, the CHP leader repeated the same anti-refugee discourse in response to the Government’s efforts to grant citizenship to Syrians prior to the constitutional change referendum on 16 April 2017 (Hürriyet Daily News, 2017, 2019b). The 2018 local election results also sparked crackdowns, as mentioned at the beginning of this book. As of late 2021, the Syrian refugee issue became the most popular issue which has been discussed by opposition parties to criticize the Government. Scapegoating Syrians for all domestic policies and offering repatriation as a solution seem to remain on the domestic political agenda for a while, signalling the implications of strategic temporality.

### 3.5 Conclusion: Challenges and Prospects

It is well-known that harsh reception policies become a tool to ensure the temporary nature of refugee stays. The Turkish reception system demonstrates how the responsibility for the reception of refugees is delegated to the local bodies and how the politics of subsidiarity can be associated with an extension of the reception period. In the beginning, urban refugees under temporary protection were not offered any support by the state to meet their urgent needs, such as food, water, housing, and clothing. Civil society organisations, local administrations, and international organisations provided Syrian migrants with their basic needs. It is the EU's ESSN programme brought a structured scheme to meet their basic needs. Urban refugees have always been exposed to more difficult conditions, such as poverty, expensive housing and rents, exploitation of labour, shelter, education, health services, insecure circumstances for women and children, human trafficking, and growing xenophobia.

The mounting discourse calling for the return of Syrians in the past few years has replaced the initial discourses of guesthood and the Ansar spirit. The ruling elite has refrained from using a discourse of integration as they strongly believe that it is the discourse of return, which will politically pay off. In the midst of the growing calls for their return, Syrians have started to feel even more threatened under temporary protection. Even in the initial period, the reception system generated liminality and uncertainty because of political discourses produced by the AKP government promoting a temporary religious-based charity and guesthood discourse at the expense of a more permanent right-based discourse. At the societal level, welcoming and positive attitudes at the beginning of arrivals have been gradually replaced by negative attitudes, a rise in discrimination, hostile attitudes and sporadic violence targeting refugees, not only in metropolitan cities like Ankara and Istanbul but also in the border cities, like Gaziantep and Şanlıurfa where there are stronger ethnic and kinship relations with local and Syrian communities. The observed changes in relations at the local and state levels over time provide some insights into the negative outcomes of strategic temporality embedded in Turkey's national reception system. Undoubtedly, these features of the reception phase lead to a similar erosion in overall relations related to protection and integration dimensions, as will be discussed in the following chapters.

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# Chapter 4

## Protection



### 4.1 Introduction

Turkey has a highly complex structure with stratified legal statuses and multiple actors in migration and refugee governance. The chapter shows how temporality is the key encompassing characteristic of Turkey’s refugee governance, which is the basis for its response to Syrian mass migration and multilevel refugee governance. In this regard, the chapter asks how strategic temporality is used as a tool for international protection in Turkey and what the consequences are in terms of the legal, political and institutional frameworks at the macro level, as well as perceptions, experiences, and strategies of policy implementers and policy beneficiaries at both meso and micro levels.

Strategic temporality appears to be at the heart of Turkey’s asylum and refugee protection regime. In this chapter, we use the official terminology of the country, “international protection,” rather than refugee protection so as not to create ambiguities in referring to related national legislation and officers’ identification of practices. First of all, the majority of beneficiaries, over 3.7 million Syrians as of 7 October 2021 (DGMM, 2021a), can only benefit from temporary protection status. On the other hand, most of the remaining non-Syrian migrant population are only given the right to remain in Turkey as a part of international protection until resettled into third-safe countries. Thus, they are not permitted long-term residence rights in Turkey and face strategic temporality. Despite the significant differences, there are essential similarities regarding international and temporary protection that are mainly based on uncertainties and temporalities. Uncertainties and temporality are reflected in refugee governance from the initial to later stages. Strategic temporality also has significant implications not only in the legal and institutional structure but also in the practices and experience of beneficiaries of this regime. In response to the stratified structure, both meso-level actors (e.g., practitioners, officers, experts, civil society representatives) and micro-level actors, refugees and

asylum seekers, navigate this strategic temporality to claim agency and feel belonging under conditions of precarity and uncertainty.

This chapter describes the complexity of policies and their implications regarding protection. It provides a comprehensive analysis of Turkey's protection regime, comparing different protection categories, including those adopted to respond to Syrian mass migration from 2011 to 2020. It raises the question: how does Turkey respond to protracted refugee situations, what are the implications of these responses, and how do they change?

The chapter analyses international protection by focusing on the gap between official policies and their implementation in practice by various local, national, and supranational actors. It examines multiple dimensions, including access to the asylum system, legal assistance, appeals procedures, and support for vulnerable groups, including the perceptions and experiences of relevant actors. In this framework, the chapter first focuses on the analytical and conceptual framework, then presents recent descriptive figures regarding the concerned populations. It then briefly maps the administrative procedures of the protection application. The following large section presents the meso and micro-level analysis from the fieldwork to show the implications, perceptions, and experiences of policy implementors, state and non-state actors, and migrants. To do this, it first addresses access to international and temporary protection and increasingly restrictive practices. Then, it focuses on the implications of strategic temporality for migrants. These include uncertainty, stratification and a lack of durable solutions. The chapter concludes by discussing the challenges and prospects of the current protection regime.

## 4.2 Protection Amidst Stratified Legal Statuses, Temporality and Multilevel Governance

The concept of protection is highly blurred and contested and should not be reduced only to survival and physical security. Protection is often conceived as a right. However, it requires the provision of the full range of rights, including civil, political, economic, social, and cultural. The broader definition of protection is “all activities aimed at obtaining full respect for the individual's rights in accordance with the letter and spirit of the relevant bodies of law, namely human rights law, international humanitarian law and refugee law” (UNHCR, 2011, 7).

The modern approach to protection emerged with the 1951 Refugee Convention and the 1967 Protocol, but the scope has broadened as many of those fleeing severe harm in a post-colonial context do not fit the official Convention definition of refugee status (Chimni, 2009; Feller, 2001). In general, “international protection” and “refugee protection” are used interchangeably. The UNHCR Statute uses the term “international protection” (UNHCR, 2001, 30) as a measure for those who lack protection in the country of citizenship. International protection refers to situations where the country of origin cannot provide protection, and the international

community fills the gap by providing “diplomatic protection” or, in other words, international protection (Fortion, 2011, cited in Puggioni, 2016, 7).

The issue of who holds primary responsibility for international protection is highly controversial. Answers range from the international community to the representative of the refugee regime, the United Nations High Commissioner for Refugees (UNHCR), host states, prospective asylum countries or all or none of the above. The leading actors in the asylum regime are governments, in accordance with the common norm that it is “the duty and responsibility of states to respect, protect and fulfil the human rights of refugees within their borders” (Purkey, 2013, 693). The treatment of refugees affirms the legitimacy of an international order of nation-states in which everyone must belong somewhere, and it supports the role of states (Malkki, 1996). However, legal uncertainties allow states to evade protection responsibilities, as international law is dominated by the state sovereignty-oriented approach, and states are only bound by their consent (Jubilut et al., 2018). States can take advantage of legal ambiguity to distance themselves from a protection responsibility towards asylum seekers. One way of endorsing legal ambiguity is through stratification and differentiated inclusion, as discussed below.

Regarding stratified legal statuses, stratification is about “differential life chances – who gets what and why” (Jasso, 2011). Status-based differentiation and attached legal statuses function by defining conditionalities of entry and delineating categories of migrants (Meissner, 2018, 293). They create differences among citizens and non-citizens and beneficiaries of international protection and foreigners. The proliferation of categories and legal statutes attributed to migrants lead to legal precarity, becoming the core of strategic temporality as a governance strategy. For migration control purposes, states categorise migrants in particular ways, and some foreigners find themselves under international protection. Even under the same category, some are less protected than others (Könönen, 2018). Statuses also result in differential inclusion concerning the preconditions of residence and access to rights, such as the labour market, healthcare services, and education.

Immigration law and refugee protection regimes are an extension of borders as Dauvergne (2008, 7) states: “migration law is at its core a border construction site”. They are the main instruments in the differential inclusion of non-citizens, which defines the system of boundaries and contributes to the increasing differentiation of immigrants. Although status differentiation operates largely based on undocumented and temporary, more status multiplication has engendered horizontal stratification. In addition, legal statuses and related procedures and conditions regarding protection result in additional traceable inequalities and discrimination among migrants and refugees. The condition of precarity in which refugees are embedded can be regarded as a common thread, and the pervasive uncertainty that they face encompasses, in many instances, every stage of the national migration system. These conditions are traceable in various stages, from rescue operations and providing succour to the refugee status determination (RSD) procedure and the set of entitlements bestowed on asylum seekers after they obtain protection or permission to stay.

In this framework, temporality, stratified legal statuses and legal ambiguity are at the heart of refugee protection and its refugee governance in Turkey, and they are used as a strategy to control and manage refugee situations. The Turkish legal framework uses international protection, defined and framed by the Law on Foreigners and International Protection (LFIP). A complicated and highly fragmented structure of legal statuses enables these stratifications. Along with existing dichotomies and categories such as volunteer versus forced migrants and regular versus irregular migrants, there are also conditional refugee and temporary protection beneficiaries. These categorisations reflect the strategic aim of states to redefine, control, manage and include or exclude migrants. Borders function for controlling movement and separating citizens from foreigners, but differentiation continues through the legal statuses as migrants enter national space and these differences define restrictions and impediments. Our discussion of the legal framework in Chap. 2 showed that a key component of stratification is the construction of formal devices of inclusion and exclusion concerning rights.

Temporality is also visible regarding both the existence and the roles of actors providing international protection in Turkey. The institutional structure in the protection field can be best described with the multilevel governance (MLG) framework. MLG focuses on several policy levels, including global, supranational, regional, national, and local, with each helping to form migration policies. MLG explores how these policy-making levels interact, contradict, and compromise and have been systematically theorised through four modes of multilevelness: centralist, localist, multilevel, and decoupled mode (Scholten & Penninx, 2016).

Along with the initial definition, Hooghe and Marks (2001) also suggest two types of MLG focusing on the dispersion of migration governance across multilevel jurisdictions: MLG Type I and Type II. Type I MLG refers to fixed and established jurisdiction at various levels – local, regional or international that are more or less permanent. Type II MLG, by contrast, consists of specialised jurisdictions that mainly operate across the levels. It also reflects a more complex and fluid patchwork of overlapping jurisdictions. In this regard, it accommodates crisis and provides a framework for understanding how crisis influences institutional and actor interactions. It allows states to invite non-state actors into the process on a case-by-case basis in times of crisis, returning to the normal state of affairs once the crisis is over. Therefore, in particular, MLG II consists of temporality. In the case of MLG II, those new actors do not challenge the state's power in any policy domain and are, in fact, "licensed" to operate in their domains by the state itself (Gökalp-Aras, 2020). They mainly undertake the role of care provision within the state's broader remit to "care for and control" subject populations as the final arbiter (Ibid.). Type II recognises the temporal dimension – that the processes of becoming, changing and transforming – are at the heart of the protection field, as observed in Turkey's case.

Within this dynamic institutional context based on temporality, asylum seekers remain in legal limbo for many years, and even those with refugee status cannot become citizens automatically. The Turkish state, similar to other hosting states, plays a role in the spatial and temporal dimension of uncertainty that displaced people experience because states identify, and often marginalise, refugees and

create measures to maintain this uncertainty. In the case of Turkey, Syrians are left to uncertainty in terms of the temporary protection regime since this type of protection does not necessarily give asylum seekers a sense of protection. Instead, they experience a sense of “existential limbo”: “a subjective and temporal state of being in which the asylum system, in the present moment, is understood as the locus of suffering and in which life and meaning-making are defined by a sense of immobility” (Haas, 2017, 75).

This chapter demonstrates that temporality is a central feature of the protection field of Turkey’s refugee governance. This temporality generates a situation in which forcibly displaced Syrians and non-Syrians find themselves in ad hoc arrangements and subject to the dominance of short-term changes, exceptions (or derogation from norms) and in-betweenness. This policy choice is strategic because temporality is related to the politics of forced migration at domestic, regional and global levels. In other words, the temporality approach is believed to serve the interests of the country. While Chap. 1 discussed the conceptual roots of temporality, Chap. 2 looked at how legal and institutional levels manifest strategic temporality and Chap. 3 explored temporality in the reception. This chapter mainly focuses on international and temporary protection in theory and practice.

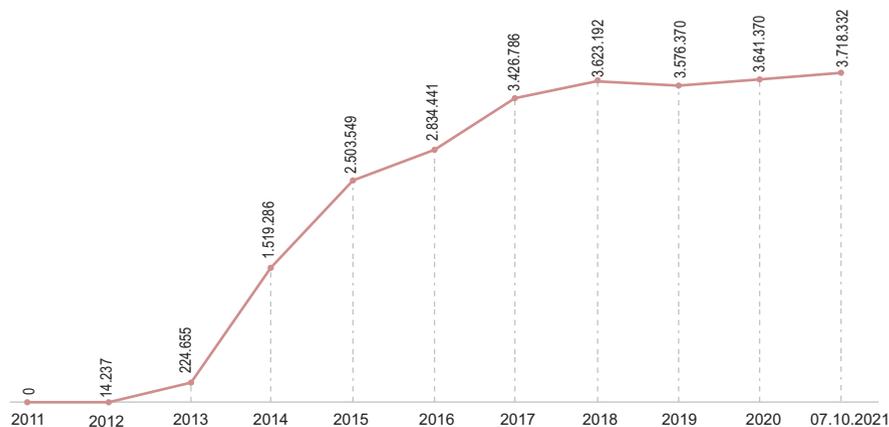
### 4.3 Descriptive Figures Regarding International and Temporary Protection in Turkey

According to recent figures provided by the UNHCR, as of September 2021, Turkey hosts the world’s largest refugee population, with 3.6 million Syrians under temporary protection and 330,000 refugees and asylum seekers under international protection (UNHCR, 2021).<sup>1</sup> The official figures of Turkey note that as of 7 October 2021, there are 3,718,332 Syrians under temporary protection in Turkey (DGMM, 2021a) (Fig. 4.1).

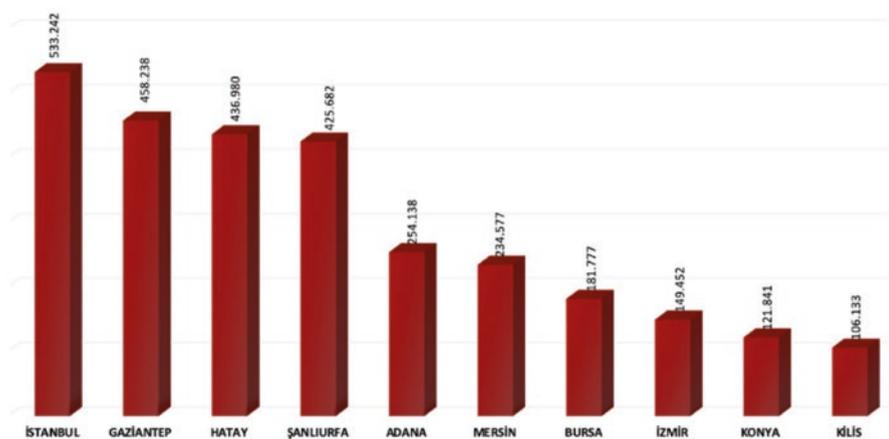
Figure 4.2 shows the current situation in the ten most populated cities. As can be seen, the cities in which we conducted field research (except Ankara) are the top ten, and their ranking remained the same at the time the fieldwork was conducted between June 2018 and November 2018. Even though Ankara is not among the top ten provinces regarding the Syrian population, It is a capital city where ministries, state agencies and headquarters of all IGOs and many NGOs locate there; hence it is important to conduct interviews with stakeholders there, as explained in the Introduction chapter.

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<sup>1</sup> UNHCR documents reflects Syrians under temporary population also as “refugees”. The international and temporary protection division is given, then 3.6 million Syrians are given as refugees; while the applicants of international protection are given as “asylum seekers”. On the other hand, approximately 10,000 Iraqis and Afghan is mentioned as “refugees” (UNHCR, 2021). On the other hand, Table 2.1 in the Chap. 2 provides figures according to the Turkish official statements.



**Fig. 4.1** The number of Syrians under temporary protection status in Turkey  
 Source: DGMM. (2021a). Statistics: Temporary protection. “International Protection”, <https://en.goc.gov.tr/temporary-protection27>. Accessed 16 October 2021



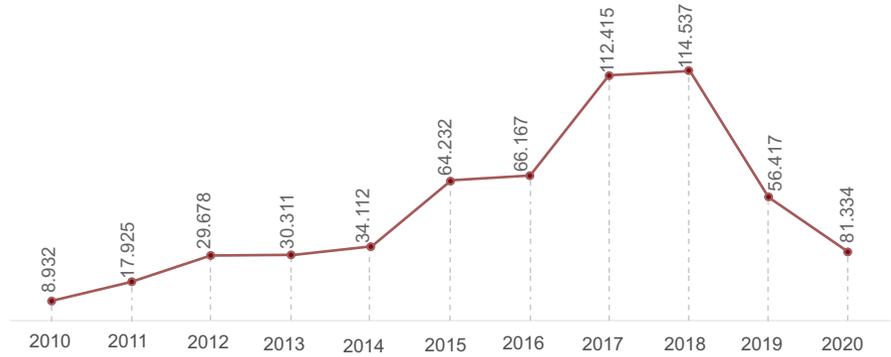
**Fig. 4.2** Ten provinces with the highest number of registered Syrians in Turkey  
 Source: DGMM. (2021a). Statistics: Temporary protection. “International Protection”, <https://en.goc.gov.tr/temporary-protection27>.

Most Syrians under temporary protection live in cities, while only 51,977 Syrians reside at seven Temporary Shelter Centres. Official statistics do not provide information about the city-based distribution of international protection beneficiaries. Table 4.1 displays the recent situation regarding residing (Fig. 4.3).

**Table 4.1** Distribution of Syrians in the scope of temporary protection at the temporary shelter centres

Province	Name of temporary shelter centres	Total	Grand total
Adana (1)	Sarıçam	17.197	17.197
Hatay (3)	Altınözü	2.465	8.443
	Yayladağı	3.340	
	Apaydın	2.638	
Kahramanmaraş (1)	Merkez	9.758	9.758
Kilis (1)	Elbeyli	8.286	8.286
Osmaniye (1)	Cevdetiye	8.293	8.293
Total	51.997		
Number of Syrians under temporary protection that the scope of Shelter centres		3.666.355	

Source: DGMM. (2021a). Statistics: Temporary protection. “International Protection”, <https://en.goc.gov.tr/temporary-protection27>



**Fig. 4.3** International protection applications by year

Source: DGMM. (2021b). Statistics: International protection. <https://en.goc.gov.tr/international-protection17>. Accessed 16 October 2021

While the temporary protection beneficiaries are only Syrians, the majority of the international protection beneficiaries are from Afghanistan (22,606), followed by Iraq (5875), Iran (1425) and others (1428). (DGMM, 2021b). Departing from the Directorate General Management of Migration (DGMM figures), the UNHCR states that, until 10 September 2018, the number of international protection applications reached 368,230 (UNHCR, 2019). After this date, the registrations and the RSD role were taken over by DGMM; hence UNHCR is not able to report numbers by itself. Regarding the statuses mentioned above, the procedure for protection application is very complex and subject to changes through secondary legislation. The current procedures, as of fall 2021, will be briefly explained below.

#### **4.4 Administrative Procedure for International and Temporary Protection: From Application to the Final Decision**

The legal framework and embedded strategic temporality are described in Chap. 2; however, to understand the exact working of temporality regarding refugee protection, the application and appeal process for different types of protection needs to be explained.

Registration of asylum seekers is the first critical step for status determination and access to rights. The DGMM has been the sole responsible authority for registrations for temporary protection since the beginning of the temporary protection regime, which started in Turkey in 2014. It also has the authority to verification and renewal previous registrations. Additionally, since the Fall of 2018, the DGMM has taken on the full authority for RSD procedures by gradually eliminating the parallel procedure carried out with the UNHCR for non-Syrian asylum seekers. Thus, DGMM also appears as the only responsible authority for international protection, and UNHCR's actions are limited to the delivery of counselling services to refugees and asylum-seekers. UNHCR "will continue to have access to international protection applicants and, subject to the consent of the applicant, to the information concerning the international protection application lodged by the individual with the Provincial Directorate of the Migration Management (PDMM)" (UNHCR, 2018). Also, similar to the previous task-sharing arrangement, the entire process of resettlement will be performed by UNHCR.

As part of the regular procedure, international protection applications should be on the territory and in person, which means applicants need to appear physically and personally to present their request at the assigned PDMM (Article 65(1)). Applications can also be made during administrative detention and at the border to law enforcement agencies on the territory or at border gates. However, in those cases, the competent PDMM should be notified to process the application (LFIP Article 65(2) and (5)).

The international protection application starts with registration at PDMMs, and potential applicants should approach the competent PDMM if it is a regular procedure. According to the LFIP, applications for international protection should be registered within 15 days by the PDMM, and they are expected to register in the PDMM of their assigned "satellite city," which is included in the 62 provinces where asylum seekers are allowed to stay. If the PDMM cannot register the application itself, it instructs the applicant to report to a different province, which should be another satellite city, within 15 days. As a part of the regular procedure, the competent PDMM is required to carry out a personal interview with applicants within 30 days from registration (LFIP, 75(1)). Decisions must be communicated in writing (LFIP, Article 78(6)) and in a language that the individual can understand. In case of a negative decision, the related notification should lay down the objective reasons and legal grounds for the decision.

In terms of appeals, the LFIP provides two separate remedies against negative decisions issued in the regular procedure: “administrative appeal remedy” and “judicial appeal remedy”. Applicants who are issued negative decisions may benefit from the administrative appeal through International Protection Evaluation Commissions (IPEC) within 10 days, or they may directly apply for a judicial appeal within 30 days, again through the competent Administrative Court (LFIP Article 80(1) (a)–(ç)). Applicants also have the opportunity to continue appealing through the District Administrative Court within 30 days (LFIP, Article 80(1)(e)). During this process, applicants may access legal assistance (LFIP, Article 75(3)).

During all types of appeals to negative decisions, applicants have the right to remain in the territory of Turkey throughout the procedure [LFIP, Article 80(1)e], except in some cases related to public safety or health or membership in a terrorist or criminal organisation, in particular, after the coup attempt in 2016 and based on an Emergency Decree of October 2016.

Within this system, removal decisions may be appealed before the Administrative Court within 15 days of notification. Courts have clarified that the individual must be properly notified of the decision, either in writing or orally and must include information on appeal possibilities (AIDA, 2019, 23). An individual complaint procedure is available before the Constitutional Court within 30 days of exhausting all existing administrative and judicial remedies. While individual complaints to the Constitutional Court do not carry suspensive effect, an urgent interim measure can be requested by the applicants as per Article 73 of the Rules of Court on account of “serious risk on the applicant’s life, physical and moral integrity”.

Regarding temporary protection applications, the DGMM is also the competent agency authorised to decide on the eligibility of persons for such protection in Turkey. After the presidential system change in Turkey, with the Presidential Decree No. 4 of 15 July 2018, some of the roles of the Disaster and Emergency Management Authority (AFAD) were also taken up by DGMM. Again, as a part of this change in 2018, the declaration of temporary protection was taken from the Council of Ministers and given to the Presidency (TPR Article 9), which also has the power to order limitations or to suspend them in the event of a risk to national security, public order or health (TPR Article 15).

Under temporary protection, persons arriving from Syria (via the land border) are granted the right to legally stay in Turkey and have access to some rights and services; however, they are required to approach PDMM and register to benefit from these rights. The PDMM are formally in charge of registering temporary protection beneficiaries. After pre-registration, the applicant should appear before the PDMM in 30 days to obtain their Temporary Protection Identification Card. The applicant is given 15 days extra time, after which time his or her code turns into an “unknown location” with a V71 code, which only the PDMM can lift. Persons arriving from Syria are not allowed to make an international protection application. Access to international protection status is hindered during the application of temporary protection as Article 16 of the Temporary Protection Regulation (TPR) explicitly states that: “individual international protection applications filed by foreigners under this regulation shall not be processed in order to ensure the effective implementation of

temporary protection measures during the period of the implementation of temporary protection". Persons from Syria who arrive in Turkey not directly from Syria but from another country they previously fled to may not be extended the opportunity to benefit from Turkey's temporary protection policy. In case of arriving from a third country, it should be noted that since 8 January 2016, Turkey no longer operates a visa-free regime for Syrians who enter by sea or air. In that case, these persons nevertheless "have the right to apply for 'international protection' in Turkey if they fear being persecuted or otherwise coming into harm's way if returned to the country from which they arrived in Turkey or if they fear being deported back to Syria if they return to that country (Ibid.). Therefore, temporary protection is for "Syrian nationals, stateless persons and refugees" (TPR, 1) who arrive directly from Syria. Thus, those who arrive through a third country cannot benefit from the temporary regime, but they are allowed to apply for international protection under the LFIP even if their family members in Turkey already benefit from temporary protection (AIDA, 2019, 112). Article 1 of the TPR also states that persons who have arrived on or after 28 April 2011 can benefit from temporary protection. However, those who filed their international protection applications before 28 April 2011 are only covered under temporary protection upon their request.

The conditions for the cessation of temporary protection are arranged via TPR Article 12(1). Accordingly, the cessation happens if the beneficiary "leaves Turkey voluntarily", "avails him/herself of the protection of a third country", or "is admitted to a third country on humanitarian grounds or for resettlement".

Although an open-door policy was in effect at the beginning of the mass migration from Syria, this is not valid anymore. Although Article 6 of the TPR provides that all persons within the scope of the Regulation shall be protected from refoulement, it fails to explicitly guarantee the right of access to Turkish territory for prospective beneficiaries, as mentioned in Chap. 2. Thus, persons approaching Turkey's borders without a valid travel document may be admitted to the territory only according to the discretion of the provincial Governorate (TPR Article 17(2)).

The TPR itself does not have a dedicated provision listing specific remedies for persons facing negative decisions on their applications. All acts and actions of competent authorities within the scope of the TPR are subject to general rules of accountability derived from Turkish administrative law unless there is a dedicated specific remedy provided in the LFIP itself. During the application, the applicant has the right to be represented by a lawyer in relation to law matters and benefit from state-funded legal aid, like international protection applicants (TPR Article 53). Unlike international protection beneficiaries, a person under temporary protection cannot be the subject of administrative detention.

Briefly, it should be stated that temporary protection in Turkey can last indefinitely or be terminated based on a governmental decision. Thus, it brings significant uncertainty for Syrians under this type of protection. On the other hand, non-European nationalities are given only conditional refugee status or subsidiary protection. Thus, in the case of conditional refugee status, they can stay in Turkey until their resettlement by the UHNCR, which can take years. Therefore, international

and temporary protection in Turkey provides a lesser degree of protection than actual refugee status, which is the situation for four million refugees and asylum seekers in Turkey. Thus, they both fail to provide a sufficient degree of predictability or long-term prospects in Turkey (NOAS, 2018), in line with a governance mode of strategic temporality.

## **4.5 Strategic Temporality and International Protection: Reflections from the Field Research**

Our primary and secondary data collection show that strategic temporariness is reproduced through practices that emerge in various spaces: border crossing points, removal centres, registration offices in the provincial DGMM offices (PDMMs) and the authorised courts. The main problem for protection is access for asylum seekers, particularly non-Syrian asylum seekers who would fall under international protection. Everyday state practices during registration and status determination severely block timely, proper and dignified access to international protection. Despite the initial easiness Syrians experienced when accessing temporary protection, some growing restrictive practices have also been observable, particularly in provinces where they are not “wanted” like İstanbul. These points will be further elaborated in the following sub-sections through empirical evidence.

### ***4.5.1 Access to International Protection***

Access to asylum, in particular at the borders, appears problematic for both international and temporary protection applicants. In particular, it is challenging to make asylum applications through law enforcement forces after the apprehension of a migrant. Interviewed non-governmental organizations (NGO) representatives reported cases where people are refused entry at the border and forcibly returned without examining their protection needs. The majority of migrants, who are caught at the borders during irregular border crossings, do not know their right to apply for asylum due to lack of information or due to being misled by smugglers and officials. Migrants themselves also have a sense of temporality. One inter-governmental organization (IGO) representative at the border-crossing points in İzmir explained this logic as follows:

Many deceived people say, “I would like to stay in Turkey. What can I do?”. After we explained their possibilities in Turkey, they said that “We did not know these opportunities. Nobody has told us that we could be registered and legal in Turkey. Nobody told us that we could benefit from the hospital, school, etc., we did not know.” I have never met anyone who applied for asylum after being caught. Because people are so scared after they are caught, they worry about what will happen next: whether they will be deported or not. The situation

encountered in Turkey is a little bit like that. For example, law enforcement forces caught a person in a city and kept him/her under administrative detention/custody for two or three days. Then, she/he is told: “you will be deported”. If you can stay here without going anywhere or being involved with anything problematic, take your ID and let’s forget all of this. Otherwise, “we will deport you”. Migrants are already scared, and applying for asylum does not come to their minds. The only thing that comes to their minds is “when they can get out of here?” (Interview\_İzmir\_16 October 2018\_SRII).

Until 2018, international protection applicants had to make a registration in Ankara through the UNHCR and its implementing partner, a national NGO called Association for Solidarity with Asylum Seekers and Migrants (ASAM). This was the first registration mechanism and complemented the parallel procedure through DGMM. However, the full authority was transferred to DGMM on 10 September 2018. A high-level representative from the international protection unit of the DGMM explained the task-shifting process and the logic behind it:

The UNHCR does not have the duty to take the registration and complete the RSD process alone in a sovereign country like Turkey [before 10 September 2018]. Since the DGMM could enhance its organisational capacity, we no longer receive support from UNHCR regarding registration and the RSD process. Currently, we are able to carry out these procedures independently. Thus, we demanded that UNHCR could withdraw from the process. The UNHCR understood, and it withdrew as of 10 September [2018]. Since our establishment [DGMM], there have been many in-service training for our personnel. We have filled the gaps regarding the lack of knowledge. In addition, we have increased the number of personnel who would take the new registrations. Some of those newly recruited have been transferred to other cities to respond to the needs there. The existing and more experienced experts or assistant experts in PDMMs will undertake the RSD process (Interview\_Ankara\_12 November 2018\_SRII).

Currently, DGMM undertakes all RSD processes. Within the DGMM, there are 13 different units, and one of them is the international protection unit. This department works only for asylum applications and international protection requests, including temporary protection. At local levels, PDMMs also have units for proceeding applications. Transfer of RSD from UNHCR to DGMM/PDMMs brought additional difficulties, as highlighted by many respondents during the interviews in all the cities. An IGO representative explained:

These people took refuge in Turkey. Authorities should have the capacity to evaluate their asylum applications. Until now [10 September 2018], why has the UNHCR performed such a role in Turkey? Why does it not have such a role in other countries? For two reasons, first geographical limitation and second, Turkey’s lack of capacity and expertise for evaluating these applications. Turkey now says that we have a General Directorate, and we also have the capacity to deal with those applications. From now on, Turkey will do it [RSD]. As long as there is a geographical limitation, handling RSD is difficult. We might be sure if we know that DGMM has the necessary capacity or expertise. Alternatively, Turkey’s judiciary might make checks and balances against the negative decisions or evaluate the reasoned decisions according to the international refugee law standards; after disabling UNHCR, it is ok. But... Of course, undertaking the asylum process as a sovereign country should be the case. But neither Turkey’s administration nor the judiciary actors have such a capacity (Interview\_İzmir\_24 October 2018\_SRII).

The PDMMs suffer from many challenges, particularly capacity problems and unpreparedness for shouldering such a difficult task as RSD. There are cases where the PDMM refuses standard process and registration with or without referring the applicant to another PDMM. The following two quotations display the capacity problem, which results in further precarity for the applicants and limited temporal possibilities for registration through different PDMMs.

Everyone knows that this is an untimely transition. There is now a chaotic situation in the field. When you ask this to DGMM, they may say, “No, everything is fine. We have no problems with this change.” However, the situation has an impact on refugees. For example, they send a person to Kayseri. However, PDMM in Kayseri does not take registration, and then that person goes to Sivas. Sivas PDMM says, “if Kayseri PDMM did not register, why should I register? In a sense, the state encourages irregularity. It is not a planned or deliberate transition, and there is no preparation (Interview\_Ankara\_12 November 2018\_SRII).

There is a belief that this change was made without considering many aspects or without having adequate capacity. For example, during a meeting with the representatives from İzmir PDMM, we were told,

No, we accept applications, and then we send them to the DGMM for the decision of satellite city evaluation. But that is not what we heard at first. Because in the beginning, İzmir PDMM were not taking application, but it was telling people to go to Balıkesir or Uşak. The cities which are not satellite cities should also take international protection applications and they should. When ASAM and the UNHCR were taking the first registration, and the UNHCR was doing the RSD as part of the parallel procedure, they asked the DGMM or the PDMMs, which satellite city was closed or closed or opened for applications. According to the answer, they were providing directions to applicants. Now let’s think about a person who went to Manisa to apply for asylum. Manisa says that I am closed and not taking applications here; go to the nearest place, which is Denizli or Uşak or Balıkesir. Are they open? Will these people walk around from city to city? Will people look for an open place for their registration by travelling door to door in different cities? (Interview\_İzmir\_24 October 2018\_SRII).

The main challenges in the international protection system, particularly in RSD, are related to the lack of adequate capacity and unpreparedness of state agencies that are fully authorised to proceed with applications and staff training. The capacity and preparation issues concern administrative and judicial decisions, thus impacting various stages, including registration, identification, evaluation and appeal stages. As pertinent organisations experience the transition stage, the timing of further stages in RSD becomes more uncertain. Uncertainties accumulate at the provincial levels. This situation worsens due to inconsistencies between the law and practice among the different PDMMs and incomplete proceedings for application. Nevertheless, the centralisation of all applications under the authority of one national authority and its provincial branches is considered a positive development by many of our interlocutors and is often justified with the notion of this being the “sovereign right of Turkey”. It is commonly agreed that the continuation of UNHCR’s and International Organization for Migration (IOM) technical support to Turkey is necessary and very useful for the transition.

### 4.5.2 Access to Temporary Protection

Due to Turkey's open-door policy at the beginning of the mass migration from Syria and the group-based determination, the access of Syrians to Turkish territory and their registration were less complicated than non-Syrian asylum seekers. This lasted until 2018–19. The common responses of Syrian interviewees to questions about the registration process were as simple as the following: "I went to the police station, applied and got it" or "as soon as we came to this city, we went to Migration Directorate, and officers registered us". Despite the high number of applications, many respondents defined the process as it follows: The first time was so easy, it took only half an hour. Then after that, when they transferred the *kimlik* [ID] building to Sultanbeyli, it became so hard. It is not organised. Now, after they moved it to Yenidoğan it became more difficult (Interview\_İstanbul\_7 July 2018\_OzU).

Later, applicants mention waiting durations and poor treatment problems for their registration and illustrate differences in local implementations. Some from İstanbul mentioned the poor treatment as follows:

They refused to give us *kimlik*, because they asked for our passports, and they were about to expel us because we are illegal (staying in Turkey for more than three months without having a legal document). So, we went to the Asian side, and it was ok there; it depends on the employee's mood (Interview\_İstanbul\_27 July 2018\_OzU).

Many respondents stated that they have to be at PDMMs at 4 or 5 a.m. to complete their bureaucratic processes. In many cases, it takes more than 1 day as follows:

I went to Beyazit, at 5 a.m. I have got the *kimlik*. People have to go there even one day earlier, at midnight. They go at midnight to stand in the queue because in Beyazit they make people wait. There are 3000-4000 in a queue. Imagine that! The queue would reach Aksaray, and it is very crowded there. They call it the Foreigner's Department. It is very crowded. People from different nationalities, even Egyptians, would be queueing there. We stand for two or three hours there, they take us four by four and then, they [officers] issue the ID then they send us home (Interview\_İstanbul\_16 August 2018\_Bilgi).

Moreover, some respondents expressed fear about having to apply to a police station for IDs, although the principal agency, DGMM and their PDMMs, are civilian institutions. The following quotation gives insights:

I did not know what was happening, and I wondered why I should go to the police station to get a residence permit. Why do I go to a security centre instead of a department of migration? In Syria, it is not like that. If you need a residence permit, you go to the Department of Migration, you do not go to the police. So that was weird. There was not much information because when we went to the police station, no one spoke Arabic or English. They all spoke Turkish, only Turkish. We did not know almost anything, even later. On the other hand, I observed that when I went to apply for *kimlik* in Kumkapı they had reorganised everything. Almost all the employees that I saw at Kumkapı were Turks who spoke Arabic. All of them. Their nationality is Turkish, but they speak Arabic like I do. They speak Arabic and Syrian [dialect] as well, not only broken Arabic (Interview\_İstanbul\_25 July 2018\_Bilgi).

In general, Syrians used to have little knowledge about their legal status, but they know that their nationality is Syrian, and they have been given an identity card (ID card), generally known and called a *kimlik*. Only a few respondents mentioned that they are a refugee or that they have rights. The majority of the respondents related similar sentiments to the following person from İzmir: I do not know my status and my rights. I know we have some rights, but I do not know what they are. I am Syrian, I know that I have to obey some laws. But I do not know my rights exactly. Nobody tells me what they are [rights] (Interview\_İzmir\_28 July 2018\_SRII).

In the eyes of the respondents, legal status relates to obtaining a *kimlik*. When we asked interviewees about legal status, they often referred to having a *kimlik* that includes a special number for foreigners starting with “99”. Also, many Syrians approach *kimlik* like a health insurance card, calling it a hospital card. They extensively note that the advantage of having *kimlik* with a 99 code enables them to get access to free health services. This is probably due to the fact that hospitals are the places where they are most often asked to display their ID. For some of them, obtaining a *kimlik* is also related to their experience in accessing health services, as the following quotation shows: “When we had gone to the hospital, they had not accepted us because we did not have any cards. They first gave a *kimlik* to my sick daughter to give her access to the hospital; then, they issued *kimlik* after we applied to the police station. This process took a couple of days after we visited the police station” (Interview\_İzmir\_4 August 2018\_SRII).

Similar answers were received from many of the respondents in İstanbul and Sanliurfa too. A few, particularly university graduates and particularly those who transferred this status after a while in the country, responded to questions about their status by saying “temporary protection,”. An interviewed engineer said,

I have temporary protection. In the beginning, I had a residency in Antep, but it became invalid as my passport expired. Then I went back to Syria, then re-entered from Kilis. Then, I was given a temporary ID (*geçici kimlik*). I am legal right now, and my kids are in the same situation. If you do not have any problem with the government, you can do everything simply. If you leave Turkey illegally and return, it will be a problem (Interview\_İzmir\_28 July 2018\_SRII).

Some migrants reflect on this temporality by echoing the dominant guest narrative of Turkish politicians. An interviewed woman in Sanliurfa explained her own and her two newly born daughters’ status as follows: “Turkey does not grant us citizenship; we have only guest cards” (Interview\_Şanlıurfa\_1 August\_SRII). However, many of them state that their ID cards have been changed several times, sometimes up to three times. Thus, their ID cards appear to be as “temporary” as their status. Although many do not know about the entitlements of status, a few are aware of its coverage, as the following quotation displays, “I just know that I am here as a refugee and the *kimlik* protect me legally if anything happens. Also, I know that the United Nations (UN) is supporting us, but they are only doing so with their speech. In reality, there is nothing” (İstanbul\_27 July 2018\_OZU). In general, unstandardised implementation and different implementations among provinces are observable, like restrictions in İstanbul that will be discussed below.

### 4.5.3 *Restrictive Practices That Block Access to Temporary Protection*

As discussed in Chap. 2's section on political context, from 2015 to 2016, the open-door policy is not valid in practice. There are many cases of limitation of entrance directly at the Turkey-Syria border, and thus, migrants are unable to benefit from temporary protection. The PDMMs are formally in charge of registering temporary protection beneficiaries; however, as the fieldwork has displayed (and which is also confirmed by some official statements), some PDMMs in large provinces, such as İstanbul and Hatay, are no longer accepting new registrations. Thus, they have "de facto stopped registering and granting documents to newly arriving Syrian refugees, except vulnerable cases" (AIDA, 2019, 118). Hence, similar to international protection applications after 10 September 2018, ensuring temporary protection status is challenging in some cities.

I was told that there would be no new registration possibility in İstanbul, and then they opened the registration again. We take registration; then we do not take registrations, up and down, closed and opened... Now, we are sending people [Syrians] to Yalova. Because İstanbul PDMM does not have sustainable policies, or this PDMM changes its policy daily. İstanbul is full this month, and it is closed, that is why let us go to Yalova. Since they have no ID cards [applicants, Syrians], they cannot give us power of attorney. Ok, Yalova is also problematic, let's go to Çanakkale. We have faced this situation a lot. Because we cannot provide legal assistance without a power of attorney, or we cannot provide consultancy, or we cannot represent them as a legal person. Since Kumkapı in İstanbul or the PDMM in Fatih does not even give an appointment and show us the door; so, we are going to the closest places such as Kocaeli, Gebze, Yalova Çanakkale or Tuzla. We try every possible way. There is no transparency at all; without going there, you cannot know if they will take the application because they do not announce their situation. The instructions come from DGMM, or there are daily policies that PDMMs decide by their initiatives. As I said, solidarity among colleagues and civil society-lawyer solidarity is strong. This is such a field that we need strong cooperation, and we have (Interview\_İstanbul\_28 November 2018\_Bilgi).

From time to time, we see divergent policies in some provinces or across the country. You know, even if this is not seen in the law, of course, it is seen in the implementation. For example, in İstanbul, you know that no new registration has been taken for a long time. This is the case for both temporary and international protection. To some extent, it can be understandable because the population is too high. It is done to use the national sources effectively and prevent the crowdedness in some cities. On the other hand, these people come to bigger cities to find a job since there are more opportunities there. However, it is also a fact that there has been significant progress in protection in these years (Interview\_İzmir\_24 October 2018\_SR11).

Applicants themselves also mentioned facing restrictive registration experiences in İstanbul.

After a couple of months, they completely stopped all applications for temporary protection in İstanbul. I do not know if it was in all of Turkey. But I know that it was stopped for İstanbul. The situation was quite complicated because the application was made through the police. The police station was at Kumkapı, I went there, and it was extremely crowded,

disorganised and terrible. We heard many stories about police violations against Syrians. I went there and had to wait for ten hours. Even I went once in February, and it was extremely crowded, too. The queue was about 1000 metres or much more than this. So, I decided not to stay, but then I returned in April or March. After a month, when they completely stopped taking new registrations and issuing *kimlik* in İstanbul, for me, it was too late (Interview\_İstanbul\_4 June 2018\_Bilgi).

Also, moving the registration from one providence to another is a challenging experience for Syrians, as one interviewee from İzmir recalled:

We applied from Kızıltepe [a town in Mardin] and obtained our *kimlik* there. But, when we came to İzmir in 2017, they were cancelled. We went to İzmir *Göç İdaresi* [İzmir PDMM], and they told us that we had to bring a document from Kızıltepe. We did it, but they told us that it is impossible to stay in İzmir unless it is for education or health issues. To be able to stay here, İzmir *Göç İdaresi* wants a work permit from İzmir. I consulted with a lawyer, and right away, one place registered me as a worker. However, you have to also show your salary. Therefore, İzmir *Göç İdaresi* rejected our demand again. On those days, *Anadolu Ajansı* (media organisation) wanted to interview me. I could not make an official complaint because otherwise, I could not get a work permit, or we could not go to hospitals, etc. Anyway, after *Anadolu Ajansı*, İzmir *Göç İdaresi* gave us the permit to stay in İzmir (Interview\_İzmir\_3 August 2018\_SRII).

Non-state actors, NGOs, IOs, advocacy groups and lawyers try to navigate these restrictive practices to help applicants. Registration to the protection system also means access to public services, and sometimes they define life and death situations. Their efforts lead to partial improvements in the status of the migrants, as one NGO representative told us:

There was a family, and their son died because there were no hospitals to accept him in Antalya. That family had their pre-registration two years ago. They are Syrians. After two years, with the pressure of one lawyer, one association, and three different institutions, we managed to make an application in Antalya, which was impossible. Antalya PDMM does not give ID cards at all. Now, they (Syrian family)] are registered in Antalya, but it took two years with all those actors and pressure. It was a temporary protection application, but still... They have children, but they could not go to school; they could not apply for financial aid, health services, or work permits because they did not have their ID cards. (Interview\_İzmir\_24 October 2018\_SRII).

Restrictions go in hand with datafication, which is part of the verification of registration. Not only the first registration but also verification and renewal of previous registrations have brought more challenges. In 2018, DGMM and UHNCR launched a new project for data verification, including the renewal of the identity cards (IDs) given to the beneficiaries of temporary protection. During our fieldwork, respondents reported obstacles and violations of rights in the verification stages. The below-given quotation from a lawyer shows how temporary protection can be temporal and even ended.

Regarding data verification, there is one striking example. Some 6-7 Syrians had gone to PDMM to renew their IDs. However, there, their IDs were taken. Because one of them made a voluntary return four years ago and then came back. He was going to the hospital with that identity for four years and worked with a work permit. This situation is noticed after four years during the verification process, and it is evident that he has been living here

since then. So, this is not an acquired right, maybe, but in law, there is something like this; as a state, if you (state) have not noticed that this is your fault for four years. Moreover, they took the ID from him and forced that person to open his bags, and that person suddenly became illegal. Moreover, in some cases, they take these people to removal centres. For example, that person went to the centre with his family, and his wife and child were given their ID cards [renewed], but that man was taken to the removal centre in İzmir (Interview\_İzmir\_24 October 2018\_SRII).

Although there is no verification project addressing the applicants/beneficiaries of international protection (non-Syrians), they have to give their signatures when requested by the competent PDMs. This is also a serious consequence, as the below-given quotation from an NGO representative displays.

This is a data update for Syrians, which means temporary protection, but a data update for international protection has not been done yet. A person (under international protection as an applicant) goes to sign (as a part of their signature obligation in residence, mostly in satellite cities), and the officer says your application has been cancelled because you have not come to sign last time, but you cannot take his/her ID cards from this person by force. However, this is the case. Then what happens? Without this ID card, the person cannot benefit from legal aid; he/she cannot authorise an attorney. This is the legal dimension. However, without an ID card, this person cannot benefit from other services and rights. If he/she gets sick, she/he cannot go to emergency services. There is a pretty high number of people who cannot access judicial services without ID cards (Interview\_İzmir\_24 October 2018\_SRII).

Errors, mistakes and simple sloppiness by officers are quite common during registrations and updates. These have consequences for people under protection, sometimes costly, such as turning the person irregular, the loss of previously acquired rights, or being subject to deportation.

## 4.6 Consequences of Strategic Temporality

All these practices reflecting strategic temporality have a direct impact on the lives of refugees and the protection system in Turkey. Such influences were critically raised by NGO representatives when we asked questions about current challenges in the asylum regime of Turkey. They highlighted the consequences of temporality in addressing the needs of refugees and migrants. Also, interviewed Syrians told us about their own interpretation of the situation and how policy approaches shape their everyday life and trajectories. (Their experiences will also be further elaborated in Chap. 5). The implications of strategic temporality may be loosely categorized around three themes: uncertainty, stratification and a lack of durable solutions. After discussing them with the support of empirical evidence, the following section will touch on how non-state actors navigate these challenges in assisting refugees.

### 4.6.1 *Uncertainty*

Building the protection system on temporality is quite problematic because temporary protection status envisions the stay of a large number of refugee groups, but for a temporary period. Due to Turkey's geographical limitation of the 1951 Convention, international protection beneficiaries also face temporality in practice. They can only stay in Turkey if they come from non-European countries with "conditional refugee status" until they are resettled in a third-safe country. This is mentioned by an NGO working in the field.

Is temporary protection possible? There is no such thing as temporary protection anywhere in the world because, after all, protection is protection. When we think about international standards, people go from one country to another because they look for international protection, but protection is temporary in Turkey. This also shows the logic behind Turkey's approach to durable solutions or integration. In Turkey, it has been just realised that those people might be permanent. Thus, "temporality" is a problem itself (Interview\_İstanbul\_9 October 2018\_Bilgi).

Regarding the dual structure and temporary protection in Turkey, an NGO representative raised concerns about the problems in the system of temporary protection and the lack of refugee status.

The main problem is that Syrians in Turkey are not under refugee status, which does not comply with international law. Syrians have only guest status, and it is a moral and humanitarian status, but not a legal status. It is an empty non-sense status, and they lack all refugee rights, only a moral concept without entitling rights. It does not have any social support, and it does not have an economic basis; it does not ensure any rights. The most positive part is that it brings rights to health services (Interview\_Şanlıurfa\_18 July 2018\_SRII).

A lawyer from Şanlıurfa shared similar concerns by noting incoherencies:

Our system is absurd. Who will come from Europe to Turkey as a refugee? The refugee system should be reformed, and refugee status should be provided. There are too many status confusions in Turkey. Even as a lawyer, it makes us confused. We are not able to differentiate categories. LFIP relatively improved the legal structure, but it is still complex and did not overcome confusion. We call it temporary protection, but people are here for seven years. How is it temporary protection? (Interview\_Şanlıurfa\_12 July 2018\_SRII).

A director of a Syrian NGO criticised temporary protection status by highlighting its discrepancies.

There should be a law protecting refugees; a country like Turkey should adopt international refugee law. A big country should adopt such a law and prioritise human rights. Erdogan's discourse is humanitarian and moral, but it does not secure protection. Its implementation is pragmatic, with uncertainty in the law. It shows the lack of specific articles; thus, institutions face uncertainty in implementing law (Interview\_Şanlıurfa\_18 July 2018\_SRII).

Another NGO representative from İstanbul mentioned the inadequacy of temporary protection by noting that

We defend that these people [Syrians] need refugee status, not temporary protection status, which is a more bounded status. They indeed benefit from many services, but they need to stay within the limits of the same province; otherwise, they lose their right to get access services. They need to register again, which is quite a bureaucratic process. It is their right to be granted “refugee status” as they fled from war, and Turkey is the first stage country where they arrived (Interview\_İstanbul\_1 October 2018\_OzU).

The state’s imperative command is strongly felt among the international non-governmental organizations (INGO) representatives. One said,

We cannot discuss whether temporary protection is adequate because it is under the state’s authority, but we can discuss its implications in the field; it has some weaknesses and advantages. Its advantages include: getting an ID is very easy under temporary protection; access to services is easy. In fact, in theory, it is like that, but in practice, there have some problems (Interview\_Şanlıurfa\_16 July 2018\_SRII).

One of the problematic dimensions is also stated as “uncertainties” by respondents, not only for temporary protection but also for international protection.

Those people (under international or temporary protection) live in limbo, and their future is left in doubt. Now, the second and third generations started to live this reality. If the Council of Ministers decides to stop temporary protection, Syrians will face the same reality. Ok, we accepted you, but now, it is time to turn to Syria. What are they going to do if it happens? There is no chance to change the temporary protection status for international protection. If they transfer [Syrians] to international protection, what will happen? It is the same. After 15 years, people living in Turkey with international protection still face a work permit problem. In this case, people, in particular men, face a severe shock. They ask themselves, what can I do if I am sent to Afghanistan? They tell themselves: we do not know that place; what can I do? I have never been there; I have never lived there. Then, we come across revolts of people. They ask us if they jump from the top of a building with their kids will they get the attention of the UNHCR. They even tried to burn themselves in front of the UNHCR Ankara Office. They cannot be sent back; they cannot be resettled. They ask us, “what if I have to leave Turkey tomorrow? How can I feel secure in this situation?” The legal status is the beginning—permanent and durable solutions are needed (Interview\_İzmir\_15 August 2018\_SRII).

Respondents repeatedly emphasised the need to change the “temporality” based approach and gradually eliminate international and temporary protection uncertainties. An NGO representative suggested a change in policy, institutions, and perceptions based on Syrians’ temporality. She said:

In Turkey, we do not have a master plan or a minister of migration. We need a master plan first. Moreover, we need to accept that we will live together in the future and they will be permanent here. I think around 85-90 per cent of them would remain, so we need to change our system because we need to accept that they are permanent here; it is a new issue for us. We need to find permanent solutions for them. We need to redefine our educational system; we need to refresh our law system. Then it will take time for sure, and it will not be easy. However, first, we need to accept that these people are not going somewhere. They will stay. If you would like to solve a problem, first, you need to accept it (Interview\_İstanbul\_23 November 2018\_OzU).

### 4.6.2 *Stratifications Among Refugee Groups*

It can be said that although both Syrians and non-Syrians have faced obstacles within the international and temporary protection regime in Turkey, non-Syrian beneficiaries or applicants of international protection appear to be more disadvantaged in regularization and access to basic needs and services. Moreover, there are still more disadvantaged groups based on ethnicity, class, gender, etc. The below-given statements from interviews with NGO representatives in the three cities point to differences between international and temporary protection:

International and temporary protection are approached and need to be handled differently. The general perception is seeing all refugees as Syrians, which is wrong. At the moment, perhaps 350-360 thousand people are under international protection, and they are non-Syrians. Even if there is only one person, it is crucial, of course. It is wrong to ignore them or create such a hierarchy among refugees, to create categories such as acceptable or unacceptable refugees. It is an issue that we have constantly been trying to remind (Interview\_İzmir\_15 August 2018\_SRII).

This hierarchy is not just the result of a dual legislative system but is consistently re-constructed through the international humanitarian system and funding streams, as mentioned below.

Everything centres on Syrians. None of the actors has done something properly for non-Syrians. The funds that came to Turkey were mainly for Syrians until last year. One of our hidden advocacies focuses on advocacy for the rights of non-Syrians. Because not only for Syrians in Turkey but also there is a need for advocacy for Afghans. Now, European Civil Protection and Humanitarian Aid Operations (ECHO) has funds for them, too, I mean for non-Syrians. That is what we have always said. Whenever UNHCR delegates visit us, we always mention this fact. We tell them that the only problem is not just the protection of Syrians but of everyone. Because right now, we have over 400,000 non-Syrian population. This number is more than the Syrian population in Iraq and Egypt. Everybody is an expert on Syrians, but they cannot answer your questions if you ask one of the NGOs working in this field for the last 5-6 years about the RSD process or a decision. International protection is quite different, and it needs to be paid attention to and evaluated separately (Interview\_Ankara\_12 November 2018\_SRII).

### 4.6.3 *Lack of a Durable Solution: Resettlement and ‘Voluntary’ Return?*

One of the pillars of the international refugee regime is that refugee status should be transitory and that the international community should work towards durable solutions for displaced persons. Three forms of durable solutions are offered by the UNHCR for refugee situations. Voluntary repatriation/return means that refugees, of their own volition, agree to return to their home country when it is safe for them to go. Third-country resettlement refers to the processes by which refugees are housed in states other than their origin or first host countries. Local integration

means that, when repatriation is not feasible or advisable, refugees are economically, socially, and politically integrated into the host country. While this third solution, local integration, will be discussed in Chap. 5, the first two -return and resettlement will be briefly addressed by drawing from the experiences of Syrians in this regard.

First, in terms of the possibility of resettlement, Syrian refugees, who are under temporary protection, are not given the right to apply for international protection; in case of severe vulnerabilities, they can be placed on a priority list prepared by DGMM, which is then shared by UNHCR for resettlement in third countries. The experiences we encountered during the fieldwork are as follows:

Especially for those with kinship ties in different hosting countries, we try to get acceptance for resettlements. With the special invitation of those countries, resettlement is possible. One can only go to this country with this special invitation. Alternatively, from time to time, the UNHCR asks the NGOs working in that field and the DGMM for a list of vulnerable people. Of course, it is for limited numbers. For example, Canada says to the UNHCR that it will accept Syrian refugees in this number and then sends them to me. Thus, first, a country must accept. On the other side, there is not much difference between temporary and international protection. Now the resettlement or acceptance by third countries has been almost frozen for international protection. Thus, in a sense, there is no difference left between international and temporary protection. They all can benefit from general health insurance. They can enrol in schools. They benefit from general services. There is no change in access to the right to work either (Interview\_İzmir\_28 August 2018\_SRII).

A father of six children talked about their asylum application based on his son's disability and inability to return to Syria for political reasons. However, the family's application was not finalised despite 3 years of waiting.

We applied to go to Europe. We have a disabled son; he needs care and therapy. We proceeded with our application folder, and the UNHCR conducted an interview with us; they took our telephone numbers. However, then they froze the application—no news about it. I cannot return to Syria as I am on Assad's wanted list (Interview\_Şanlıurfa\_16 July 2018\_SRII).

The story of an older woman in Şanlıurfa about the application and its result is interesting.

I accidentally applied to Canada. Years ago, one organisation was giving free shopping cards (vouchers). The organisation registered us by giving us this card and asked us "whether we wanted to go to Europe". I chose the box of "yes." Then, they informed me that Canada accepted me. I did not know, they said that I would be able to go there, but they granted this right only to me, not to my son and his wife. I rejected the offer. My son should have been accepted; he needs fertility treatment, I was dreaming of going for my son. What would I do there without them, I rejected it, I do not want it now; even if they offered us now, I would not go (Interview\_Şanlıurfa\_12 July 2018\_SRII).

It should be noted that some respondents were given resettlement rights by the United States of America (USA). However, after Donald Trump's restrictive policies, their resettlement processes were frozen. During interviews, the opportunity to resettle in a third country was among the most frequently asked questions to the researchers by the respondents.

Although non-Syrians under international protection have the right to asylum and resettlement, it is very restrictive and not consequential in many senses, as mentioned by an NGO representative.

A few hours ago, an Afghan counselee called. They have been in Turkey for 12 years as a family. She could not even talk anymore, and she was just yelling, and screaming. Her psychology is down. You try to explain, but she does not listen. She just focuses on what she wants to hear. She wants a permanent solution. She said, “Why aren’t we seen as human? Don’t we have human rights? Nobody pays attention or cares for us. You do not care either. Why can we not be resettled in a third country? If it is not possible, the UN should make Turkey give citizenship. They say you (UNHCR) have to deal with us. Look, this is neither in our hands nor in UNHCR’s hands (Interview\_İzmir\_15 August 2018\_SRII).

Another durable solution, voluntary repatriation, is highly problematic for the case of Syrians because the country is not safe and secure for returns. However, the return emphasis for Syrians in Turkey got more visible and has been emphasised since 2018. On 9 October 2019, Turkey started the Peace Spring (*Barış Pınarı*) Operation and, similar to previous operations, return is used to justify these cross-border military operations and subsequent administrative interventions in Northern Syria. Regarding the return policy and voluntary returns, a high-level public officer from a migration-related state institution in Ankara made the statement below:

Both after the *Fırat* and also *Zeytin Dalı* Operations, the Turkish Armed Forces created some relatively safe areas. We were informed that the Syrians under temporary protection would like to go there as voluntary returns. We are aware that unless the political situation in Syria continues like that, Turkey will respect the situation, and there will be no voluntary return unless the individual requests a voluntary return. PDMMs take these requests; then, those people are asked to sign a return form in that person’s language or at least in one that the person can understand. One signature on the document is also given by the officer of the competent PDMM. If there is a representative from *Kızılay* or an NGO, then it is also taken. After the signature procedure is completed, this person is given directions for return. All the procedures are completed at the border gates. After their exit, their temporary protection or international protection applications become passive. Some of the facilitating activities, such as providing transport, are undertaken by local municipalities and *Kızılay* (Interview\_Ankara\_12 November 2018\_SRII).

In contrast to this account, an IGO representative in İstanbul and İzmir expressed the problematic character of voluntary returns and differences between written and implemented regulations as follows:

If we speak about Syrians, returns have been more visible since the beginning of this year (2018). In particular, after Afrin Operation, we heard from the state that Syria is a safe country now. If the people [Syrians] want to turn back, they can. These narratives are a part of a deportation or return policy because we see significant implications on behaviours, perceptions and attitudes. In İstanbul, many municipalities have been presenting “voluntary returns” as campaigns. They said that they would cover the expenses of a family that wants to return. We carry them out to the borders by busses. It increases the tension; because the state says that there is a safe zone/region and you can turn back. Then, the other people ask why Syrians do not turn back if there is a safe zone. Also, the removal centres face a lack of capacity, particularly in terms of intense irregular border-crossing periods. Thus, return appears as a remedy in the policy field, and deportations speed up. Even if one person’s asylum application is rejected, there is an opportunity for appeal, but it has certain criteria

that must be met. These are all codified in law, and even though, in general, the law is applied, there are some cases where it is not (Interview\_İstanbul\_1 November 2018\_Bilgi).

We tell the İzmir DGMM and the related PDMs: please do not do this; these are not voluntary returns. At least for İzmir, they are not. The problem is that unless you see these people face-to-face, it is difficult to understand if it is a real voluntary return or not. Through a phone call, you cannot understand. Once, we were called from the DGMM. There was a woman, and she had been registered with us. We realised that it was not a voluntary return at all, she did not want to turn back, and after all, she was registered for protection. But we are a part of the “assisted return”. The UNHCR is different, and they take part in the voluntary returns from camps. They observe the returns, and they also have the authority to sign. However, the DGMM and *Kızılay* take part in voluntary returns from borders. According to law, the UNHCR or *Kızılay* needs to be present during returns, but the time of return is not determined in advance. The UNHCR would like to be there psychically, but in many cases, it is not possible. Therefore, deportation decisions are generally taken during the night, and the following morning the deportation is completed (Interview\_İzmir\_14 August 2018\_SRII).

Due to increased securitisation, we came across many respondents’ statements describing the unlawful deportation of asylum seekers, who were beneficiaries of international protection and temporary protection (Gökalp-Aras & Şahin Mencütek, 2019), and they mainly relied on the Emergency Decree of October 2016. The Decree justifies the deportation decision as one that “may be taken at any time during the international protection proceedings” against an applicant for reasons of (i) leadership, membership or support of a terrorist organisation or a benefit-oriented criminal group; (ii) threat to public order or public health; or (iii) relation to terrorist organisations defined by international institutions and organisations.

## 4.7 Navigation of Non-state Actors in Temporality

Not only states but also authorised organisations are critical for implanting the procedures of international protection. In the examined period, we observed an essential transition in this regard. On the one hand, there was a procedural and institutional change, such as the transfer of RSD from UNHCR to DGMM, which was presented as a long-awaited improvement and necessary for being “a sovereign country”. On the other hand, problems with the preparedness and capacity of DGMM brought new questions about the timing of such a transition. In practice, the transition eliminated the obligation of asylum seekers to apply only in Ankara. This was considered to be a positive development because the applicants could apply from the nearest competent PDM. However, the lack of capacity of certain PDMs meant that some could not make their applications where they were, but obliged them to go to different PDMs in different cities. This meant that uncertainties about the place of application were created.

Moreover, the roles of non-state actors and IGOs increased as a part of the international protection system in Turkey. Many state and non-state actors assisting refugees increasingly form specific units of protection to access individual refugees who need help and refugee communities living the refugee-intense neighborhoods. Their services make a difference in the lives of some refugees, although it is impossible to fully measure their impacts and effectiveness. Nevertheless, all actors involved in refugee protection seek to navigate the institutional complexities of the Turkish asylum regime and strategic temporality policy imposed by state officers. The fieldwork in İzmir showed that both ASAM and the most active IGOs in the field – IOM and UNHCR (not directly being at the border but represented through ASAM) – provide important information to migrants regarding access to asylum. They are almost the only actors that do so. Also, they cooperate closely with law-enforcement forces through official collaboration protocols. Due to the protocol between IOM and the Turkish Coast Guard and the close collaboration between security forces and gendarmerie and ASAM, those actors are allowed to provide information regarding international protection at border-crossing points. They are quite active with their outreach teams at border crossing points and serve as the first contact for immigrants following their apprehension by law enforcement actors. IOM also provides information on international protection, interpretation and humanitarian aid support while law enforcement officers take the statements of the immigrants. At the same time, its teams support law enforcement officers in identifying vulnerabilities and with consultancy. In contrast to IOM, UNHCR works with ASAM. UNHCR İzmir has one expert specially assigned to follow-up cases at the removal centre in İzmir, to support a lawyer’s assignment and follow the case up to appeal. As one of the most active IGOs in the field, they provide humanitarian aid, interpretation and consultancy for international protection and also support the identification of vulnerabilities in İzmir. However, it should also be noted that these practices are the usual practices of the above-mentioned IGOs. Regarding access to international protection, the services of *Mültecilerle Dayanışma Derneği* (known as *Mülteci-Der*) also need to be noted here. Having long experience in the protection field, even long before 2011, *Mülteci-Der* continues to provide legal aid for accessing asylum, focusing on administrative detention and deportations.

There are also NGOs that provided legal aid during the registration of Syrians, as was mentioned to us by interviewees.

When I first went for *kimlik*, I asked for help from my Turkish friend, who worked in a humanitarian organisation in İzmir but is from İstanbul. Thus, she was there with me. I had encountered several problems, especially before applying. I had also spoken with a Turkish legal organisation because I had problems with *kimlik*. But I did not gain anything from them (Interview\_İstanbul\_1 August 2018\_Bilgi).

We heard that there was a mukhtar in our district, and you have to take a number from him to go for the application. The Mukhtar, took us there, where they give *kimlik*, and he gave us the necessary papers, and we registered for the *kimlik* and left. Their treatment was good, but every refugee faces the problem of language. The Mukhtar, he’s a Turk, but he knew Arabic. He helped us a lot (Interview\_İstanbul\_16 August 2018\_Bilgi).

A few organisations mentioned their specific programmes that provide training for Syrians about their legal status and rights. A representative from an IO explained their program developed as a response to needs in the field. The program is organised as “awareness sessions about temporary protection” and offered by legal advisors and health teams. The main themes in the sessions cover a wide range of civil rights, such as the illegality of polygamy in Turkey, age criteria for legal marriage, and social assistance (Şanlıurfa\_13 July 2018\_SRII). Refugee-led organisations also take some roles in raising awareness. A Syrian community centre led by a retired Syrian judge explained the issue:

Maybe only five per cent of Syrians know their rights and duties. There is a need for awareness-raising like organising courses about it. I read about refugee rights from Arabic sources, which are translated from original English sources. As an institution, we need to learn about these rights. Turkey did not demonstrate successful performance in legal rights awareness. European NGOs are active in this regard (Interview\_Şanlıurfa\_18 July 2018\_SRII).

The most critical intervention of NGOs is performed during the detentions, removals (deportations) and appeals processes. One NGO representative from Istanbul told us:

In general, if he/she is detained somewhere, or at least if he/she is under administrative detention somewhere and she/he cannot reach PDMM, it is possible to reach legal aid through non-governmental organisations or colleagues, but it is also difficult. We have the contact information of the UNHCR and all the NGOs working in the field of refugee and asylum. In that way, we can stay in touch (Interview\_Istanbul\_28 November 2018\_Bilgi).

In particular, lawyers and Bar associations collaborate with rights-based NGOs and IOs. One prominent example is the İzmir Bar Association (IBA). Before the LFIP came into force, the IBA started to provide critical feedback about existing problems during the law’s preparation period by participating in the meetings for civil society that were arranged by the Asylum and Migration Bureau (Former DGMM). After the introduction of LFIP, IBA launched a series of in-service training for its members to familiarise them with LFIP and to share the existing experience of the other lawyers working on asylum and migration for a long time. With the cooperation of *Mülteci-Der*, Amnesty International (AI) and many other civil society organisations (both national and international), the İzmir Bar Association (IBA) conducted seminars, training programmes and briefings in İzmir and other cities. Starting in 2015, the IBA established a new Commission called the Asylum and Migration Commission (*İltica ve Göç Komisyonu*) to provide the above-mentioned support in a more structured and systematic manner. IBA takes on a significant role regarding administrative detention and deportation since the Bar Association in Turkey is the only civil society institution with direct and legally supported access to the removal centres. In addition to its regular case-based internal meetings or participation in other national and international case-based or theme-based meetings, IBA has been publishing significant reports on international protection, in particular administrative detention conditions and access to asylum such as “Problems in Access to Justice in İzmir Removal Centre” (İzmir Barosu, 2017). The importance of the

IBA's ongoing initiative in the field can be briefly described as supporting and providing necessary training for right-defenders and lawyers and taking an active role regarding access to international protection.

Unlike İzmir, the Bar Association of Şanlıurfa had not carried out such tasks before 2011 as the province neither encountered irregular migration nor was a satellite city. However, the arrivals of almost a half-million Syrians and the existing population of Iraqis and Afghans urged the Bar Association in Ankara to provide some training support to Sanliurfa lawyers. To this end, local lawyers were frequently invited to training seminars on refugee rights. Then, the provincial branch of the Bar Association established its unit, called the Refugee Rights Commission, as in other provinces. The Commission was further institutionalised in a short time. In 2018, the Legal Clinic for Asylum Seekers was established by the Bar Association which collaborated with the UNHCR. The Legal Clinic aims to provide free legal assistance and translation services to asylum seekers and training and technical support to local lawyers and NGOs about refugee rights. Some local lawyers took an active role in turning the Commission into the Legal Clinic. They have also committed to providing legal assistance to refugees in court cases and seeking ways to access asylum seekers who are given removal orders without proper judicial investigation or appeal process.

## 4.8 Conclusion: Challenges and Prospects

As this chapter showed, temporality is the key encompassing characteristic of Turkey's refugee governance. Insights from the fieldwork show that Turkey has taken significant steps to improve its international protection capacity, including temporary protection. In this regard, there have been considerable positive developments in getting access to asylum and judicial appeal procedures, improvement of detention conditions and access to judicial review. With the introduction of a comprehensive legal asylum framework through LFIP and the TPR, Turkey has improved its compliance with international standards. These two legislations guarantee Turkey's compliance with the two main building blocks of the international refugee regime, namely the principle of non-refoulement and the provision of fundamental rights, including health, education, work, and social services to asylum seekers. Nevertheless, the differences between refugee and unconditional refugee statuses create a dual structure and a double standard for international protection. Temporary protection adds another layer of duality to the already complicated protection regime, which has temporality at its core, creating precarity in protection and disparities in assigning rights (Gökalp-Aras & Şahin Mencütek, 2020). Moreover, it generates complexity for the national asylum system due to its design and its coverage of large numbers of refugees currently living in Turkey and those who have the potential to arrive in Turkey from neighbouring countries and mainly non-European countries. Moreover, rights and procedural safeguards attached to temporary

protection are weaker than those attached to international protection. Temporary protection status also prevents asylum seekers from approaching the UNHCR for resettlement except in very rare emergency and vulnerable cases. Temporality has some manifestations at the local practice level. For example, the impossibility of making applications and registrations in some PDMMs, notably in İstanbul, has been a concern, having implications for accessing fundamental rights and leading to a risk of apprehension.

All these protection-related regulations and everyday state practices put many Syrian refugees in Turkey in a situation liminality, requiring them to wait for an interminable period. By hindering access to international protection and resettlement options, temporarily protected individuals face the risk of being subject to an insecure status for an indefinite time. Nevertheless, neither displacement nor waiting is a passive experience for many Syrian refugees, and they seek ways in which to cope with liminality and navigate the complex and ambiguous temporary protection regime, as will be discussed further in the following chapter.

It is worthwhile to restate that the complexity and liminality mentioned above is not the unique experience of Syrians under temporary protection. Besides the dual structure and the differences, some common problems exist in implementing international and temporary protection for other refugees. In particular, access to asylum at borders and during administrative detentions at the removal centres appears to be a challenge. Moreover, applicants face language barriers, lack of information and lack of legal aid. On the other hand, in comparison with temporary protection, international protection applicants face lengthier registration and RSD procedures. Due to being non-Europeans, they are subject to multiple temporalities since they are only eligible to get conditional refugee status. Moreover, the narratives of non-Syrian asylum seekers signal that most of the applicants and beneficiaries are not aware of their legal statuses, so any required information could not even be provided to them. The “temporality” of “living in limbo” can be seen as a common concern for both international and temporary protection beneficiaries/applicants. In such a context, integration is a highly contested policy area, as will be discussed in the following section.

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# Chapter 5

## Integration



### 5.1 Introduction

Strategic temporality permeates the integration experience of Turkey's Syrians in a number of ways. First, given their temporary legal status, there is a grey area between reception and integration, which is highly symbolic of ambiguous inclusion (Kaya & Nagel, 2021). Until recently, there has been no publicly announced national integration policy; instead, there was only a discourse about *uyum* (social harmony) that is not premised on permanent inclusion or equal rights with locals. Further, refugees face liminality in every possible sphere governing long-term settlement, such as in the labour market, education, housing, health and citizenship. Most work informally and experience economic precarity; a third of Syrian children are not in school; refugees must secure their own (often substandard) housing; linguistic and other barriers prevent full health care access, and pathways to citizenship or long-term permanent residence are limited. All of this creates feelings of profound anxiety and uncertainty for refugees as they go about their day-to-day lives.

As we have argued, this context of disintegration (Hinger & Schweitzer, 2020), integration barriers (Federico & Baglioni, 2021) and differential inclusion (Cases-Cortes et al., 2015; Mezzadra & Neilson, 2013) are not the outcome of policy gaps or failures but are the direct results of governance based on strategic temporality. Strategic temporality operates in both practice and discourse, meaning that migrants are not on a path to integration as is often imagined in other migration contexts. They are not moving along a spectrum between being fully integrated or wholly unintegrated. Instead, it is more accurate to see their integration experience as one of never-ending liminality or "being between."

In this chapter, we ask: How do those on the ground experience this strategic temporality and respond to it? Specifically, how do local actors negotiate spaces to act in support of integration on local levels? How do migrants respond to their situation of non-belonging and permanent liminality? We show how local-level actors

and migrants more or less skilfully navigate strategic temporality. Despite difficulties, they demonstrate significant agency to forge (partial) integration.

The first section outlines the experience of strategic temporality in the major integration spheres (labour market, education, housing, health and citizenship). There are numerous studies that delve into each area in depth, so we only highlight the key factors that shape strategic temporality.<sup>1</sup> The next sections zoom in on the local level to examine how local actors and refugees navigate the context of strategic temporality. First, we look at how strategic temporality both results from and creates differentiated integration experiences. There are major differences in engagement in the integration sphere for actors in different regions and municipalities and significant incoherence and service provision overlap in integration programming. Thus, refugees in different locations and contexts have very differentiated experiences, contributing to ambiguity about their positions in society. This differentiation is both an effect of strategic temporality on the level of governance and also how strategic temporality is created on the ground and experienced as uncertainty and insecurity. Rather than clear guidelines, information, methods and pathways, both local actors and also migrants encounter ambiguity and uncertainty in their struggle to integrate.

Next, we take up the issue of agency (Bakewell, 2010; Triandafyllidou, 2017; Mainwaring, 2016). Migrants and non-migrants are not helpless. Migrants actively struggle against strategic temporality by embracing ideas of shared culture and belonging (cultural intimacy) as discussed in Chap. 3; they mobilize social networks and draw on internal resources for self-reliance; they actively make Turkey into a “home”, and they participate in local organizations that help themselves and others socially and materially. Many local non-migrant actors also combat the strategic temporality of migrants via integration programmes and other forms of direct assistance. Although it is important to recognize the agency of the many caring people on these local levels, it is also necessary to note that agency is starkly limited and shaped by strategic temporality. There are few actions that can remove refugees’ ambiguous social positions completely, but the impact of temporality is lessened, and a somehow partial integration is achieved.

## 5.2 Strategic Temporality in the Multi-Level Governance of Integration

Strategic temporality is apparent on the level of integration discourse via the widely used term, *uyum*, which is usually translated as “social harmony.” *Uyum* literally means harmonization or social cohesion and is preferred because integration has a

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<sup>1</sup>Some examples include the following: on employment (AIDA, 2019; ILO, 2020; Kirişçi & Kolasin, 2019); class (Belanger & Saraçoğlu, 2020; Şimşek, 2018); citizenship (Akçapar & Şimşek, 2018; Baban et al., 2017); education (Çelik & İçduygu, 2018); language (Rottmann & Nimer, 2020), gender (Açıkalın et al., 2020; Özden & Ramadan, 2019; Rottmann & Nimer, 2021).

bad connotation due to Turkey's migration history to Germany. German-Turks were continuously criticized for failing to integrate and disturbing German "leitkultur" (Rottmann, 2019). For this reason, integration and language courses, which are common in Germany and other European countries, were removed as requirements for Turkey's foreigners in the LFIP law drafted in 2013 (Açıkğöz & Ariner, 2014). Whereas integration is viewed as assimilation, *uyum* is perceived to be voluntary. *Uyum* is "felt to have a more innocuous meaning in Turkish and therefore better reflects the aim of the Turkish approach, which is to understand the indigeno-migrant interaction as a dynamic two-way relationship in which migrants are not confined to a passive role regarding issues which relate to them" (Açıkğöz & Ariner, 2014, 22–23).

While social harmony is a laudable integration goal, *uyum* contributes to strategic temporality, not ensuring long-term legal and practical inclusion. Rights are not part of the formulation of social harmony. Rather, the focus is on belonging, which is premised on cultural and religious harmony. Migrants are under pressure to profess their cultural and religious similarities to belong, and is an issue explored below. Viewed concerning migration policies, the temporal dimension of *uyum* and its link to the temporary protection system becomes clearer. For example, the long-term residence permit is often portrayed as a "gift" in the Turkish context. It is not connected to reaching specific integration goals and demonstrating *uyum*. In other words, *uyum* is not foreseen as the outcome of integration efforts to become long-term residents but instead is part and parcel of Turkey's precarious temporary system for Syrians.

Another problem with formulating integration in terms of *uyum* is its lack of specificity. Local actors in the public and NGO sector often told us that they were waiting for a social cohesion policy to be announced by state officials to be sure about what would be the component of *uyum*. For example, a representative from an international humanitarian agency working closely with the government explained,

We are waiting for the State's Social Harmony Strategy to be published. They should expand the number of social harmony activities. They should strengthen society. And not only the society of people here but also they should strengthen and increase the participation of refugees. Correct information should be transmitted and disinformation reduced. NGOs need to arrange activities with local participation...." (Interview\_İstanbul\_9 November 2018\_Bilgi).

Without a national policy, the civil society organization's integration efforts are uncoordinated and limited. In 2020, a national integration strategy prepared with the collaboration of IOM was finally announced. "The Harmonisation Strategy Document- National Action Plan" for 2018–2023 (DGMM, 2020) consists of six comprehensive strategic priorities as well as numerous sub-objectives. The priorities include social *uyum*; awareness building about rights and responsibilities about harmony, education, health, labour market and social support (DGMM, 2020). In the sub-goals of these priorities, there is a strong emphasis on the local level. For example, the first priority, social harmony is to be performed through (1) managing public perceptions and attitudes about migration and immigrants in a way to contribute social harmony; (2) strengthening co-existence and reciprocal dialogues at

local levels; (3) including migrants in consultation and information exchange mechanisms at local levels. Monitoring and assessment of all priorities and objectives are also elaborated by introducing precise indicators in the Strategy Document (DGMM, 2020, 33–51). Nevertheless, how these will be implemented via policy is still an open question.

So far, temporality as a governance strategy for controlling and managing refugee situations is clear in the policies, practices and experiences in the labour market, education, housing, health and citizenship sectors, as will be discussed below. Each sector is in a constant process of transformation, resulting in a high level of policy incoherence, duplication of services and gaps.

Within the labour market area, migrants are relegated to the informal sector, and too low paid, irregular and sometimes dangerous work (AIDA, 2019, 136–137; ILO, 2020; ICG, 2019, 17; Kirişçi & Kolasin, 2019, 3). Syrians with temporary protection status (TPS) were permitted to work under a law governing work permits for migrants (Regulation on Work Permits for Foreigners under Temporary Protection Regulation – Law no. 4817) that were passed in January 2016. However, several barriers are preventing Syrians from receiving permits, including complicated and costly bureaucratic procedures for obtaining work permits (Baban et al., 2017) and reluctance from employers to pay minimum wage and social security insurance (see also, Akgündüz et al., 2015).<sup>2</sup> Before the enactment of Law 8375 in January 2016, which allowed Syrians under temporary protection to have work permits only under certain conditions and with certain restrictions, only 7351 work permits were issued to Syrians. They were mostly issued to those who started a business. Although Turkey has allowed refugees to apply for work permits since January 2016, most cannot overcome the financial and bureaucratic hurdles associated with acquiring a permit and are unsure whether their employers will want to obtain work permits for them because doing so would increase the costs of employing refugees (as employers must pay pensions and other social contributions). As stated in the previous chapter, the other reason for Syrians' reluctance to apply for work permits is that they would lose all in-cash and in-kind aid. The number of Syrians who received work permits in 2019 was around 65,000 (TR24, 2019).

Child labour, exploitation of men and women in the labour market, low salaries, lack of social security, difficult working conditions, lack of formal channels to help migrants find jobs, and lack of official controls in the labour market were repeatedly expressed as problems our interlocutors face in the labour market. Further, refugees' qualifications are often not recognized, their educational backgrounds tend to be undervalued, and they face difficulties entering or returning to university in Turkey.

These comments from a 37-year-old married man married with four children living in Balat, İstanbul, show how migrants struggle with the experience of child labour:

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<sup>2</sup>For more information on the labour law, see Turkish Labour Law (2017).

The children's rights... their rights aren't guaranteed. For example, my sick son worked in a shop, and he used to work a lot, from 7 in the morning till 7 in the evening. He is now sick, but he wanted to work so that he would escape this misery. His boss used to give him 1000 TL, not all of it, though. And once for ten days, he didn't give him any, and it is his right. When it comes to the treatment between the boss and the worker, they do it without lifting their heads. They are exploiting workers, and the salaries are weak. For example, the dollar rose and fell, and that affected their living and their salaries. They don't deal with them accordingly (Interview\_İstanbul\_1 August 2018\_Bilgi).

Besides such challenges, one of the predicaments that have made the inclusion of Syrians in the labour market difficult is the differences in the work ethics of Syrians from the locals in Turkey. A 23-year-old married man with a new-born baby residing in Esenyurt, İstanbul,

Life in Syria at the beginning was much better, we used to live, and thanks to God, we were well. Here, also the same, it's like in Syria, but there we were comfortable enough that there isn't the word "çabuk" [quick] or "Hadi" [come on]. At work, they keep telling us, "çabuk, hadi, hadi, hadi!" even if you just get out for a minute, they would call you in immediately. However, in Syria, we used to have a cigarette on the machine, coffee, tea. I told them here "nefes" [breathe], he said, "Nefes Yok!" [No time for a breath]. "Olmaz!" [Not possible]. I asked him, are we in the military?! If we're in the military, they won't do that. He told me we do it like that here; if you want to work, you work! Otherwise, leave; God be with you! I worked for several people, and it was the same story. In Syria, we used to work comfortably, true it was a low salary, but we lived, and it was sufficient. If it wasn't for the war in Syria, we wouldn't have come here. I wouldn't have come here, and this and that wouldn't have come here, people would have stayed in Syria, nobody would've ever come here. But the war in Syria is the reason for causing that (Interview\_İstanbul\_1 August 2018\_Bilgi).

The situation of Syrian refugees in the Turkish labour market has a strong gender dimension. Syrian women work as flexible labourers at the workplace and, at the same time, look after their families. They struggle on both ends, i.e., the production and reproduction sides of life. At the workplace, they are the most affected and vulnerable members of the labour market because they are employed with lower wages than men from other nations (Tören, 2018). Syrian female refugees also take responsibility for their children's education and have to struggle with the language barrier and peer violence and discrimination practised against them in school. All of these problems, low working conditions without social security or registration, discrimination, stereotypes, language barriers, violence, prejudices, low-quality housing, and integration problems into society create many barriers for Syrians who may want to access their rights at the workplace. While the Syrian refugee population constitutes a cheap labour force for the Turkish economy, the state has become a factor in creating this situation by neither exercising control nor granting equal rights to Syrian refugees (Tören, 2018).

As other studies have reported (e.g., Şimsek, 2018; AIDA, 2019, 136–138), migrants in our study often described mistreatment in workplaces ranging from dirty and dangerous conditions and low salaries to not receiving their salaries when expected refusal to provide work permits. One young man in İzmir explained, "I looked for a job for a month, then I found one in this coffee house. I am making tea, serving it, and cleaning the place. Here, we are working for long hours with no insurance. I work 12-hour days. The work conditions are difficult here"

(Interview\_İzmir\_2 August 2018\_SRII). Some jobs result in injuries for which migrants have little recourse for compensation.<sup>3</sup> A representative of an international organization based in Şanlıurfa reported, “We encountered cases in which construction workers fell from the building, but they do not have insurance. They are not paid. The employer only gives a small amount of money to silence them” (Interview\_Şanlıurfa\_27 July 2018\_SRII). One woman in İzmir related, “It’s very difficult for my husband to find a job. He was injured on a construction job and had to have an operation. He cannot use his hand much now” (Interview\_İzmir\_31 July 2018\_SRII). On many occasions, Syrian children work in unsafe labour conditions like other Syrians and locals in the informal job market, resulting in deadly job incidences.<sup>4</sup> As one interviewed woman from Şanlıurfa explained, her son, who is the main breadwinner at home, faced an incident at a construction site. As he did not have any official insurance, no compensation was given; they only rely on the small monetary help of their former employer and local villagers where they live.

Forced migrants are often paid less than Turks for the same jobs. For instance, one man in İzmir explained to us, “Jobs for which Turks are paid 100 TL are given to Syrians at half the price. It’s hard for us. It’s very hard to pay the expenses of our children.” (Interview\_İzmir\_14 August 2018\_SRII). One of the most persistent complaints that migrants relate to during interviews is not receiving payment on time or sometimes at all. Strategic temporality means that refugees are not able to access their rights to a work permit, payment, insurance and workplace safety. All of these factors lead to extreme anxiety and the inability to securely plan for the future.

Despite all shortcomings in the labour market, a number of refugees found training opportunities offered by NGOs useful. Some of our interlocutors addressed appreciation for the Association of Solidarity with Asylum Seekers and Migrants (ASAM) for giving them training to help them find jobs. A 37-year-old married man with four children living in Balat, İstanbul, shared with us his experience with ASAM:

In ASAM, they took us to a general health workshop. In ASAM I participated in other workshops too. I also did a computer course, and I took Turkish language courses at ASAM. And I told them they had my number; whenever they have a workshop, they call me, and I participate. I have hobbies and interests. I like designing and making inventions, I have a design, but I didn’t find someone who would adopt my design. I have a design I presented in Syria but without results, protecting the environment from pollution, and I have a design for a motor that works without any source of energy. It generates movement without a source of energy, I have the design, of course not complete just a study, a design. And I have interests in weaponry, too (Interview, 1 August 2018, İstanbul, 13\_Bilgi).

The field of education integration is relatively better than the area of job market integration. Since 2016, migrants under TPS have been eligible to attend Turkish schools, including universities (AIDA, 2019, 138–140; Kaya, 2020a, 52). For the

<sup>3</sup>For example, see this article pointing to workplace deaths among Syrians in Turkey (Worker Health and Safety Council 2017).

<sup>4</sup>See the news <https://www.ihd.org.tr/ankara-sitelerde-cikan-yanginda-5-suriyeli-iscinin-yasamini-yitirmesine-dair-on-gozlem-raporu-2/>

2020–2021 academic year, there were 1,197,124 Syrians of schooling age, and 768,839 pupils (64.22% of schooling age Syrian population) were enrolled in schools.<sup>5</sup> The gap between the refugee child population size and the school participation number is particularly high for high school students. Barriers to educational access include a lack of proper registration or prior schooling documents as well as a family’s need for the child to work and contribute to the family’s support (Gee & Bernstein, 2015). One Syrian man in İzmir related, “I dropped out after high school, but I promised myself that my children would study. But they didn’t. We came here with no money, so the children were forced to work. We came to İzmir. We didn’t have identity (ID) cards. We faced many difficulties. For this reason alone, I want to go to Europe” (Interview\_İzmir\_3 August 2018\_SRII). The problem of child labour was raised by several interlocutors during interviews.

Another educational challenge for migrants is parental concern about cultural loss and tensions in schools, among children and between children and teachers. Syrian parents struggle to understand and navigate the school system, and they are anxious about maintaining their children’s Arabic language abilities. As in previous studies, we found significant limitations in incorporating Syrian refugee children into Turkish schools because the schools have a “monocultural organization and exclusionary institutional habitus” (Çelik & İçduygu, 2018, 254). Prior studies provide evidence that children face discrimination and bullying in schools (AIDA, 2019, 139). We also found tensions among children to be high. For example, one man in Şanlıurfa felt that Turks and Syrians should not be mixed in the same schools because of existing conflicts.

Syrian children should go to the Turkish national schools, but not mixed with local children. There are problems when Syrians and Turks go to the same schools. There is a crisis. The customs and cultural differences create a reaction and start problems. There is othering. Now, we need to integrate with Turks. We need a roadmap for this that will work with both Turkish and Syrian psychology (Interview\_Şanlıurfa\_16 August 2018\_SRII).

Strategic temporality – manifest in bureaucratic barriers to inclusion and economic precarity of Syrian families – results in problems in accessing education. Even if they enter schools, they face challenges to inclusion from teachers and fellow students, and parents worry about maintaining their children’s linguistic heritage. Syrian parents thus experience uncertainty about their children’s education, even if their children are in school.

Housing is an important part of the integration of urban refugees. Syrian refugees are responsible for securing their own housing. The average size of a Syrian refugee family is just above five people, with an average of two families in each household. Housing and living costs are higher for Syrian refugees due to abuse by landlords, and rents are generally higher in İstanbul than in other parts of the country, resulting in multiple families living under the same roof. A majority of Syrians navigate their way in Turkey with overwhelmed public services and support systems, coupled with

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<sup>5</sup>These figures are taken from the National Ministry of Education and may be found here (MEB, 2019).

a language barrier. Even though many aid agencies are sporadically providing assistance and protection to the refugee population settled in urban areas, urban refugees struggle to secure a minimum of social and economic rights. Many families live in abject poverty, often in unsanitary, even dangerous, housing conditions.

The majority of our interlocutors have tremendous difficulties in finding private housing. The interlocutors repeatedly expressed higher rents, stereotypes, discrimination, racism, and difficult housing conditions. The interviews also demonstrate that informal settlement, such as staying with friends and/or in squats, is also a common practice among Syrians. It is also a common practice, especially in İstanbul, for some landlords to offer their make-shift shops, stores and workshops for rent in a rather more exploitative way. A 50-year-old married man with four children from Deir Ez-Zor residing in Fatih, İstanbul, said the following when he was asked about his housing conditions:

We have been living in a shop (ground floor “Dükkan”) for the last four years. Thank God they know me well. Excuse me, if they found something on me or my family, they wouldn’t let us live there because it is their right... I have been settled in my home for four years (Interview, 1 August 2018, Fatih, İstanbul, 15\_Bilgi).

Poor housing conditions remain a big problem. It is common for refugee families to live in sub-standard accommodations with poor water, sanitation and hygiene conditions, especially in big cities such as İstanbul and İzmir. MDMT (2019) research shows that water, sanitation and hygiene conditions are poor amongst the Syrian refugee population, and one in five households (20%) does not have access to clean drinking water. Access to clean drinking water greatly varies according to location, and those living in rural areas tend to have less access to clean drinking water (47% do not have access) compared to those in urban settings (13%). This may be explained by their living conditions and dwelling types, which mostly consist of unfinished buildings and tents in informal camps. Cost, financial instability, and the lack of facilities were the most reported barriers to having suitable and safe hygiene conditions. It is also reported that refugee households complain of poor sanitation conditions at the community level. Issues range from the presence of garbage in streets (especially in İstanbul), the presence of rodents and pests, flooding (İzmir Centre), open sewage and open defecation (mostly in İzmir and Şanlıurfa).

Local municipalities, central state actors and local NGOs have expressed their limited capacity to address the housing problem. During the field research, it was only IOM officers in Şanlıurfa who described activities to help Syrians under temporary protection find proper housing conditions. The IOM officer in Şanlıurfa described the work of a shelter team:

If houses need repairing or reconstruction, they work with Syrians in towns such as Suruç, Akçakale and Siverek. IOM makes an agreement with the landlord and the refugees living in this house in poor conditions. They first do the assessment. They do not make full renovations. It is not on the coverage of the project, rather, they repair if the window glasses are broken, or there are electricity line issues, or toilets are in bad condition if women are not going to go to the toilet outside the house, lighting, bathroom, roof etc. IOM, just this year, repaired around 1000 houses. We first talk with Kaymakamlık [local governorship]. We also repair schools, and we built a washing room, with water and machines, in Siverek and

Harran at a place allocated by the local municipality. These rooms serve both locals and refugees, and the municipality covers detergent and electricity (Interview\_Şanlıurfa\_13 July 2018\_SRII).

The mass migration of Syrians has radically changed the housing market in Turkey in general. The change has affected not only Syrians but also local populations. Balkan et al. (2018) found that housing rents have exhibited a statistically significant increase following the mass migration of Syrians to Turkey. Contrary to some of the previous findings documented in the literature, they found that the rental price increase mostly comes from high-quality units. Accordingly, the natives who used to reside in low-quality neighbourhoods have now moved into high-quality neighbourhoods, and refugees replaced them. The demand for low-quality dwellings did not change significantly, but high-quality neighbourhoods experienced a sharp surge in demand. As testified by our interlocutors, low-quality houses are now being occupied by Syrians in different parts of the big cities; in return, they are required to pay high prices.

Many migrants express a general feeling of insecurity due to their housing conditions. As one woman in İstanbul explained, “Here, I am staying in a rented house, so at any time, the owner can tell me to leave. Then, how can I find another house to stay in?! But in Syria, we were staying in our own houses. Nobody could tell us to leave. So, it is different” (Interview\_İstanbul\_16 July 2018\_OzU). A 23-year-old married man with a new-born baby in İstanbul related,

We went around to many houses, and they did not give us any. We kept looking around, and nobody gave us any house for rent. They would tell us Syrians are “pis, pis, pis” [filthy, filthy, filthy], and thank God. Finally, we found a paper written here outside [saying for rent], even the rent is 700 liras [meaning cheap, around 120 Euro]. We even told him we were only four persons, and we had relatives. He said another family lived here before us, and they used to have a lot of relatives and guests and people. If we had guests coming to visit us, should we kick them out? They came for an hour or two, and he said no, it couldn’t be possible. We told him, ok, it won’t work then. But we needed the house to stay. We were not going to stay on the street, we used to live in a flat down in the basement, and it had mould and rot. It wouldn’t work out for the children. We needed to leave that house. We came here and thank God, and they gave us the flat. Every now and then, he would come home and inspect it, see the cleanliness of the house and leaves if there’s any dirtiness or something. Thank God... (Interview\_İstanbul\_1 August 2018\_Bilgi).

Unfortunately, such stories of difficulty finding adequate housing are very common among migrants and reflect the overall growing animosity towards them in the broader society. Since the state takes no role in helping migrants secure quality housing, they must respond as best they can to changing market and societal conditions. As with the labour market sector, they experience strategic temporality in the sense of needing to be totally self-reliant to address their insecurity and being unable to access their rights (in this case, their right to shelter).

As noted in the previous chapter, Syrians are entitled to free healthcare, and they generally speak positively about the healthcare system. However, issues of access remain, including location-based registration requirements, lack of translators, understaffing and sometimes discrimination on the part of medical staff, as also mentioned in Chap. 3 (see also, Cloeters & Osseran, 2019, 14). In addition, the

stratified legal statuses, such as international protection and temporary protection, result in different levels of access to public health-care services for migrants, asylum seekers or refugees based on their fragmented protection statuses (Gökalp-Aras et al., 2021). Access to health care is differentiated not only between local citizens and refugees but also among the refugees and migrants based on their legal status as shaped by their country of origin (Ibid.). One elderly man related,

May they be blessed! The Turks didn't come up short, but we had the issue of the ID cards, which was a bit troubling. It was our problem here... they produced for us ID cards that are registered in Şanlıurfa ...but when we came to İstanbul, we suffered a lot from this issue... Now, I have my wife who got sick or when my daughter got sick or my son, or if we need any medical treatment... We go to the hospital. My brother, they tell us that your ID is registered in Şanlıurfa, we only receive emergency cases that are critical. (Interview\_İstanbul\_1 August 2018\_Bilgi).

Mental health is an area in urgent need of additional resources. Access to mental health services is free of charge in public hospitals, but without access to translators, many migrants cannot access the services (AIDA, 2019, 72). Many migrants' express sadness and stress in interviews and often claim that they do not know how to find help. For instance, one woman explained, "Sometimes I feel depressed, but what can I do? I don't talk to anyone, and my mother is sick in Syria. We didn't have the feeling of Ramadan here. There is no social life. I feel sad." (Interview, İstanbul, 2018, Bilgi\_5). Not surprisingly, many find life in Turkey to be very stressful, which has a negative impact on their psychological well-being. One man in Şanlıurfa explained,

Due to the financial problems and lack of a proper job fitting my qualifications, we are under stress here. My wife and I are fighting a lot. Although we married for love, we are just living... If there was no psychological and financial pressure, it would be better. Compared to other Arab countries, our conditions are still better. Also, compared to within Syria conditions, we are doing better (Interview\_Şanlıurfa\_25 July 2018\_SRII).

Some refugees claim to be psychologically stressed and in constant fear due to how they are being treated by Turkish neighbours. Specifically, woman interlocutors in İzmir mentioned that the Turkish locals overlook them and think of them as inferior. In Şanlıurfa, only Syrian women working outside of their homes noted bad treatment from locals, while housewives seem to have positive local relations. As İstanbul is a very crowded city with foreigners and tourists, Syrians seem to be more easily invisible compared to those who live in Şanlıurfa and İzmir. Nevertheless, as mentioned in Chap. 3, many prefer living in certain vicinities, such as Fatih or Sultanbeyli where they feel a more cultural affinity.

Although health is by far the best integration sector for Syrians, access barriers remain. As in the education sector, a major problem is bureaucratic barriers and linguistic difficulties. Mental healthcare is a pressing need, with mental health issues resulting from traumatic experiences as well as strategic temporality and its accompanying insecurity. The personal implications of long-term uncertainty about their future and being in-betweenness are felt when we conduct interviews with Syrians, particularly those middle-aged people with children. Additionally, untreated mental health issues further create precarious conditions for migrants.

Citizenship is one of the last stages in local integration, as it appears as a durable solution to the transitional situation of being a refugee. Regarding Turkish citizenship, most migrants claim they want to become citizens. For instance, one man explained, “If they gave me citizenship, I would be honoured to have Turkish citizenship” (Interview\_İstanbul\_15 August 2018\_Bilgi). Citizenship for Turkey’s Syrians is related to a need for feelings of safety, access to rights and social acceptance in the host society (Akçapar & Şimsek, 2018). As one migrant in İzmir related, “We do not have citizenship here and no residency permit. What will my kids do in the future? I am concerned about this. Maybe an order will come to force us to return to Syria. Who knows? We are not able to make any plans. There is no stability. We do not know anything about the future... about the future of our kids” (Interview\_İzmir\_28 July 2018\_SRII).

Syrians can obtain citizenship like all other newcomers via a long naturalization process but also have access to citizenship through a policy implemented by the DGMM and announced for the first time in 2016. The Turkish government grants citizenship to Syrians under temporary protection through “exceptional citizenship”. According to the Article-12 (exceptions in acquiring Turkish citizenship) of the 2009 Citizenship Law (Law No. 5901)<sup>6</sup> ‘those persons who bring into Turkey industrial facilities or have rendered or believed to render an outstanding service in the social or economic arena or in the fields of science, technology, sports, culture or arts’ can acquire the citizenship. Turkey has so far issued citizenship to around 150,000 Syrians. In the meantime, according to recent data, there are 94,803 Syrians living in Turkey with residence permits as of June 2021 (Erdoğan et al., 2021, 9).

Granting citizenship to Syrians is one of the more sensitive issues for the Turkish public and for policymakers. In a meeting with journalists in 2016, President Erdoğan referred to the need to grant citizenship to Syrian refugees residing in Turkey, saying: Today, a Turk can go to Germany and become a German citizen; [a Turk] can go to the U.S. and become an American citizen; why can’t the same be possible for people living in our country?”<sup>7</sup> This statement brought about a big commotion in Turkey, making Turkish citizens conclude that all Syrians would be granted citizenship immediately. Due to the disturbance of the public in general, Deputy PM Numan Kurtulmuş had to announce that the Ministry of Interior was working on a proposal, implicitly meaning that the government considered granting citizenship only to those with cultural and economic capital:

Our citizens should be comfortable. We have not yet completed the proposal about granting citizenship to the Syrians. The Ministry of Interior is working on the proposal. There are so many skilled people [among the Syrians] who can make contributions to Turkey. To this effect, we can propose some criteria. When there is nothing concrete, some oppositional groups are trying to create chaos for the sake of opposition; and these groups are gossiping about the uncertain things as if everything is clearly laid out by the government. These are all incorrect. (Sabah, 2016).

<sup>6</sup> See Legislation Online (2009).

<sup>7</sup> For news coverage about President Erdoğan’s discourse on the Syrians being granted citizenship, or dual nationality, see *Hürriyet Daily News* (2016).

However, it is still not clear what Turkish state actors mean by granting citizenship. The field research findings indicate that Turkish citizenship is mostly granted to those who are young, educated, skilled, employed, multilingual, Turkish-speaking, and with lower or upper-middle-class background. It is also a common practice to be granted Turkish citizenship through marriage with a Turkish citizen. However, those of Kurdish origin, old age, unemployed, working-class backgrounds and without qualifications are much less likely to be granted citizenship. A middle-class 19-year-old Arabic and English-speaking male working as a translator in the private service sector in İzmir explained his experience of being asked by the local authorities in İzmir whether he wants to be granted Turkish citizenship:

I did not apply for citizenship, but they called me in my working place for an appointment one day, and they said that I was eligible to be granted citizenship. We went to get it, prepared the documents, and now we are waiting for the Turkish ID cards to come. No one in my family applied, but it was granted to all of us. Maybe because of my father's job. He works in an insurance company. Though he is not a university graduate person, he works in a good company (Interview\_İzmir\_5 August 2018\_SRII).

Another young person from İzmir told a similar story about her experience of being granted Turkish citizenship. This middle-class 24-year-old Arabic, English and Turkish-speaking female working in a migration-related NGO in İzmir said the following:

First, we got residence permits in İzmir. A year later, we were given ID cards [temporary protection status]. Now, we are Turkish citizens. We were granted citizenship like eight months ago. As my father is a teacher working here, they permit qualified Syrians like teachers, doctors, and engineers to become citizens. My father applied for citizenship, and the whole family became Turkish citizens (İzmir\_30 July 2018\_SRII).

In Şanlıurfa, 5 out of 22 Syrian interviewees reported that they had recently been granted Turkish citizenship, while 4 additional reported their applications are in process. They are mainly university graduates and those having financial and cultural capital, such as teachers, dentists, engineers, and businessmen. One of them is an old man, but he had pre-war trade relations with the local businessmen in the province, and he transferred his capital in Syria to the same province in the first years of his arrival.

The announcement that Syrians would be able to obtain citizenship was seen as an “important step in the Turkish government’s recognition that the settlement of Syrians in Turkey could turn into a long-term and/or permanent settlement” (İçduygu & Şimsek, 2016, 62). Though lauded by most academic commentators, granting citizenship to Syrians has been controversial in local communities. The lack of clear procedures for obtaining citizenship coupled with animosity towards Syrians in local communities leads to feelings of liminality for refugees. They are included in society via TPS but excluded in lacking a clear path to citizenship and access to full rights. As in the other integration sectors, strategic temporality in terms of citizenship is neither a means of fostering integration nor of totally excluding refugees. It keeps them completely “in-between.”

### 5.3 The Local Turn in Integration Governance: Differentiated Negotiation of Strategic Temporality

As scholars have noted, in many contexts, the local level has become the key actor in the integration sphere of migration governance (Kutz & Wolff, 2020; Lowndes & Polat, 2020; Dekker et al., 2015; Kaya & Nagel, 2021). In Turkey, there is wide variation in terms of how the local level is able or willing to respond. Spatial difference is an important factor. We found that integration is smoother for migrants due to shared linguistic and social ties in Şanlıurfa. For example, a representative from the Metropolitan Municipality Migration Centre in Şanlıurfa claimed, “There is a brotherhood feeling in the city. Religion also influences it.” (Interview\_Şanlıurfa\_20 July 2018\_SRII). Many meso-level actors in the city referred to the strong historical, cultural and kinship links between Şanlıurfa and the cities of Syria (Şahin Mencütek, 2020).

Besides differences among cities, there are a variety of other integration factors that differ throughout the country. For example, employment opportunities differ in the three cities we studied, with higher rates of unemployment in Şanlıurfa. Adequate housing may be easier to secure in İstanbul rather than in the other two cities. Yet, such issues are not experienced in a uniform manner – migrants with strong social ties and language abilities can find employment and housing in any city. Instead of a uniform experience of being a refugee in Turkey, migrants’ experiences are varied based on their location, which is, in turn, varied based on his/her social network ties as well as class.

One of the key integration actors are local municipalities (Betts et al., 2020; Erdoğan, 2017; Genç et al., 2018; Genç & Özdemirkıran Embel, 2019; Kale & Erdoğan, 2019; Lowndes & Polat, 2020; Kaya et al., 2020a, b, c). However, their service provision is very uneven due to uncertainty as to whether municipalities can provide services to non-citizens. Even within İstanbul, “municipal services for refugees dramatically differ from district to district. While some municipalities have developed systems related to the issue, it has been determined that some municipalities have consciously avoided providing services” (Erdoğan, 2017, 77). Not surprisingly, many service gaps can be expected in this context. Some İstanbul municipalities, such as the Sultanbeyli, Şişli and Zeytinburnu Municipalities, have taken the lead in fostering integration by setting up affiliated associations or finding other ways to serve refugee communities within their service provision mandate. One exceptional model of refugee political inclusion is the Sultanbeyli Municipality in İstanbul, which has created refugee councils through their linked migrant association. A representative related in an interview that they “were set up for the purpose of finding solutions to the problems faced by the Syrian refugees living in Sultanbeyli district” (Interview, İstanbul, 2018, OzUMeso\_7).<sup>8</sup> Şanlıurfa Metropolitan Municipality has also actively worked with Syrian community leaders through affiliated NGOs. It particularly seeks faith-based organizations’ inclusion if there is a need for mediation between Syrian and local communities (Şahin

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<sup>8</sup>For more information about their activities, see: <https://multeciler.org.tr/>

Mencütek, 2020). Municipalities also provide (or support the provision of) vocational training and job placement services, healthcare, child care, legal aid and social and economic aid to varying degrees.

Municipalities that are not active may be inactive because they fear legal and social repercussions. “It is understood that these municipalities are afraid of the negative reaction of locals/electors, and they are trying to avoid the problem thinking that if they conduct some support programs for refugees, it would encourage more refugees to come and settle in their districts” (Erdoğan, 2017, 77). An additional reason for low service provision to migrants is that the budgets of municipalities may be insufficient because they are determined based on the population of citizens.<sup>9</sup> An interviewee in Şanlıurfa related, “According to the [Research of the Turkish Municipality Association], Şanlıurfa is a city that takes a minimum of national and international funding. When we look at the population-funding ratio, it is inadequate... Although the municipality has a population of 2.5 million, the budget allocated for us is only 1.9 million because Syrians are not counted when calculating the budget” (Interview\_Şanlıurfa\_20 July 2018\_SRII).

The presence of differentiation in terms of both regions and even municipalities within the same city is a result of strategic temporality and the lack of a national, standardized integration policy. Municipal actors do not know what they are allowed to do legally, so decisions are made individually and ad hoc. Migrants, in turn, experience this strategic temporality as not knowing what services they may be entitled to receive and what rights they have. They do not know why parts of the same city differ in their treatment of refugees. Often, they must navigate services with the help of co-nationals or other sympathetic individuals. If they move from one region to another, they may confront a totally different context that they may not understand. All of this produces anxiety and the feeling of only liminal inclusion in their cities.

Within the integration service sphere, there are numerous programmes run by NGOs, but there is no centralized system for reporting activities and needs assessments, meaning that there is a lack of coordination. It is impossible to know how the needs of women, men, children or LGBTQ+ migrants might be getting served (or not) systematically via the various integration programming. There are many programmatic overlaps. One national NGO director related, if two organizations want to do the same project in an area that is technically being coordinated by the UN, the UN doesn't have the authority to tell either what to do to avoid duplication. “If there's money, both organizations are going to do something,” he said. “That is why you see a lot of organizations in the same place and none in other places” (Interview\_İstanbul\_9 October 2018\_Bilg, 2018\_Oz). For example, programs for refugee children's protection and integration are run by state agencies (e.g., ministries, directorates), local institutions (e.g., municipalities, city councils), IOs (UN agencies), I-NGOs and local implementing NGOs. However, program outcomes are

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<sup>9</sup>A UNHCR (2019) report also notes that population increases due to migration are putting pressure on some municipalities: “The increase in demand continues to strain infrastructure and accessibility of services, in particular waste and waste management, public transportation and fire-fighting services” (6).

seriously affected by a lack of coordination and cooperation among these actors, actor hierarchies and short-term earmarked funding. Barriers related to the strategically temporal policy environment and bureaucratic resistance worsen the scene and impede remedies not only for urgent protection risks, such as gender-based violence and child labour, but also for establishing a long-term rights-based perspective (Şahin Mencütek et al., 2021).

*Uyum* and the meaning of cohesion may be interpreted very differently by different actors, with different targets and strategies implemented to achieve it. Some organizations mainly implement social activities, while others focus on celebrating religious or national holidays and educational programming. Even municipalities do not offer similar services to one another, thereby demonstrating disparate understandings of migrant needs and state expectations. Further, the main target of services often differs. Some organizations focus on women or children, others on all members of a neighbourhood. Men are rarely a focus of targeted programming, even though they have specific unaddressed needs, especially for psychosocial support. Many I/NGO workers related those men seem to not want to participate in their activities either due to their long working hours or to “cultural taboos” against expressing any problems, which might be seen as weaknesses.

In sum, strategic temporality as part of multi-level governance has created policy incoherence and uncertainty about who does what and who has what role. There is no total absence or lack of integration programming but getting access to services or understanding one’s rights is a matter of chance, luck, or learning to successfully navigate for individual refugees. Refugees may not know how or why they can or cannot do something or obtain something in a certain place. They can never be sure that a policy or programme will continue over time and that local actors can be relied upon to support them indefinitely. Further, access to resources is never total, always partial, making survival possible but never easy. Given that spatial differentiation doesn’t have clearly apparent reasons from a governance level, those who work in this differentiated system face uncertainty too. Even with the best intentions of local actors, there is no guarantee that their programmes will continue. They themselves cannot know what will be expected of them in the future.

## 5.4 Agency and Navigations of Strategic Temporality

Migrants are thrust into a difficult integration context, where navigating strategic temporality is critical for survival. Navigation implies “agency” or the ability to act within structural and historical conditions (Bakewell, 2010; Triandafyllidou, 2017; Mainwaring, 2016). In situations of strategic temporality, agency is limited by uncertainty and a chronic inability to make long-term plans and be assured of safety, security and autonomy. Instead, actors rely on short-term planning, react to changing circumstances and use ad hoc emergency measures. However, migrants do still manage to challenge their temporality: they perform *uyum* by asserting their cultural and religious similarity; they mobilize social networks and draw on internal

resources for self-reliance; they emplace themselves in their cities and make a home in Turkey, and they form civil society organizations to help themselves and others. Many local non-migrant actors also challenge the strategic temporality of migrants via integration programming, charity, and simple human kindness and aid.

As noted in the previous chapter, migrants often assert that they are culturally and religiously similar to locals as a way of navigating strategic temporality and meeting the terms of *uyum* (Rottmann & Kaya, 2021). For example, a young woman in Şanlıurfa, explained, “Since there are a lot of Arabs and maybe also Muslims, in Şanlıurfa it is always said that, ‘we are all Muslims and need to help one another’” (Interview\_Şanlıurfa\_27 July 2018\_SRII). Pointing to cultural and religious similarities, shared activities and even professing to become more religious are ways of highlighting *uyum*, which is part and parcel of the regime of strategic temporality.

Migrants are not helpless while navigating strategic temporality. They activate social network connections to secure employment, education and healthcare services and social support. For example, one man in İzmir explained, “The employer at my job is my mother’s friend. She helped to employ me here. She is an Arab from Hatay” (Interview\_İzmir\_5 August 2018\_SRII). Another man described coming and finding employment through his former employees: “I came to my friends who used to work with me in Damascus. Immediately I came to work with them on the machine” (Interview\_İstanbul\_1 August 2018\_Bilgi). Some people mention receiving psychological support from friends and family. One woman described how her husband supports her psychologically when she feels sad. “I love my husband. He loves me. When he sees that I’m sad, he comes right away and cares. I support him the same way. I never needed psychological support” (Interview\_İzmir\_3 August 2018\_SRII). For many people, their children are an immense source of support. In the absence of access to professional mental health care, migrants lean on their families to get positive, supportive resources.

To confront their loneliness and fear, some refugees explained that they developed inner strength. One man explained, “For one year, I didn’t leave my house. I did nothing. I thought nothing. I looked and said, ‘nothing is worth living for.’ I thought everything was bad. But then I slowly started, started new... I realized that sitting at home thinking about nothing means I would have nothing. I decided to start a new life for myself” (Interview\_Şanlıurfa\_20 July 2018\_SRII). Another migrant described how language learning enabled him to form social relations with Turks. He explained, “I was in a students’ dormitory, and I was the only Arabic speaker. I didn’t know Turkish at all. I was feeling very lonely. Then, when I started to learn Turkish, it was better. I started communicating with people. Nowadays, there is no time to think about depression (laughing)” (Interview\_İstanbul\_10 August 2018\_OzU). Strategic temporality means that there is no formal integration system that migrants can plug themselves into, rather, they achieve more or less integration based on individual efforts. Importantly, these efforts are not possible for all migrants to the same degree. Efforts are successful (or not) depending on the individual migrants’ social, cultural and economic capital.

As noted, one major issue for migrants is their sense of instability due to the necessity of living in rented housing, difficulty finding new apartments and dirty and substandard housing. Nevertheless, some migrants manage to make a real home through the purchase of furniture and decorations. They also vividly emplace themselves in their cities through newly opened restaurants, shops and cultural centres. For example, one woman explained how she changed her home decoration to make herself feel more at home. She gave an example during Christmas time in which she hung pictures of herself and her husband at parks and gardens in Turkey (Interview\_İstanbul\_24 August 2018\_Bilgi). When asked about decor changes that have been made, one migrant responded, “Well, many things, for example, all of the home’s furniture is new, that is the first thing. The second thing, the dining table that I have is completely different, and the kitchen, because I love the kitchen as well. These simple things that I could bring to the kitchen, those are the things that would bring me happiness and create a new atmosphere in the home” (Interview\_İstanbul\_27 July 2018\_Bilgi). Having new furniture may symbolically signal that one is at home, as many migrants are quite poor and have to rely on furniture donations of second-hand furniture in their first few weeks.

Migrants also spoke very positively about their neighbourhoods. One migrant explained, “Fatih became like our country, Syria. We can’t live outside of it” (Interview\_İstanbul\_1 August 2018\_Bilgi). Another migrant described his neighbourhood as follows:

I felt it is popular [Sha’biyya; this word could describe a neighbourhood that is lower-class, crowded and could have a positive connotation of familiarity and neighbourliness or a negative connotation of lower-class, slum or disorganization]. I felt myself in Syria because there are many Syrians, Syrians you find them in the street wherever you go. Syrians or Arabs, you find them and feel that you are in Syria. You go to another neighbourhood that is all Turks, you feel that you are a stranger. Like those who travel to Germany, and they go there for example, and they feel themselves are in a different country, in a different area. Here, thankfully, we feel ourselves in our own country. We don’t feel estranged. Even the Turks, when you are buying something, he would start to understand you, ‘Khamse’ [five] he would say it in Arabic, five or ten. In the markets the same thing, you go to the bazaar and ask him, ‘how much is that?’ He would tell you in Arabic five or ten. Because of that, we are comfortable with life here, in this neighbourhood (Interview\_İstanbul\_1 August 2018\_Bilgi).

As this loving description of his neighbourhood shows, migrants are making comfortable homes in Turkey, despite insecurity and less-than-ideal housing conditions. Despite all hardships, many migrants feel a sense of comfort in Turkey (Kaya & Kırac, 2016; Kaya, 2017a, b; Rottmann & Kaya, 2021).

Civic and political participation of migrants in Turkey is limited but not absent, with many migrants getting involved in Syrian organizations or non-political Turkish migrant assistance associations (Sunata & Tosun, 2018). Syrians themselves also established several forms of organizations under the labels of forums, cultural centres, cultural houses, community centres, associations and courses. They vary in size, outreach, trajectories and event types. While some Syrian-led organizations provide humanitarian aid to their home country, others assist the Syrian

refugee community within Turkey. A number of them also collaborate with transnational organisations of the Syrian diaspora abroad and seek to represent Syrians on international platforms. Through this civic activism, Syrian refugees in Turkey exercise agency by forming both deliberate and spontaneous collective action, therefore going against common characterisations as passive actors and recipients of aid only. They navigate the conditions they are subject to by creating solutions to their problems, carrying out complementary roles in assisting refugees, alleviating suffering and enhancing coping mechanisms. Although few even seek to invent a space for further empowering refugees through claiming rights or aiming to change the status quo, they are increasingly bound by the rulemaking and monitoring of the central Turkish state (Şahin Mencütek, 2020). Nevertheless, they gradually turn into new actors in migration governance who claim agency and space to act. While many focus on improving their survival conditions and integration pathways in Turkey, a few keep political opposition active. For example, we interviewed a leader of a Syrian opposition association in Şanlıurfa. He said, “We are hopeful. We are making a call to our nation not to lose hope. We are saying that hope is here. We can reconstruct our homeland, our cities. We are first doing cultural activities and publishing a magazine. We are trying to raise awareness for creating a resistant society” (Interview\_Şanlıurfa\_17 July 2018\_SRII). One representative of a Syrian humanitarian aid organization related,

Only 5% of Syrians know their rights. There is a need for awareness-raising like organizing courses about it. I personally read about refugee rights from Arabic sources, which were translated from original English sources. As an institution, we need to learn about these rights. In this regard, Turkey did not demonstrate successful performance in terms of legal rights awareness. European NGOs are more active in this regard (Interview\_Şanlıurfa\_18 July 2018\_SRII).

Some Syrian organizations could be considered part of local political networks. For example, the Syrian Nour Association undertook activities “together with Fatih municipality, and it also has strong ties with IHH [Humanitarian Relief Foundation – a national NGO] ...on account of the efforts of Doctor Mehdi Davut, one of the founders of the association, who previously worked for IHH” (Sunata & Tosun, 2018, 13). There are also a number of Syrian hospital clinics that employ Arabic speaking doctors and offer treatment for a small fee and without asking about legal status” (İçduygu & Şimsek, 2016, 67–68).<sup>10</sup> All of these examples of civic and political associations and Syrians working at clinics assisting their co-nationals show that refugees are not passively accepting precarity and liminality. They are organizing to find places of belonging, to educate, to heal and to support one another.

Local non-migrant actors are also agents of integration. They face a difficult context in which to implement integration programming, but they are not helpless.

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<sup>10</sup>For more information on the Syrian Migrant Health Centres, see <https://hsgm.saglik.gov.tr/tr/gocsagligi-anasayfa>

As noted above, municipal workers and NGO workers run a variety of integration programmes. Even lacking a national integration programme, they forge ahead. There are also many individual locals in communities across Turkey who are embracing and helping Syrian neighbours. Many migrants enthusiastically told us about the charity they received from locals. “We came without anything,” one woman explained. “The people around us helped us, the Turkish people; they brought us clothes, furniture, fridges, washing machines... I didn’t buy anything” (İstanbul\_25 July 2018\_OzU). This charity from Turks is remembered very fondly. One woman related how helpful she found her neighbours.

The Turkish people around my house helped us with the furniture. The owner also was helping us with goods. He kept helping us with stuff for one year... Even though my house is so old, I won’t leave it because the people are so good. The owners are so good. They don’t help with money nowadays, but they treat us so good. Whenever they hear my kids crying, they come and ask us, ‘do you want anything?’ Or if they are ill or something, they don’t feel disturbed by us. They only try to help us (Ibid.).

Many migrants can provide 1–2 examples of a person who greatly helped them, such as a teacher, landlord, *muhtar* (local political official) or doctor. For example, one Syrian woman said, “The teachers of my daughter would come to my home. They’d stay with me. If there was anything wrong, they’d come. When my son was in the hospital, they didn’t leave me. Those are the Turks” (Interview\_İstanbul\_27 July 2018\_Bilgi). One mother from İstanbul explained the difference that caring teachers made in the life of her 8-year-old son:

The school was so hard on him in the beginning; he didn’t accept leaving me at the school door. He was crying a lot and screaming as if I had died, and he was saying goodbye to me. The school’s manager and teachers helped in that regard until he got used to things. Especially his teacher (a woman) helped. I wish her all the best. She helped a lot. She always says to him, ‘I am your mother, don’t worry.’ And she stayed with him all the time until he became better adjusted to the school. Also, there was a teacher (a man). Every day when he saw him, he hugged him and said, ‘how are you?’ So, my son likes the school very much, and he doesn’t want to change it (Interview\_İstanbul\_19 July 2018\_OzU).

Some refugees felt welcomed, even warmly embraced by local Turks. Thus, it is clear that both migrants and locals are able to challenge strategic temporality; they find ways to forge connections across the space of “being between”.

As mentioned in the previous chapters, envisioning the return of Syrians has been one of the initial components of strategic temporality designed by Turkey’s policymakers. As they are primarily the affected party to all of these discourses on return, it is vital to explore Syrians’ aspirations and the actors behind their intentions. A recent study, drawing from the quantitative analysis of survey data, notes that

Many Syrians condition their return on the provision of security, regime change and livelihood opportunities in Syria. However, their integration in Turkey also matters, albeit paradoxically, for return aspirations. Specifically, perceived and experienced discrimination and socio-cultural distance influence aspirations. These emerge as indirect implications of the economic, social and cultural integration. (Kayaoglu et al., 2021)

Hence, the paradoxical outcome of strategic temporality is that integration on the one hand and return on the other are both considerations of Syrian refugees, locals and policymakers. There is not an easy solution to make them fit together.

## 5.5 Conclusion

Strategic temporality is slippery and hard to pin down – it comes into being via a lack of a coherent national integration policy and the presence of conflicting discourses – making it hard to address. Further, it does not affect all places and actors in the same manner. The resulting differentiation then augments the feeling of liminality for migrants.

This chapter suggests that the starting point for observing strategic temporality in the integration sphere has to be the concept of *uyum*, which is widely used by governance officials in the Turkish context. *Uyum* contributes to strategic temporality by substituting an unspecified social harmony for codified individual rights. Next, by taking a close look at the complexity and uncertainties in policies and practices governing refugees in the labour market, education, housing, health and citizenship sectors, our research shows how temporality operates as a governance strategy. Challenges such as obtaining a work permit or enrolling a child in school keep refugees continuously betwixt and between. Difficulty accessing suitable housing, mental health services and citizenship lead to a state of disintegration and to a sense of differential inclusion rather than to a sense of becoming integrated.

As in research in other contexts, we found that the local level plays a key role in integration governance throughout Turkey, but this does not necessarily reduce uncertainty as refugees navigate spatial differences as well as temporal changes. There are diverse integration approaches in different regions of Turkey and even within municipal districts of major cities. We observe a cycle whereby strategic temporality creates a context in which spatial differences can emerge and these spatial differences in turn contribute to strategic temporality. The result is both service and programme gaps and also duplication of services and programmes.

Yet, against all odds, through a difficult struggle, many refugees do achieve a fragile, tenuous and partial integration. They create social networks, make homes and participate in local organizations that create inclusion for themselves and others. Many local non-migrant actors also assist them in navigating temporariness and finding belonging via a variety of integration programmes. Although this chapter has highlighted moments of agency and “success,” strategic temporality should not be viewed as anything other than a very difficult integration context. Even enacting the agency they do have, migrants’ starting and ending positions are liminal and ambiguous. They can never fully overcome strategic temporality. The publication of a national integration strategy is potentially a major improvement in the integration situation of Turkey’s Syrians. However, unless or until it is implemented in actual policies, integration will remain partial.

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# Chapter 6

## Conclusion



### 6.1 Strategic Temporality in and Beyond Turkey's Refugee Situation

The findings of this in-depth case study provide insights for generalisations about how strategic temporality may operate in other refugee-hosting countries as well as specific findings about state responses to mass migration situations. Some key findings can be summarised as including a (1) complicated and fragmented legal system, (2) multiplicity of actors, (3) re-nationalisation and restrictiveness, (4) increased complexity and uncertainty in all layers of rules and practices, (5) consistent liminality experienced by refugees. These characteristics are observable in concrete policy practices in diverse sub-policy fields involving remote border controls, blocking reception, downgrading protection and slowing integration. As we showed, the concept of strategic temporality, along with its related components of liminality, uncertainty and complexity, is helpful for understanding state responses across time and sub-policy fields.

Our empirical chapters illustrate how strategic temporality at the governance level causes indeterminate liminality. Syrian displaced people often find themselves facing in-betweenness in waiting to cross borders, to receive reception accommodations, to access international or national protection and to enjoy integration. This prolonged liminality marked with ambiguity directs many Syrian refugees to invent strategic, but often temporal, coping mechanisms to survive. Some seek ways in which to stretch the boundaries of this liminality to overcome memories of the past, and to construct a future in Turkey, Syria or elsewhere not only for themselves but often for their children. Some reposition themselves to claim collective agency in the Turkish context within the limits of endless liminality and the dominance of strategic temporality.

From a governance point of view, our analysis — which incorporates various dimensions of Syrian mass migration— demonstrates the dominance of strategic temporality. First, mass migration constitutes a rupture in the earlier status quo, a

change in established forms of policy-making and governance. State responses show continuities and changes within a country, even if it targets the same refugee groups (as in Turkey's response to Syrians). Thus, early and late arrivals face different responses, which has also been observed in Jordan and Lebanon's treatment of Syrians or in responses to refugees in many European countries (Stel, 2020, 2021; Şahin Mencütek, 2018). There is no sole causal link to explain these changes because multiple domestic, international, socio-economic and bureaucratic imperatives influence the content and implementation of policies. The relevance of these imperatives varies according to the dynamic context. For example, while foreign policy interests in the nearby neighbourhood where refugees originate appear to be the most determinant factor influencing border controls and reception policy choices, socio-economic factors may become more relevant for permanent protection and integration. Multi-drivers in policy-making inevitably lead to a politics of categories that blurs irregular migration and asylum. The ambiguities are not coincidental or a mere failure; instead, they are strategically constructed to serve control; they are strategically implemented when the temporal circumstances make it "needed".

Temporality is a process that we have observed in all aspects of asylum and migration systems, affecting institutional frameworks and populations (both Syrians and other protection beneficiaries and host society members). Temporary legislation and policies, increased ad hoc-ism, excessive use of discretionary power, and bypassing institutional accountability measures are all different forms of temporal governance. The notion of uncertainty is experienced at all governance levels, and in our view, this is intrinsically related to strategic temporality. Looking at uncertainty from a processual perspective, we can also explain it with the concept of liminality—namely, a rite of passage through which the earlier status quo enters into a period of transformation. One characteristic of liminality is increased ambiguity. Applying this concept to migration governance may provide an in-depth understanding of the destructive consequences of protracted transitional regimes on human populations and the international refugee regime. Drawing a parallel with waiting times for asylum applications, the longer one remains in a state of liminal positionality and uncertainty, the more devastating migration challenges may become.

As elsewhere, the perception of crisis and related narratives has complicated matters, turning Syrian mass migration and, in general, international protection migration into a highly complex policy field, crosscutting diverse sub-policy fields and involving a multiplicity of actors. When mass migration is managed in and through crisis, actors in multilevel governance settings choose from a repertoire of possible and available actions, including strict non-admission, deterrence, restriction, ad hoc or welcoming responses. These responses may have historical roots, chosen from a repertoire of sedimented policy options applied when faced with a crisis-like situation or may indicate a 'new' discursive direction in policy-making. In each response, the scope of policies, the boundaries of institutions and the types

of cooperation are re-negotiated and re-defined. Over time, responses are calibrated in line with various stakeholders' immediate needs and long-term interests. As the Turkey case reflects, migration is governed in and through strategic temporality, and the notion of crisis is instrumentalised as a governance mode by multiple power centres – not merely populists – to mobilise resources and legitimise policy actions.

Despite the centrality of the state in designing policies, it is clear that we can discuss a local turn involved with carrying out subsidiarity roles. Non-state actors consistently navigate possibilities for participating in the spaces pertinent to refugee affairs. They play a considerable role in facilitating access to rights and services, and they increasingly become an essential part of the context. However, in many cases, the local turn has to be acknowledged with caution as part of state-centric response models because the efforts of non-state actors, intentionally or not, may rather comply with the state's efforts to order migrants' presence under the guise of social cohesion, protection, humanitarianism, etc. Non-state actors may be included in refugee governance in limited ways and only if they discipline their actions according to the dominant power relations and policy directions of the host country. Under these circumstances, they can be limited to eliminating inequalities and power asymmetries.

Finally, refugee agency is of utmost importance for understanding responses. Due to their legal precarity and temporariness, most refugees rarely take risks, such as participating in activities that involve confrontation with receiving state authorities. They generally cooperate with local actors or international organisations, but they are rarely included in the decisions that affect them. At the individual level, many refugees struggle to navigate such a complex and stratified system. In their everyday practices, they develop coping mechanisms to improve their reception conditions, empower themselves to have better protection and to achieve partial integration. Overall, they seek to overcome in-betweenness by moving to more permanent and dignified living conditions and by challenging the severe implications of temporality. Some local actors are also assisting them in navigating temporariness and to find belonging. Although this chapter has highlighted moments of agency and "success," strategic temporality should not be viewed as anything other than a very difficult integration context.

In most research focusing on liminality, the notion of "being between" positions implies limitations to actions or a lack of agency. However, for forced migrants under strategic temporality, liminality is a semi-permanent state. There is no clear path out of liminality, only uncertainty, ambiguity and anxiety. Refugees cannot be certain about which actions to take and what the future will bring. Thus, our observations of displaced Syrians' agency is an inspiring signal of their hope, perseverance and courage.

The unfolding of the case in Turkey in ten years, like elsewhere, provides well-grounded evidence that strategic temporality as a policy response creates a challenging condition for refugees; it contributes to controlling the mobility of migrants but is not able to entirely prevent irregular migration.

## 6.2 The Situation of Syrians and the Refugee Regime After 10 Years of Strategic Temporality

A mounting discourse about returning Syrians to Syria has replaced the initial discourses of welcoming reception, as explained in detail in Chap. 3. In the first years of mass migration of Syrians, a religio-political discourse of reception based on guesthood and the Ansar spirit was successfully implemented. However, since 2017, such a religio-political discourse is no longer embraced by an overwhelming majority of Turkish citizens. However, a growing discourse of cultural and religious intimacy is magnifying among Syrians in the face of their increasing socio-economic deprivation. Growing domestic societal and political tensions in Turkey have strengthened popular discontent against Syrians since 2017, which has led to the formation of xenophobic and even Arabophobic sentiments expressed by mainstream political parties, especially during electoral cycles.

While the ruling elite refrains from using a discourse of integration, silent integration is taking place as Chap. 5 illustrated. Considering that the discourse on return will pay off politically, the DGMM was reluctant to publicise the Integration Strategy Document and National Action Plan 2018–2023 (*Uyum Strateji Belgesi ve Ulusal Eylem Planı 2018–2023*), which the Ministry of Interior had already prepared in 2018. Also, Turkey has been muddling through with the integration of Syrian refugees without an officially recognised integration policy. Despite lacking an official national integration programme for many years and the rise of a return discourse (to Syria) among public officials and the media, there has always been a de facto national integration policy, including integration measures for employment, education, healthcare and citizenship. Recent developments at the national and local levels in Turkey, indicate that integration will most likely take more institutional forms in the years to come.

Protection has continued to be managed through temporary protection status, but with restricted mobility and development of policy instruments to enable returns, as elaborated in Chap. 4. The fear of being sent back to Syria increased even more after Turkish armed forces started a comprehensive military operation on the Turkish-Syrian border in October 2019 to create a safe zone planned for the return and settlement of around one million Syrians under temporary protection. The Turkish ruling Government continues to pursue a politics of subsidiarity by delegating reception and integration processes to local municipalities, NGOs, faith-based organisations, and refugees without sparing resources from the national budget. Under these circumstances, international funds from the EU are crucial for providing services to refugees under temporary protection.

Given that the ongoing economic crisis is coupled with the detrimental effects of the COVID-19 pandemic and growing domestic political and societal fragility in Turkey, the continuous ambiguity of their temporary legal status has made Syrians more concerned than ever about their prospects of being able to stay. Legal precarity, challenges in survival and ongoing ambiguity about the future have made some Syrians consider onward migration as a way of claiming their agency. Irregular

passages from Turkey to the Greek islands still continue despite the fact that there was a sharp decrease in the immediate aftermath of the EU-Turkey Statement. Despite the hopes of crossers, the waiting conditions of Syrians in Greece is not less challenging than it is in Turkey. The fire in the Moria Refugee camp in September 2019, leading to the death of a woman and a child, revealed once again the misery of refugees on the Greek islands waiting for another rescue operation.<sup>1</sup>

Ten years of refugee-hosting has displayed how migration has been used as leverage by the Turkish Government against the EU because the EU is mainly concerned with halting refugee flows before reaching its borders. It seems that Turkey will benefit from playing the “refugee card” in the near future because of the EU’s further policy plans regarding migration partnerships. The new EU Pact on Migration and Asylum, published in September 2020, explicitly mentions Turkey as the reference case and foregrounds the importance of the EU-Turkey Statement as a model. On the one hand, the Pact emphasises the role of third countries and the importance of collaboration with them, and it highlights the significant role of Turkey; while on the other hand, it strengthens the EU’s return policies and provides flexibility to both the Member States and third countries to foster collaborations. The EU Pact emphasises cooperation with countries of origin and transit to contain and control departures and to allow for repatriation. One of its critical elements is the promotion of tailor-made and mutually beneficial partnerships with third countries. Despite its failures, the EU-Turkey Statement has served as a blueprint for other countries, and the EU Pact confirms expectations regarding similar bilateral cooperation with non-European countries. After five years in operation, the future of the EU – Turkey Statement remains an essential and highly discussed question. However, both the shift to “return” in Turkey’s national migration and asylum policies and the stress on cooperation with transit and third countries, such as Turkey in the New Pact, give a clear idea about possible future collaborations between the EU and Turkey. The European Commission has already proposed an extra 3,5 billion EUR to help Turkey host Syrian refugees over the next three years (DW, 2021). In all likelihood, liminality, uncertainty and complexity will continue for Turkey’s Syrians, while the international context allows Turkey to play out strategic temporality as the main feature of its refugee governance.

### **6.3 A Perceived Mass Migration ‘Risk’ From Afghanistan in Mid-2021**

Although this book focuses on Syrian migration, it is important to view Turkey’s refugee-hosting in its broader geopolitical context and in terms of potential regional risks that could generate displacements. Turkey lies at the intersection of Asia,

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<sup>1</sup>For further information on the deadly fire in Moria Refugee Camp with a capacity of 3000 residents where there were 13 thousand people in October 2019 see, <https://www.theguardian.com/world/2019/sep/30/riots-at-greek-refugee-camp-on-lesbos-after-fatal-fire> accessed on 11 September 2021.

Europe and Africa, making it a transit crossing route for migrants who intend to reach Europe. Its neighbouring regions consist of several unstable and fragile states (e.g. Iraq, Syria, Georgia). Moreover, as a middle-range power, Turkey is likely to get actively involved in several foreign policy actions in the conflicts emerging in Eurasia, the Middle East and North Africa (e.g. Afghanistan, Ukraine, Libya, Azerbaijan) in the last two decades. All these structural and junctural features as well as continuing political and geopolitical alterations, make Turkey one of the important hubs for mass migration movements and the spillovers of protracted refugee situations, such as that of Afghans. The relationship between foreign policy and migration was once again clearly demonstrated by developments in Afghanistan in 2021 and subsequent migration movements. The actions of states, especially military or political interventions, can often lead to unforeseen or untargeted mass migration movements (Teitelbaum, 1994). The US entered Afghanistan on security grounds due to the 11 September 2001 attacks to create a more moderate government, and they decided to withdraw after 20 years in 2021, resulting in a humanitarian crisis. Migration from Afghanistan is not new but rather continued for decades. Pakistan, Iran and Turkey rank first as transit and destination countries in the Afghan migration movement. With the strengthening of the Taliban in the country and Iran's more rigid policies since 2018, Iran had become even more of a transit country, while Turkey's role had increased significantly as the second transit country before Afghans headed their way to Europe.

In the summer of 2021, almost everyone agrees that “a larger crisis is just beginning” for Afghanistan (UNHCR, 2021a). Afghans' fleeing the country in search of refuge is definitely a humanitarian consequence of this political ‘crisis’. UNHCR reports that around 3.5 million people have already been internally displaced by violence— more than half a million since the start of 2021 (Ibid.). The Taliban has quite a bad reputation for mistreating women, minorities or any opposition to its regime. Besides violence and the risk of persecution, there are other “push” factors for Afghan refugees, such as a shrinking economy, poor service provision and lack of food security, among other things. Afghans seeking asylum elsewhere would probably have to embark on so-called “irregular migration” pathways because there is little chance for regular, safe and dignified migration for survival. The only remaining path is through Pakistan or Iran (or recently Tajikistan) if they re-open the borders to accept more on top of the officially registered 2.2 million Afghan refugees already in these neighbouring countries (UNHCR, 2021b). Estimates of the number of undocumented Afghans double this figure, making it one of the largest and oldest cases of protracted displacement in the world. Afghan refugee flows are likely to influence neighbouring countries as well as Turkey and Europe.

Previous research focusing on Turkey's border management shows that the potential size of refugee flows will most likely not be less than those peaks in 2018 and 2019 when more than 200,000 Afghan irregular migrants were apprehended by Turkish security forces (Gökalp-Aras & Şahin Mencütek, 2019). The Turkey-Iran border is a critical crossing point for Afghans who seek refuge in Europe via Turkey. This border is marked by mountainous geography and harsh climate conditions in winter, making crossings deadly but still possible with the guidance and

exploitation of smugglers. Since 2016, Turkey has installed more border restrictions to halt these crossings by building modular concrete walls, optic surveillance towers, ditches, and thermal cameras, and deploying security forces to patrol gaps along the border. Afghans have been consistently pushed back to Iran, or their asylum requests have been denied.

Nevertheless, thousands of Afghans have been able to get into Turkey. The majority of them remain unregistered and they are not granted any refugee status. As of September 2021, there were 1,435,455 Afghans in Pakistan and 780,000 Afghans in Iran, 116,403 asylum seekers and 980 refugees in Turkey (UNHCR, 2021a; b). Afghans benefiting from international protection in Turkey are reported to be 22,606 people for 2020. Afghans constitute the highest number of irregular migrants (DGMM 2021a, b). Although their exact numbers are not officially known, there are estimated to be around 300,000 based on the number of people apprehended, according to Turkish President Recep Tayyip Erdoğan (CNN Türk, 2021). Many of the Afghan migrants, who are undocumented young males, live in extremely precarious situations, particularly in İstanbul, where they are subject to the harsh informal working conditions of manual labour jobs to survive (GAR, 2021a). Due to a lack of legal protection, they fear arrest, detention, and subsequent deportation.

The burning question for the international community, specifically for the EU, if there is a significant rise in the number of Afghan refugees attempting to enter the EU from Turkey, is: how likely is Turkey to stop them? As we discussed in this book, the Turkish Government has strategically instrumentalised refugees for its foreign policy goals in its immediate neighbourhood and as leverage for negotiating with the EU for financial and political gains. Turkey may be expected to act again in the same way. However, its domestic concerns outweigh its far-reaching foreign policy goals when responding to and negotiating over refugees at this time. Therefore, a new possible deal between the EU and Turkey is less feasible than the EU-Turkey Statement. Such a deal is not politically viable for the Turkish Government if the EU only offers financial incentives. In the words of Turkish foreign minister Çavuşoğlu, “The approach that stipulates ‘Let me give some money, and you keep the refugees will not work’” (Hürriyet, 2021). The protracted stay of 3.5 million Syrians for ten years has made Turkey more sensitive about receiving any other mass migration flows.

There are growing anti-refugee attitudes among the Turkish public turning into [violent protests against refugees](#), including hate crimes and mobbing of the houses and stores of refugees. As elsewhere, refugees are blamed for unemployment, rent inflation, pressure over health and education infrastructures, changes in urban market spaces and rises in petty crimes. Syrians and Afghans are also accused of sexual harassment of girls, street fighting between children or employee-employer quarrels. A comprehensive review of media in 2020 illustrates that hate crimes against Syrians and other refugees are rising. At least 4 Syrians died, and 20 were injured<sup>2</sup>

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<sup>2</sup> See <https://www.ihd.org.tr/ankara-sitelerde-cikan-yanginda-5-suriyeli-iscinin-yasamini-yitirmesine-dair-on-gozlem-raporu-2/>

in such hate crimes<sup>3</sup> only in the first nine months of 2020 (IHD, 2020). There have also been attacks targeting the houses, businesses, and cars of Syrians. Media outlets and human rights organizations report that state authorities tend to defend citizens in such cases at the expense of Syrians.<sup>4</sup> Refugees are reluctant to seek justice because they are afraid of deportation. Many of the rights violations and hate crimes/attacks are not recorded at all due to this fear (IHD 2020a). To illustrate the rise in tensions, in Hatay, in June 2020, five young Syrian males were attacked by 9 Turkish boys who were threatened them saying, “either return to Syria or we will beat you since you stay.”<sup>5</sup> In the fall of 2021, public anger also started to overwhelmingly target Afghans living in Istanbul.

Refugees become the new scapegoats for all of the societies problems and become targets of hate crimes. Being aware of uneasiness and societal tension, opposition parties further politicize the refugee issue through hostile populist discourses. They criticize the Government for “changing Turkey’s demography” or “treating refugees better than citizens” while they promise to send Syrians back to Syria if they are elected (GAR, 2021b).

In recent years, the governing AKP Party lost any leverage it had to support an open-door policy or to provision (even temporary) rights or services to any migrant group. Turkish President Erdoğan recently declared that “Turkey has no duty, responsibility or obligation to be Europe’s refugee warehouse” (FT, 2021). This speech was intended to comfort the public, who learned that he discussed migration and the situation in Afghanistan with the leaders of Germany, the UK, Greece, and Russia. Turkish politicians and the public are closely watching to see what protection efforts the EU, US and other countries offer to Afghans. Under these conditions and with a hyper-sensitive Turkish public, it will be challenging for the Government to legitimise any deal without some noticeable gain from hosting Afghans. Even running the Kabul airport will not be an attractive gain. Giving full refugee status or integration support is not likely to be part of the spectrum of responses offered by Turkey or any other regional country, leaving refugees even less protected at the end of such deals. Turkey may consider offering a temporary protection status, which poses a constant risk of repatriation. Given that a new deal with Turkey is highly desirable for the EU, EU policymakers should consider lessons learned from previous deals and negotiations.

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<sup>3</sup>To see media accounts on hate crimes costing life of Syrians see <https://www.evrensel.net/haber/410688/irkci-saldirinin-adresi-bu-kez-kucukcekmece>; <https://www.evrensel.net/haber/413966/samsunda-oldurulen-hammaminin-ailesi-o-hepinizin-kardesi-adalet-istiyoruz?a=ad7>;

<sup>4</sup>See <https://www.ihd.org.tr/adanada-polisin-dur-ihtarina-uymadigi-gerekcesiyle-vurulan-ali-hemdan-hakkinda-ozel-ortak-rapor/>; <https://www.evrensel.net/haber/415018/bahcelievlerde-darbettikleri-suriyeliyi-7-metreden-atan-gaspcilar-serbest-birakildi>;

<sup>5</sup> [https://www.evrensel.net/haber/410617/kardesi-darbedilen-ahmet-hassani-savastan-kaktik-burada-vurulduk-agirimiza-gidiyor?utm\\_source=paylas&utm\\_campaign=twitter\\_ust&utm\\_medium=haber](https://www.evrensel.net/haber/410617/kardesi-darbedilen-ahmet-hassani-savastan-kaktik-burada-vurulduk-agirimiza-gidiyor?utm_source=paylas&utm_campaign=twitter_ust&utm_medium=haber)

Similar to the Syrian mass migration, Turkey's role as a buffer country or border guard for the Afghan mass migration is a controversial agenda item. In Turkey's foreign policy discourses, especially when the EU-Turkey Agreement is expected to be renewed, Afghan immigration is on the political agenda as an essential foreign policy bargaining instrument for Turkey. We are likely to see more strategic temporality in the governance of Afghan migration.

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