Engineering the Refugee Crisis

*Governmentality through humanitarianism in the evolving context of Turkey*

By

Alizee Zapparoli-Manzoni-Bodson

*A thesis submitted in conformity with the requirements for the degree of Master of Arts*

Department of Near and Middle Eastern Civilizations and Diaspora and Transnational Studies

University of Toronto

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Engineering the Refugee Crisis: Governmentality through humanitarianism in the evolving context of Turkey
Alizée Zapparoli-Manzoni-Bodson
Collaborative Masters of Arts, Diaspora and Transnational Studies and Near and Middle Eastern Civilization
Department of Near and Middle Eastern Civilizations
University of Toronto
2016

ABSTRACT TEXT
This study explores the dynamics of forced migration and refugee management in the context of Turkey through an examination of the evolving legal framework between 2013 and 2016. Weaving together a policy discourse analysis with the narratives of refugees in Turkey and their agency, I seek to challenge conventional discourses of victimhood and the use of humanitarian rhetoric to further political interests and manage flows using a critique of governmentality through humanitarianism. Particular attention is paid to the shift from an open door policy to the implementation of the New Law on Foreigners and Temporary International Protection, the provision of works permits and the Turkey-EU deal. This paper compares and contrasts the differing experiences of non-Syrian asylum-seekers and Syrians under guest status. In addition, I contemplate the discourse of crisis and management and interrogate the rhetoric of vulnerability and humanitarianism in the context of the migration-foreign policy nexus and Turkey-EU relations.

Keywords: Refugee; migration management; Turkish Asylum policy; Governmentality; Humanitarianism; Turkey-EU Deal
ACKNOWLEDGEMENTS

I would like to express the deepest appreciation to my research supervisor Dr. Mohammad Tavakoli. Thank you for your continued support and encouraging me to push the limits. I would also like to thank Dr. Kevin O’Neil for his literature recommendations on humanitarianism and theoretical insights.

Thank you to my friends in Turkey, particularly my friend Ozan Yekta Tezdigi and his family who hosted me in Istanbul and Batman. Thank you to my friend Petr Liakhov for his feedback and revisions.

I would like to express my sincere gratitude to everyone at the University of Toronto and in Turkey who provided support for this project. Since I did not receive any financial support for this research I would like to use this space to thank all my couch-surfing hosts in the South East of Turkey and all those who picked me up hitch-hiking; this project would not have been possible without you.
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CHAPTER 1: INTRODUCTION

Introduction to the Research Study

Migration management has become a priority, in the developing context of Turkey-EU relations over border management, burden sharing, and asylum.¹ As a result of its geographic positioning and policies towards asylum-seekers, Turkey has historically acted as a hub for asylum-seekers on route to Europe.² Today, Turkey is host to the largest refugee population in the world with more than two and a half million Syrians as well as another two hundred and ten thousand Iranians, Iraqis, Afghans and Somalis.³ Although Turkey appears to be shouldering the burden of the refugee crisis, because of the geographical limitation it maintains on the Refugee Convention none of the formerly mentioned non-Europeans have been absorbed in Turkey as refugees. Turkey’s motivation to maintain this geographical limitation has been closely tied to the international migration and foreign policy nexus⁴ as concerns rise in Turkey over becoming a buffering zone between fortress Europe and the Middle East.⁵ In 2014, the

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³ See UNHCR Populations Database (http://popstats.unhcr.org/)
⁴ Duvell, “International Relations and Migration Management”; Gokalp-Aras, and Sahin-Mencutek, “The international migration and foreign policy nexus”
⁵ Gülfer, “Turkey’s Refugee Regime Stretched to the Limit?
Turkish government adopted the *New Law on Foreigners and Temporary International Protection* and created a new directorate of migration management under the umbrella of the Ministry of Interior. The new law placed all Syrians in Turkey under temporary international protection until the situation in Syria ameliorates and they are able to return home. One of primary drivers of the implementation of this new law was the sheer scale of the influx of Syrians arriving in Turkey making it impossible to assess cases on an individual basis, as stipulated in the official temporary protection regulations. Currently the temporary international protection status has been reserved exclusively for Syrians and Palestinians from Syria, who are legally recognized as ‘guests’ in Turkey.

The current policies toward asylum-seekers and guests in Turkey create a taxing state of limbo for those subjected to a period of indefinite waiting. For asylum seekers this includes waiting for third-country resettlement and for guests this requires trying to set up one’s life in Turkey on the premise of having to return to Syria at some point. In both cases, these individuals will not be able to remain in Turkey as permanent residents. Thus, they are subjected to a period of uncertainty in waiting.

**Purpose of the Study**

The purpose of this study is to explore the engineering and management of the refugee crisis, that is the governmentality of human flows through humanitarian reason or logic. This study critically examines how refugees experience migration management in the context of Turkey as they navigate their way through difficult institutional frameworks.

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In other words, by examining a range of narratives, I consider what refugees experience during the process of both long-term and transit migration, and how their refugee identity is constructed in the process.

**Research Questions**

This study will pursue the following major research question, and sub questions:

**How do legal frameworks regarding the status of asylum-seekers in Turkey create population categories and how do the discourses surrounding policies govern those within these categories?**

a. How is humanitarian reason used as a tool to govern refugee flows?

b. How does the legal framework and the legal status of foreigners in Turkey affect their experiences?

**Background of the Researcher**

This research builds upon previous fieldwork on Turkish asylum policy explored through the lens of Iranian asylum-seekers in transit through Turkey and the challenges they faced while applying for refugee status through the United Nations Refugee Agency and awaiting third-country resettlement. My current thesis topics stem from experiences completing field work, study abroad programs and internships in Turkey between April 2013 and September 2016. After studying Turkish at the University of Toronto for three year I am now proficient in Turkish. My perspectives have been primarily informed through my volunteer and internship experience with various organization including a three-month internship at the Association for Solidarity with Asylum-Seekers at their multi-service centre for Syrians in Istanbul where I supported registration and protection.
screening as well as time spent volunteering at the Addar Centre and teaching classes with Small Projects Istanbul. My original research was conducted with Iranian asylum-seekers in 2013 however after getting involved with organizations working with Syrians in Istanbul I began working with Syrians in 2014 and have since been focusing my research on the evolving context of migration policy in Turkey.

The current study, initially, sought to explore how the international legal framework makes refugees more vulnerable by pushing them to resort to illegal and dangerous channels in their pursuit of safety and to access stable international protection. To do this, my qualitative fieldwork began with interviews with some of the most vulnerable groups of refugees in Turkey, individuals who had intended, attempted and successfully managed to illegally travel to Europe through Greece by means of smugglers. I interviewed mostly Palestinian-Syrians who because of their status in Turkey as Palestinians are not entitled to support nor resettlement through the UNHCR as well as LGBT and youth you faced many challenges in Turkey.7 The main issue I encountered was that the broader legal frameworks had significant gaps and asylum policy in Turkey has significant shortcoming creating important barriers to international protection. These shortcomings, in my view, make conditions in Turkey not eligible for designation as a safe first country. Thus, through my fieldwork and further research the topic of governmentality through humanitarianism emerged as I began to further consider the popular and now very trendy discourse on refugees and smuggling in the media but also in academia. The context of Turkey and the evolving framework for migration

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7 This will be discussed further in the findings section.
management which has been in constant flux since the start of this Masters thesis thus seem to be a good vantage point to explore governmentality through humanitarianism.

Overview of Paper

This document consists of five chapters: Introduction, Literature Review, Methodology, Findings and Discussion. The first chapter includes five respective components, including this overview. Within the first chapter I explain the context of asylum and refuge in Turkey, what the purpose of my individual study is, the research questions I will pursue, and finally my own background as a researcher. The second chapter, the literature review, will synthesize and investigate three groups of literature. First, this paper will explore theoretical works on the creation of populations. Secondly, this project will examine existing literature on population governance. Finally, policy documents and discourse analysis literature will be included here. Using theoretical works on the creation of populations\(^8\) and governmentality\(^9\) I will examine policy documents and humanitarian and NGO discourses\(^10\) related to migration management in Turkey to explore modes of governance. The third chapter outlines the methodological approach this study has taken,

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and includes a review of the procedures, participants, theoretical frameworks and limitations of the study. Chapter four breaks into three sections and has individual sub-themes within them, itemizing the findings of the study and the narratives provided by the participants. In the last section, chapter five, data analysis, implications, recommendations, limitations and further study are considered and re-visited. Following chapter five, references and appendices are provided, including photos from fieldwork in the South East of Turkey.
CHAPTER 2: LITERATURE REVIEW

Overview and Organization of the Literature Review

Initially, I approached my research by searching broadly on the University of Toronto library catalogue on the subjects of “governmentality”, “humanitarianism” and “population management”. The focus of the literature was mostly on state-centered migration governmentality and border politics. There is a plethora of literature on governmentality related to borders and population management and humanitarian governmentality in different contexts however the case of Turkey presents an exceptional phenomena. Turkey is one of the few countries in the world that maintains a geographical limitation on the Refugee Convention, which also uses a system of satellite cities to manage and regulate movement and thus these spatial-temporal elements present an interesting case; one which remains relatively unexplored.

Existing Scholarship

i. Making up population

The concept of dynamic nominalism provides a theoretical basis to interrogate how processes of naming impact processes of being.\textsuperscript{11} Ian Hackings posits “once you invent a category [...] people will sort themselves into it, behave according to the description, and thus contrive new ways of being”.\textsuperscript{12} In this way, new categories of people, created by medical, academic, and policy experts through discourses bring people into being.

\textsuperscript{11} Hacking, “Making Up People”
\textsuperscript{12} Hacking, “Making Up People”: 164
Research conducted with Iranian asylum-seekers in Turkey has demonstrated the effects of the restrictive criteria of the 1951 Refugee Convention- the underpinnings of the international refugee management system- and how these shape the narratives presented by asylum-seekers as they enter the refugee status determination procedures. As Kristen Biehl points out, the governmentality of asylum and border regimes take place through the disciplinary mechanisms of asylum-policy and foster the uncertainty of ‘refugeeness.’ The uncertainty and indefinite waiting resulting from asylum procedures severely effect the experience of seeking asylum and impacts identities, particularly as individuals present their cases to the UNHCR.

As it becomes increasingly difficult to obtain refugee status in Turkey, Iranian asylum-seekers have employed various migration strategies utilizing different forms of social capital such as religious conversion and the use of higher education institutions to remain in the country as students. Another method to secure refugee status and accelerate procedures, well-known among asylum-seekers in Turkey is to present an

15 Biehl, Governing through uncertainty”: 69
19 Zijlstra, “Stuck on the Way to Europe?
LGBT case as these individuals are among the most vulnerable of asylum-seekers. Thus many individuals attempt to present such cases by making up new narratives for their traumatic exit from the homeland and belonging to a persecuted social group.

These strategies are responses to the restrictive policies in place, or what Michel Foucault would call bio politics, the state’s involvement in managing populations, and affect the kinds of populations created in the process of limbo as people begin to ‘contrive new ways of being’. While Zijlstra and Koser-Akçapar explore the strategies employed by asylum-seekers in Turkey as responses to the restrictive policy frameworks, Kristen Biehl argues that the disciplinary mechanisms embedded in policy create the uncertainty of ‘refugeeness’ and act as a form of governance. These categories indirectly generate the population of asylum-seekers in Turkey, as individuals actively try to change their histories while trying to sort themselves and their stories within the criteria of the 1951 Refugee Convention in order to obtain the much coveted refugee status. In some ways the ‘fake it till you make it’ philosophy has come to govern the idealized asylum-seeker scenario both by immigration bureaucrats and critics as well as asylum-seekers both veritable and not who struggle to navigate the ever more competitive refugee criterion to become the ideal candidate for resettlement. This paper will explore how the categories themselves and the discourses surrounding them govern people, focusing specifically on humanitarianism and humanitarian systems in place.

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22 Hacking, “Making Up People”
23 Zijlstra, “Stuck on the Way to Europe?”
24 Koser-Akçapar, “Conversion as a Migration Strategy in a Transit Country”
25 Biehl, “Governing through uncertainty.”
ii. **Humanitarianism as Governmentality**

Governmentality is a multifaceted analytical framework that explores the governance of mentality, that is the “calculated tactics that guide everyday citizens subjects to act in accordance with societal norms.” By arranging conditions for a population to follow their own self-interests while also adhering to government interests, governmentality can also occur along more subtle lines. As such, “people are not necessarily aware that their conduct is being conducted”. Traditionally governmentality has been equated with state apparatuses but as Peter Redfield points out the “bio political horizon of possibility” is evolving to take shape through the deployment of more elusive practices such as humanitarianism. Indeed, the provision of humanitarian assistance can also be conceptualized as a technology of governance to control vulnerable groups by way of bodies such as the UNHCR, which is increasingly becoming a “global police of populations”. When occurring under the premise of humanitarian assistance, individuals may not consider the ways in which the policies in place to support and protect them are in fact shaped by interests in managing them. In the context of Turkey, there are many factors shaping the state’s humanitarian response to the Syrian refugee crisis and its evolving policies, from that of an open door to more recent restrictions at borders as a result of the new Turkey-EU deal to stem flows of refugees to Europe by keeping them in Turkey. The country has a long history of population management and spatial governance

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26 Ettlinger, “Governmentality as Epistemology:” 538.
28 Redfield, “Humanitarianism,” 158.
29 Bornsetin and Redfield. *Forces of Compassion*; Fassin and Pandolfi. “Contemporary States of Emergency; Feldman, , and Ticktin Iris. *In the Name of Humanity*; Redfield, “Humanitarianism”.
31 Scheel, and Ratfisch. “Refugee Protection Meets Migration Management”.
that continues today through the system of satellite cities that assigns newly arrived asylum-seekers to designated cities spread out throughout the country in order to protect and monitor them.

Indeed, the international system in place for refugee protection, humanitarian assistance and emergency relief is also heavily embedded with mechanisms to manage flows and restrict free mobility. For instance, refugee camps that meanwhile providing shelter, also confine people into highly regulated environments preventing them from entering urban centres and attempting to access labour markets illegally in host countries. Or border management agencies tasked with search-and-rescue such as Frontex operating off the shores of Greece that while ‘saving’ these fleeing asylum-seekers from their perilous journey illegally return them to the shores they fled from, thereby preventing them from exercising the right to flee to seek international protection\textsuperscript{32} which conveniently also enables Greece, an EU member state to keep refugees from entering the country illegally. Domestically, in the case of Turkey such mechanisms include the system of satellite cities that prevents asylum-seekers from relocating to larger urban centres and requires them to sign in to their local police stations on a regular basis. Another example is the geographical limitation that Turkey maintains on the 1951 Refugee Convention enabling temporary stay but requiring third country resettlement for non-Europeans, which creates a state of limbo for refugees who, while waiting in transit, have limited rights and resources.\textsuperscript{33}

\textsuperscript{33} Zapparoli-Manzoni-Bodson, “Making of the Iranian Refugee”.

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Colonial histories of governmentality mark a valuable vantage point for
governmentality of migration and the “policing of populations from the development of
administrative sciences\textsuperscript{34} to state-orchestrated identification practices\textsuperscript{35} to the making of
frontiers.”\textsuperscript{36} Indeed as Walters points out, “like development policy\textsuperscript{37} migration policy
takes shape in the space opened up by the breakdown of colonial systems and the formal
shift away from the kind of state racism Foucault identified\textsuperscript{38}, while also carrying over
and reorganizing key practices invented by colonial power”. Migration policy can be
conceived as a widespread policing force exercised over the global population by
dividing managing, distributing and relocating both populations and territories all for the
purpose of strengthening nation states and more recently other non-state actors who have
also seen the political potential in manipulating population flows.\textsuperscript{39} In \textit{Crimes of Peace
Mediterranean Migrations at the World's Deadliest Borders}, Maurizio Albahari explores
the “care and control nexus”, which he also refers to as “military humanitarianism.”\textsuperscript{40}
Albahari critically evaluates the rhetoric of crisis and argues that the crisis discourse and
its longevity are largely perpetuated by political agendas, border security policies and

\begin{footnotesize}
\begin{itemize}
  \item Thomas Osborne, “Bureaucracy as a Vocation: Governmentality and Administration in nineteenth-
  \item Adam McKeown, Melancholy Order. Asian Migration and the Globalization of Borders. (New York
(2008); Keith Breckenridge, Biometric State: The Global Politics of Identification and Surveillance in
South Africa, 1850 to the Present. (Cambridge 2014),
  \item William Walters, “Reflections on Migration and Governmentality,” \textit{Movements. Journal für kritische
  \item Timothy Mitchell, Rule of Experts. Egypt, Techno-Politics and Modernity, (Berkeley, 2002).
  \item Michel Foucault, Society must be Defended: Lectures at the Collège de France 1975–1976, New York,
20013.
  \item William Walters, Reflections on Migration and Governmentality.
  \item Maurizio Albahari, \textit{Crimes of Peace: Mediterranean Migrations at the World's Deadliest Border}.
(University of Pennsylvania Press, 2016)
\end{itemize}
\end{footnotesize}
structural negligence.\textsuperscript{41} Indeed, sovereignty’s power goes hand in hand with its violence. Citing the example of the Mare Nostrum sea border mission Albahari argues that this mission and many other bodies are forms of military humanitarianism underpinned by the notion of sovereignty as salvation. Evidently border regimes operate through networks that reach beyond nation state boundaries however in refugee politics the discourses are closely intertwined.

iii. Migration Management Discourse

Over the last decade, the discourse in Turkey has shifted from one of migration control to migration management, becoming an integral part of policy making. This shift from migration control centered on restricting and controlling flows to the migrant management approach that seeks to govern through a more involved government and other institutions marks an important shift in the context of Turkey.\textsuperscript{42} One that has been significantly influenced by recent Turkey-EU negotiations over readmission agreements and visa liberalizations policies for Turkish nationals in Europe. Indeed, regional political, economic and security interests all contribute to interests of migration management, particularly in Turkey as a major transit hub.\textsuperscript{43} Frank Duvell explains, international relations, migration and visa policy as well as economic and welfare policy are closely related.\textsuperscript{44} Thus, “foreign policy may be employed to facilitate or restrict existing refugee flows. Both sending and receiving countries may use mass migration

\textsuperscript{41} Albahari, \textit{Crimes of Peace}, 203.
\textsuperscript{43} Gülfer, “Turkey’s Refugee Regime Stretched to the Limit?; Duvell, “International Relations and Migration Management
\textsuperscript{44} Duvell, “International Relations and Migration Management, 43.
movements as tools of their foreign policies, particularly to destabilize or embarrass foreign-policy adversaries.” Refugee flow management is currently at the heart of Turkey-EU relations and has given Turkey significant leverage over EU-admission and visa liberalizations agreements as flows of refugees setting off on perilous journey across the Aegean Sea to Greece continue. Discourses on burden-sharing and securitization of the European Union’s external borders have come to dominate Turkey-EU relations and E.U politics.

iv. The Evolving Legislative Process Regarding Syrians in Turkey

Turkey’s legal policies towards Syrians evolved significantly over the years (see Figure 1.1). With the escalation of the conflict in Syria since March 2011, at the onset Turkey maintained an open-door policy towards incoming flows of fleeing Syrians. Initially Syrians were accepted in Turkey as “prima faci refugee” since as a result of the sheer scale of number of people arriving the countries asylum-system previously centered solely on transit stay and resettlement did not have the capacity to individually process cases for resettlement and as the conflict drew out it became clear that these individuals did all have legitimate claims to refugee status as a result of a well-founded fear of persecution in Syria. With protracted conflict and no rapid resolution in sight the Turkish government would have to implement a more official legal status for Syrians in Turkey. On April 4th 2013, the Ministry of Interior adopted the New Law on Foreigners in International Protection (LFIP) placing all Syrians in Turkey under international protection under the official legal status of guest. The New Law also created the

director of migration management who is now responsible for the management of Syrians in Turkey. This law aligned Turkish migration management with core international and Europeans standards for the protection of displaced people. Many observers viewed this as a display of commitment to the will to integrate immigrants into the country and a desire to treat asylum-seekers and irregular migrants in line with international standards and norms.\(^46\) But with “guest” status Syrians not granted any legal rights just a vague status implicating temporality and presumed short nature of their stay.

On October 22\(^{nd}\) 2014, the regulation on Temporary Protection (TP) was passed providing all those granted with this status access to health care, education institutions, interpretation and in theory labour markets.\(^47\) Currently the system in place to obtain temporary international protection is to register by taking fingerprints, pictures and registering domicile address after which a foreigner identification number and temporary protection identification document are issued. However, it is important to note that the Temporary Protection status is not the equivalent to a residency permit and it does not enable the holder of this status to obtain permanent residency or citizenship.\(^48\)

The next development that would take place in Turkish legislation was an important step in the integration of Syrians into the labour force. In January 2016, the Regulation on Work Permit of Refugees Under Temporary Protection took effect, enabling all those under temporary protection, to apply for work permits. Syrians are eligible to apply to the Labour Ministry after a period of at least six months under the

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\(^{47\text{İçduygu and Millet, “Syrian Refugees in Turkey”}}\)

\(^{48\text{İçduygu and Millet, “Syrian Refugees in Turkey”, 13.}}\)

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temporary protection status. According to the new provisions, refugees must be paid at least minimum wage and the share of refugees cannot exceed 10 per cent of a workforce in any sector.

During this period, particularly over the past two years as a result of the temporary nature of protection and the limitations on provisions as well as the suspension of resettlement from Turkey has been limited to only the most vulnerable groups, many people opted to take illegal routes to Europe through Greece and were willing to risk their lives rather than remain in limbo in Turkey. In light of the large influxes of Syrians using smugglers to make their way to Greece and eventually further into the EU, the European Union struck a deal with Turkey to limit these flows. The Turkey-EU deal also known by many refugee advocates and academics as the ‘Dirty Deal’. As a result of the agreement, beginning at the end of March all new irregular migrants arriving in Greece particularly through the islands would become eligible for return to Turkey. However, for every Syrian sent back, one registered Syrian in Turkey would be eligible for resettlement within the EU. The deal aims to deter irregular and unauthorized passage into the EU but in many cases the decision to leave Turkey is well-warranted and the return of asylum-seekers is an infringement of international law and right of asylum-seekers to seek protection. In exchange the EU offered Turkey a settlement of 3 billion euros to support humanitarian infrastructure for Syrians in Turkey.49

The most recent development in recent migration managements politics in Turkey is President Tayyip Erdogan’s citizenship announcement on July 2nd which Ahmet Içduygu

49 Içduygu and Millet, “Syrian Refugees in Turkey”
sees as part of the process of “advancing through the phases of admission, settlement, integration, and naturalisation that indicate an undeniable move from the notion of short-term “guest” towards permanent settlement and citizenship acquisition.”

v. UNHCR and Politics of Resettlement

Resettlement and short-term migration practices such as the provision of emergency aid are generally seen as part of humanitarian projects and thus receive little critical attention as instruments of governance. However, refugee resettlement should be conceptualized as a tool for humanitarian governance by means of its hierarchical selection processes and procedures that dictate who is a bona fide refugee and thus deserving of protection and resettlement. As one of UNHCR’s three durable solutions and the most active solution for population management the politics of selection, and procedures in place are critical for the international protection regime and the ethical treatment of refugees. But in practice, there is a hierarchy of vulnerable groups and in Turkey in the case of Syrians it is only the most vulnerable cases who are being resettled.

Stephan Scheel and Philipp Ratfischs’ research based on ethnographic research in Morocco and Turkey offers insights into the relationship between the United Nations High Commissioner for Refugees in the field of refugee protection and the political rationality of ‘migration management’. They contend that, “the UNHCR’s refugee protection discourse and the emerging migration management paradigm are both based on a methodological nationalism, share an authoritarian potential and yield de-

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This emphasis on the UNHCR active involvement in the migration management paradigm as a “global police of populations” is focal to the global humanitarian governance regime. The UNHCR and other humanitarian actors and the procedures within migration management and protection frameworks collect data and categorize individuals in a hierarchical manner that privileges certain groups and negatively impacts the experiences of others. For instance vulnerable groups as identified through protection screening are given priority in aid distribution, psycho-social support and are currently the only cases being resettled by the UNHCR.\textsuperscript{52} For UNHCR purposes vulnerable cases consist of LGBT, victims of human trafficking, victims of torture, persecuted religious minorities, widows with children, large families with young children and those with difficult health conditions that can not be adequately treated in Turkey.

Kristen Biehl argues that “in the advanced economies of the world, immigration and refugee flows are progressively being viewed as a security threat to national welfare systems, cultural and national identities, and domestic peace and stability, which in turn has been used to justify fortified border policing measures, restrictive immigration legislation, and the narrowing of state obligations toward refugees.”\textsuperscript{53} Indeed, policies are becoming increasingly restrictive, Biehl explains that in the Turkish case, the disciplinary mechanisms of asylum-policy take variable forms, such as indefinite waiting, unpredictability of status, restrictions on movement as a result of the system of satellite cities, and the ambiguity of laws.\textsuperscript{54}

\textsuperscript{52} Field notes, 2016
\textsuperscript{53} Biehl, “Governing through uncertainty,” 66.
\textsuperscript{54} Biehl, “Governing through uncertainty,” 69.
CHAPTER 3: METHODOLOGY

Procedure

This study uses a qualitative framework that is influenced by phenomenological and ethnographic methodologies; broadly speaking I comparatively explore the experiences of Syrian, Palestinian and Iranian asylum-seekers in Turkey between 2013-2016. This research study took place over four summers 2013, 2014, 2015 and 2016 each time for a period of approximately three months (limited each time by the 3 month tourist visa for Canadians in Turkey) and thus encompasses a total of approximately 10 months of fieldwork. The summer of 2013 I worked exclusively with Iranian asylum-seekers residing in Istanbul, Denizli, Yalova and Eskisehir, belonging to different social groups including political activists, LGBT, Azeris, Christians and Bahais.

The summer of 2014, I participated in an exchange at Bogazici University and simultaneously began volunteering with Small Projects Istanbul at the Addar Centre, where I taught craft workshops and taught English to Syrians and Palestinians from Syria. During this time, I interviewed mainly youth about their experiences in Turkey which I began to compare to my prior research conducted with Iranians. Through the Addar Centre and Small Projects Istanbul I made several contacts and conducted a total of nine interviews in addition to collecting field notes and participating in many community events such as movie nights, art classes and Arabic lessons.

Between May to August 2015, I undertook two internships, one at the Association for Solidarity with Asylum-Seekers (ASAM) at their multi-service centre for Syrians in Istanbul and the other at the Migration Research Centre at Koc University. Through
ASAM I gained exposure to the NGO world and the implementation of the New Law on Foreigners and International Protection and what it entailed for people in practice. At ASAM I supported registration and case-procession as well as vulnerability screening for the most vulnerable groups of refugees.55 Most importantly for the purpose of this study I was able to observe NGO procedures and practices first hand and the politics of humanitarianism in the context of a Turkish NGO.

This past summer, I was able to conduct a new segment of my ethnographic work in the South East of Turkey in the cities of Antakya, Adana, Mardin, Gaziantep, Batman and Diyabikir. Due to financial restraints, I used hitch-hiking as my mode of transport which would become an important component of my data collection and subsequently the findings that would emerge.

Methodology Rationale

This study employed an ethnographic approach, that is the study of a cultural group over a prolonged period of time through participant observation and relies primarily on collecting observational data56 (Creswell, 1998). This research process is flexible and allows for the scope of the project to evolve in response to lived realities encountered in the field setting.57 Participant-observation enables findings to emerge

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55 Vulnerable groups in this context include widows, large families with a low income, LGBT, people with severe health conditions that can’t be treated in Turkey, LGBT, religious minorities, victims of torture and victims of human trafficking.
organically whereas interviews guide participants towards designated themes. Moreover, the epistemology of participant observation rests upon mutual interaction whereby both the observer and the observed inhabit the same social fields.\textsuperscript{58}

Observational data was collected while working and volunteering with different types of NGO’s in Turkey in different capacities. Data was primarily drawn from my experiences working as a caseworker and as a protection screening intern at Turkish NGO the Association for Solidarity with Asylum-Seeker between May and August of 2015. In this position I sat in on formal interviews conducted by case-workers with Syrians where case-workers informed Syrians of their rights in Turkey provided through the New Law on Foreigners (2014) and asked them to describe their entrance to the country and living conditions in Turkey. In addition to interviews with case workers I also sat in on interviews with ASAM’s protection screening officer with vulnerable groups including mostly LGBT, widows with children and individuals with serious health conditions who were referred by case-workers and if deemed severe are subsequently referred to the UNHCR for resettlement. This site of observation was particularly useful in collecting data on discourses surrounding policy and the procedures implemented by this NGO as well as observing responses from Syrians in a formal setting.

Furthermore, I also draw on observations in more informal settings including teaching English and crafts workshops at a community cultural centre called Addar that works with Palestinian and Syrian refugees in the Taksim district of Istanbul attending

community events, such as music and movie nights and get-togethers. This method is most appropriate for data collection as these meaningful yet informal settings enabled me to observe individuals while interacting with one another and discussing their lives and challenges in Turkey. Participant observation, allows for pertinent new findings, outside the scope of the original research questions to surface. My second methodological approach consists of a series of informal interviews that I conducted in Istanbul with NGO staff, refugees belonging to various social groups, government officials and policymakers between May and August 2014 as well as in 2015. Given my circumstances with regards to finances, parameters of study these methods accommodated the nature of this study as well as the limitations and restrictions for access to participants.

**Participant Sampling and Instruments of Data Collection:**

This study utilized predominantly participant observation research in addition to in-depth semi-structured focus groups as well as one-on-one individual interviews with consenting participants. The participants were selected using convenience and snowball-sampling methods, as made possible through contacts and networking opportunities in Turkey during my various research period. One-on-one interview questions were open-ended, in order to allow for refugee narratives to transcend pointed questions and instead, to unfold according to the explanation of the refugee, rather than being directed by my own research interests. In this way, open-ended responses allowed for additional prompts to be made during the interview as unknown information was shared. The focus group setting provided a meaningful yet informal setting where the participants were able to...
interact with one another, and the questions simultaneously. This brought forth behaviors and responses that I was able to observe and make informal research notes on. Given my position as an outsider to these groups, it was beneficial to have them interact with one another in order to establish a level of comfort and ease of expression. In addition to my interviews and focus groups, I attended movie nights, diners, crafts classes, Arabic lessons, police-station check-ins, community meetings and political events in order to observe social dynamics and individual behaviors as well as develop further networking opportunities; these vantage points allowed for additional field notes and insights.

**Data Collection and Analysis**

Data collection for this study was characterized by a qualitative approach and engaged with concepts of governmentality, humanitarianism and population making. I sought to take an interdisciplinary approach to the critical examination of data, and the exploration of theoretical paradigms. The qualitative nature of this study allowed for pertinent new findings, outside the scope of the original research question to surface. More specifically, the methods used in this research paper are characterized by a phenomenological approach, focusing on understanding the essence of experiences of a phenomenon described by John Crestwell as “lived experiences.” Additionally, it also utilized ethnographic observations and field notes as gaining the trust and level of comfort needed for the nature of this study called for complete immersion into the everyday lives of asylum-seekers. As Margaret Mead explains, anthropology requires an “open-mindedness

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with which one must look and listen, record in astonishment and wonder that which one would not have been able to guess\textsuperscript{60}. Indeed, the study did evolve significantly as a result of the changing context and unexpected findings that emerged.

The phenomenological and ethnographic qualitative methods seemed most appropriate for data collection during the development and planning of this study, as they allowed for multiple themes to emerge thus developing the scope of the topic and the question of the study.

**Limitations**

The three limitations I encountered during this study were related to access, security and financial restraints. Due to the highly-politicised nature of my research topic and recent events and the vulnerability of my study participants, significant cautionary measures were taken in both the conception and implementation of this study. As a result, I chose to rely primarily on participant-observation as supposed to interviews. In terms of security considerations, I had to limit the scope of my project and field work sites, particularly when working in the South East of Turkey. Another limitation I encountered was related to language barriers, for Kurdish and Arabic and difficulties finding translators. Finally, my third limitation was financial, which limited the depth and duration of fieldwork.

\textsuperscript{60} Mead, Margaret. *Sex and Temperament in Three Primitive Societies*, (London & Henley: Routledge & Kegan Paul), 1977.
CHAPTER 4: FINDINGS

Overview:

Based on a combined total of 10 months of interview data, focus groups and extensive field notes, this findings chapter summarizes and makes use of data that emerged from rapport built with participants and draws primarily on observations of behaviors from daily interactions through ethnographic fieldwork. The findings from this research study will be presented in chronological order, based on the evolving legal framework as well as the the different nationalities and geographical placement of refuges in the country in attempt to trace developments across time and space. Fieldwork took place in various regions over the course of three summers,\(^{61}\) in 2013 fieldwork was conducted in Istanbul, Denizli, Eskisehir and Yalova, 2014 and 2015 were mostly limited to Istanbul and 2016 took place largely in the South East of Turkey in the cities of Antakya, Reyhanli, Adana, Mardin, Suruc, Gaziantep, Urfa and Batman. This first subsection has been organized according to different nationalities of refugees that participated in the study, including: Iranians, Syrians and Palestinians in chronological order and subsequently is organized thematically. In the case of Iranians and other non-Syrians, asylum-seekers must register as asylum seekers with Turkish authorities upon arrival to Turkey and are subsequently assigned to satellite cities by the Turkish Ministry of Interior; a system in place to monitor and protect the safety of these vulnerable group. Pragmatically, this procedure also allows the government to control the whereabouts of asylum seekers and keep them outside of large city centres. For Syrians, due to the scale of arrivals individuals are able

\(^{61}\) In 2013, 2014, 2015 and 2016 fieldwork took place some time between April and August, each summer for a period of three months as limited by the 90-day visa for Canadian nationals.
to relocate within the country to their chosen destinations, however, once they do register with their local municipality to obtain their foreign ID card for temporary international protection they can only access health care, educational institutions and other national services within that municipality. Research conducted in 2013 was exclusively with Iranian asylum-seekers in transit in Turkey and took place in satellite cities. The following summer, 2014, I was based at Bogazici University and field observations took place through two local grass roots projects, the Addar Centre and Small Projects Istanbul that work with Syrian and Palestinian youth. In 2015 field observations took place at the Association for Solidarity with Asylum-seekers at their multi-service centre for Syrians in Istanbul and through the Migration Research Centre at Koç University (MireKoc). In 2016, I travelled through various regions in the South East of Turkey and conducted several interviews in the borders regions of Suruç and Reyhanli.

**Syrian Guests and non-Syrian Asylum-Seekers**

Firstly, it is important to begin by discussing the distinction between ‘guest’ status which refers to Syrians and ‘asylum-seeker’ status which is applied to all other groups including Iranians, Afghans, Iraqis and Somalians. An asylum-seeker is defined as “someone who says he or she is a refugee, but whose claim has not yet been definitively evaluated”. To obtain refugee status, asylum-seekers must undergo refugee status determination procedures through asylum procedures which are in place at the national level in their

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host country which determine which asylum-seekers fit the international criteria to obtain refugee status and thus, qualify for international protection and resettlement. The UNHCR closely monitors asylum-seeker’s protection and welfare, while providing them with basic assistance including the provision of non-food items, emergency health care and psychological counseling on a limited basis. However, the right to work (Article 17 to 19), the right to education (Article 22), and the right to freedom of movement within the territory (Article 26) are not accounted for by UNHCR Turkey making life in transit very challenging. This means that in practice asylum-seekers in Turkey are unable to continue their studies, unable to work and must register with their local police office on a regular basis to confirm their presence in their assigned city limiting their freedom of movement within the country.63

In order to travel outside one’s designated satellite city the asylum-seeker must request permission from the authorities, allowing Turkish authorities to monitor and manage their whereabouts. Although these regulations are justified as a means to monitor, protect and distribute asylum-seekers evenly throughout the country the restrictions on movement are highly disciplining64. Malik, a 24 year old political activist from Mashad, explains, “I feel trapped here [in Eskisehir]. I have to register to the police station twice a week and I should not leave the city without the permission.”65 Although Eskisehir is arguably one of the nicest cities to live in in Turkey for asylum-seekers as a student city with generally liberal and open views towards foreigners and LGBT in addition to being very affordable but regardless asylum-seekers dread the feeling of

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63 Field notes, July 2013
64 Biehl, “Governing through uncertainty”.
65 Field notes, July 2013
confinement imposed by the system of satellite cities, particularly as they are unable to work and study and end up with a lot of free time in their hands to spend in the city.

The situation of Syrians is different as discussed in the literature review chapter, since the rights for individuals under international protection are nearly equivalent to convention refugees although they are only temporary. Syrians arriving in Turkey register with the Directorate General of Migration Management (DGMM) and are given a foreigner identity number which enables them to access health care and educational institutions but must do so in the province in which they are registered. In addition, they are able to remain in Turkey without being resettled for the duration of temporary protection which is indefinite at the moment with protracted conflict in Syria. It is important to note however that the situation of Syrians in Turkey has evolved over the years as discussed in the literature review section regarding the rights attributed to Syrians. The transition from international protection to temporary international protection which occurred from 2013 to 2014 resulted in changes to access to health care, education institutions, interpretation services and in theory the opening of labour markets.\textsuperscript{66} This was an important step in addressing long-term needs. Part of this process also entails a more extensive registration process where Syrians must provide detailed accounts of their context of exit, entry into Turkey and living and working conditions in Turkey.\textsuperscript{67} Today many Syrian in Turkey remain un-registered either because they plan on migrating onwards to Europe or because they want to remain able to keep crossing back in forth between Turkey and Syria illegally. In both cases, for asylum-seekers and guests, these

\textsuperscript{66} İçduygu and Millet, “Syrian Refugees in Turkey”.
\textsuperscript{67} Field notes, 2015
individuals are subjected to indefinite waiting, though, for Syrians there is more uncertainty as the conflict in Syria is ongoing.

**Barriers to Protection for Vulnerable Groups**

In his own words, Karam is a “twice refugee”: a Palestinian, born and raised in the Yarmouk refugee camp in Damascus, then forced to flee to Turkey by the Syrian Civil War. Because of inadequate legal provisions for Palestinians, Karam resorted to smuggling in Turkey to get to Sweden, where he will make his claim to asylum. He explained to me that since the status he had been granted in Turkey was only temporary that he would prefer to take his life into his own hands. After two failed attempts, one through Bulgaria and one through Greece Karam eventually made it to Belgium which he selected for the country’s policies towards Palestinian refugees. Meeting Karam deeply affected my understanding of the importance of refugee-participation in informing policy. In particular, on how our international legal framework pushes people like Karam to resort to smuggling. My fieldwork has sought to look at the factors that influence the decisions of those whom decide to leave Turkey and embark on perilous journeys at sea to make their way into Europe through Greece. I have looked primarily at vulnerable groups and the site specific factors that make these individuals vulnerable. I will now discuss the experiences of one of my interlocutors, Hassan.

Hassan’s motivation to leave Turkey stems from the challenges he has faced as a homosexual living in Istanbul, including labour and sexual exploitation. He explains, “my

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68 Fieldnotes, 2015
boss said he knew I was gay and that if I didn’t sleep with him then he would expose me to the others and he would have to fire me. I didn’t know what else to do so we started to have sex. But then he stopped paying me.” In Hassan’s particular case, as a self-identified LGBT, he would have been eligible for resettlement by the UNHCR but after two years of waiting and the extremely difficult challenges he faced in his workplace he was compelled to choose the death boats instead. “I used to judge those people leaving on the death boats but now I’ve realized that I have no future here and I rather take my chance.”69

I interviewed Hassan on a Tuesday afternoon in Café Nero in Taksim three days before he left for Izmir to meet his smuggler. Hassan explained his situation openly and seemed happy to have someone to talk too. He explained that many of the people he knew had begun to lose compassion over time and that everyone was so accustomed to hearing these kinds of horror stories that his had just gotten mixed up among the lot. During our interview he received several messages from his smuggler indicating the time and location of their meeting and what to bring. Hassan had been referred to this smuggler through a friend who had made the journey one week earlier and was now in Greece. “He is more expensive than others but he is Syrian and care for safety”. Hassan seemed positive about his decision despite all the media coverage and warnings he had received from friends not to take the risk. “There is nothing left for me to do” he explained. This echoes the sentiments of many who decide to leave. Only vulnerable cases are being resettled by the UNHCR, including those identifying as LGBT, victims of torture, the elderly, and women with young children and special health cases. However,

69 Interview notes, 2015
case-processing is lengthy and the financial pressures of residing in Turkey make life difficult. Thus, many will resort to the cheapest methods possible to arrive to a destination country that they believe will offer them support and accept their claims to asylum. Even those like Hassan with vulnerable cases that are eligible for resettlement feel they are trapped with no way forward. Six months before I met Hassan he had begun working at the child-friendly space in a local NGO and as he explained to me he had reached out to many people working with him and informed them about his plans to smuggle to Greece but no one attempted to stop him. “I think they too know this is the best thing to do now in my situation.” Although meeting Hassan very briefly prior, it wasn’t until the First International Migration Management and Protection conference in Istanbul June, 2015 that I heard Hassan’s plans. Hassan was invited by the NGO he worked at to give his account of his experiences in Turkey on a panel along with an Iranian, an Afghan and Syrian. Hassan discussed the challenges he faced in Turkey as an LGBT and announced that he would leave for Izmir in a few weeks to meet his smuggler. The conference was attended by about 150 NGO workers, diplomats, INGO’s representatives from the DGMM, UNHCR, academics and policy makers but no one managed to do anything him to stop him. Today Hassan is Germany struggling to learn yet another language and starting his life over again in a very new environment in yet another system stretch to its capacities with a large volume of refugees to protests. The last time I spoke with Hassan he said he was still waiting, waiting for housing, waiting to start his classes and now trying to set up his life and find a job. “The waiting is the most difficult part”.70

70 Field notes, September, 2015
Another case is Mohamad a 20-year-old from Lattakia who after one failed attempt and after being returned to Turkish shores by search-and-rescue decided to return to Istanbul, learn Turkish and obtain a residency permit, since, like many Syrians he entered Turkey illegally and is un-registered. This also permits him to return to Syria whenever he wants. Mohamad has now found a job working in a British NGO working with other Syrian refugees and plans to stay in Turkey until he can one day return to Syria. But, Mohamad has a rare heart condition and the medication he needs is not available in Turkey so he returns to Syria regularly to replenish his stock. “After the first try I told my friends I would never do it again. They all left now and tried to get me to come but it was so terrible in Izmir I decided to stay here”. “After I came back to Turkey again and decided to stay here things got really much better.” They were so difficult at first but then I decided that I would try learning Turkish and after I found a job everything was much better.”

Indeed, for Mohamad his living conditions improved significantly after he took the decision that he would remain in Turkey and work on improving his networks to seek out employment and work on improving his Turkish.

With regard to refugees’ attempts to cross the sea to Greece, interceptions are sometimes life-saving, however, the act itself is in violation of the principle of non-refoulement and the rights of refugees to seek international protection. Secondly, these cases demonstrate some of the reasons that the state of limbo and indefinite status of Syrians in Turkey acts as a barrier to integration and deters individuals from staying in Turkey and trying to integrate, knowing that they will eventually have to leave.

71 Field notes July 2016
However, many refugees have also decided to stay, moved to urban centres and began to learn Turkish, like Mohamad. Based on my observations during registration procedures at the Association for Solidarity with Asylum-Seekers, a Turkish multi-service centre for Syrians in Istanbul, a large number of Syrians are employed, though for the most part illegally and are significantly underpaid compared to their Turkish colleagues. Labour exploitation and child labour are rampant in urban centres as people struggle to afford housing and food. In Antakya, I visited a factory with about 15 Syrian workers three quarters of whom appeared to be under the age of 16. They were crowded around three tables working at sowing machines making what appeared to be cargo vests (see figure 1.2). In Turkey it is much easier for youth to find jobs and they tend to have an easier time learning Turkish. Many youth I have spoken to have also expressed an appreciation of being employed and earning money for their families, also explaining that they are happy to have something to do to pass their days since they are not in school.

Competing Narratives

According to popular discourse in Antakya, a predominantly Turkish Arab community in the South East of Turkey near the Syrian border, the Syrian refugee crisis and mass migration into Turkey was prompted by the Turkish government. According to this perspective “the Turkish government has been paying off Syrians to leave Syria and come work in Turkey” as a way of destabilizing the country and weakening it in the eyes of the international community explains Mehmet, an Alevi gym teacher in Antakya. Mehmet further explained, that there has been a steady flow of Syrians coming into Turkey since well before the conflict escalated in Syria.
In the city of Reyhanli, bordering Syria there are between 70-80 000 Syrians, with a local population of pre-Syrian civil war of just 90 000 and now half of the locals having left, Reyhanli is now predominantly Syrian. Cem, a local shop owner explains “all these cars with license plates starting with SA and BA, they are all Syrians. Its incredible, it’s the majority of the cars. And they are Turkish plates but for Syrian cars”. When I discussed Mehmet’s perspective on the Turkish government’s role in propelling the onset of mass migration from Turkey he disagreed and argued that much of the population of Antakya are Assad sympathizers as they are Alevi in Turkey and most are anti-Erdogan. Indeed, there are many layers to the complicated dynamics of politics in Turkey. Many of the Turks in this region also have relatives in Syria and used to visit regularly.

**Field-notes from the South East**

While conducting fieldwork in the South East of Turkey I attempted to visit many camps without success. In the processing of attempting to visit several camps, in Suruc, Sanliurfa and Gaziantep I was able to make interesting observations about the management of these spaces. One of the other interesting findings that emerged is the closure of many camps and the reported relocation of Syrians from urban centres to periphery areas.

When conducting interviews in Suruc, Amira who worked at the Amara Culture Centre- where the ISIS attack took place July 20^th^ 2015, killing 33 most of whom were socialist students on route to Kobane- explained that the majority of Syrians from Kobane had returned as the situation in Turkey was deteriorating and now that Kobane was taken back, because of the limited resources they had in Turkey the vast majority decided to
return. See figure 1.3 from Suruc. “The majority of the Syrians that were here returned to Kobane.” At the height of the conflict in Kobane, Amira explains that the Amara Culture Centre was fully operational with Kurds coming from all over Turkey to give a hand in aid distribution and trying to collect as much information as possible on where people where staying and if they had enough food to feed their families. “There was no support from the Turkish government, this was all from the Kurds here.” Amira discussed the importance of solidarity between Kurds after the violent history that has plagued Kurds in the region. In this regard this approach to humanitarianism can also be conceived through the lens of the politics of humanitarianism with the rhetoric of solidarity.

After being denied access to the first four camps I visited I finally gained access to a HDP funded camp for Iraqi Yazidi refugees about half an hour outside of Diyarbakir. See Figure 1.4-1. 6. Unfortunately, due to a lack of availability of Kurdish English translators available in the camps, interviews were challenging and thus findings from this portion of my fieldwork consist mostly of observations of camp life. As an independent camp, funded by private donors the camp was largely under funded but also received medical and psychosocial support from International Medical Corps. The atmosphere in the camp was dark as many had fled terrible past in Iraq and had come from rural areas. Though they were able to leave the camp, most of its inhabitants did not have the resources as unlike most of the Syrians I have interviewed they had very little in terms of financial capital in Iraq and lost everything when they left. Very few people I met in the camp spoke Turkish and I could only find one English speaker who explained that he had learned English in the camp he had been in prior in Iraq. He explained in

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72 Interview notes, June, 2016
broken English that the conditions were much worst in Iraq but he had heard that the state-run camps were much nice and had better resources but it was difficult to get help as a Yazidi in Turkey.

One could say that to analyze Turkey’s aid model it is necessary to travel to the South East since the majority of the humanitarian infrastructure, in terms of refugee camps and NGO’s, are based out of Antakya, Gaziantep and Sanliurfa which is also where, initially, the majority of the refugees in Turkey remained in the early stages of the conflict. Though, as the years went by, in 2015 in particular, a great number of Syrians made their way to larger cities such as Istanbul, Izmir and Ankara. Though also, many realized that with prolonged conflict and a feeling of dissatisfaction with the conditions in Turkey that they would rather tempt their fate at sea in the hopes of making it to Europe.

Generally the refugees who remain in the South East have less economic resources with them and often still have property in Syria. Many thus remain tied to the idea of return and haven’t attempted to integrate in Turkey for the long-term. The decision not to settle in Turkey nor learn Turkish makes everyday-life more challenging but also by keeping people uprooted with the intention not to commit to Turkey its easier to attempt to make it to Europe and it is for this reason that so many Syrians as well as Palestinians, Iraqis and Afghans have taken the decision to attempt this journey.

Hierarchies of Resettlement and the Making of Vulnerable Populations
The hierarchy of resettlement in Turkey plays a significant role in influencing people’s decisions to get smuggled to Europe. For instance, according to IOM reports\textsuperscript{73} a large number of the flows to Greece consist of Afghans which many argue are not veritable asylum-seekers and further that these individuals are not vulnerable as they are mostly men. However, in reality a large number of the Afghans migrating are actually minors who, after some duration of time working in Turkey illegally and being exploited, took the decision to leave. Afghans in Turkey are no longer being resettled by UNHCR, nor are they able to remain in Turkey. Afghans are at the bottom of the hierarchy of resettlement which is why Afghans make up such a large number of those getting smuggled to Greece.

The other point I’d like to touch on here draws on the Hackings literature and my undergraduate thesis the “Making of the Iranian Refugee” which explores the ways in which the policies in place and the stories required from individuals to obtain refugee status require them to self-fashion their identities and essentially become what is required of them. This is also a phenomena that occurs among other groups of asylum-seekers and also among Syrians particularly since the only groups of Syrians being resettled are those designated as most vulnerable. People thus believe that more vulnerable and helpless their case is than the more likely they are to receive support and resettlement. While interning as a case worker at the Association for Solidarity and Asylum-seekers I witnessed first hand the prioritization of the cases and the ways in which some were

given benefits and case workers provided more support over others. The asylum-seekers were also aware of this as through their social network they are aware of what kind of benefits their friends of receiving and how the advice and support offered to one person may be better than that offered to other. The interview with NGO and the language of vulnerability and displays of grief and trauma thus act as a marker among refugees and enable organizations to intervene to provide more support. This forms a competition of vulnerability among asylum-seekers as they know this is the only route to resettlement however the effects of this behavior can be devastating.
CHAPTER 5:
DISCUSSION AND IMPLICATIONS

Overview

This discussion chapter has been divided into the following themes, “Turkey as a Safe Third Country”, “Asylum Policy Framework”, “Policy Shortcoming and Barriers to Integration”, “Producing the Refugee as a Universal and De-historicized Category of Humanity”. Following these discussion themes, the paper will describe recommendations and implications of the study as well as suggestions for future study.

Turkey as a Safe Third Country

The concept of a safe third country is in important component of the debate on the ethical dimensions of the Turkey-EU deal as you can not legally return refugees to a country that does not offer them safety and protection. Broadly speaking, a safe country is a place where refugees are protected in line with all the principles of the 1951 Refugee Convention. The case of Turkey is unique not only because of the geographical limitation which is the basis for the temporary nature of international protection currently offered in Turkey but also because of the many limitations of working policies in practice. The reality is that when a country is host to more than 2.7 million refugees, resources become exacerbated and many people begin to fall through the cracks. Turkey’s protection capacity has certainly been exercised to its limits but nonetheless, to date migration processes for Syrians have passed stages of admission, settlement and integration and
naturalization to a certain extent. According to Ahmet Içduygu, “the admission and settlement stages started with adopting the open door policy and the extension of rights as “guests” to “temporary protection.” In policy terms, the most recent developments, the provision of work permits and the citizenship announcement are big steps towards integration and perhaps naturalization and represent significant changes in Turkey’s historical discourse towards absorbing and integrating non-Turks. However there have also been claims of deportations and push-backs over the past two years as well as physical violence towards asylum-seekers trying to cross the border into Bulgaria. Moreover, Turkey is now a country that produces refugees as result of the recent escalation of the war against Kurdish guerrillas and the post-coup attempt repression of suspected Gulenists.

Asylum Policy Framework

Although one of the drafters and first signatories of the 1951 Refugee Convention, at the time of the ratification Turkey opted for the geographical limitation limiting the scope of the Convention to ‘persons who have become refugees as a result of events occurring in Europe’. Consequentially, Turkey can only legally accept European asylum-seekers as refugees while non-Europeans, which accounts for the vast majority of the refugee population in Turkey today are only accepted as asylum-seekers. As asylum-seekers non-

75 Içduygu and Millet, “Syrian Refugees in Turkey,” 5.
76 Members of the Gulen movement suspected of orchestrating July’s attempted coup.
Europeans are only permitted to remain in the country temporarily while they enter refugee status determination procedures with the UNHCR and are subsequently recognized and resettled to a third country.

Until the Syrian refugee crisis began unfolding in 2011 Turkey’s asylum policy had been focused on short-term migration control mechanisms. These measures include assigning asylum-seekers to satellite cites upon their arrival, as well as limiting their mobility from these cities and denying them access to educational institutions and labour markets. This state-centered migration control approach disciplines asylum-seekers through mechanisms of asylum-policy, such as indefinite waiting, unpredictability of status, restrictions on movement as a result of the system of satellite cities, and the ambiguity of laws and creates a state of limbo and uncertainty during the period of transit as asylum-seekers await third country resettlement.

Although this procedure still remains in place for all other groups of asylum-seekers in Turkey, with the increasing flows of Syrians arriving in the country and protracted conflict the state would have to adopt a more durable solution and thus in 2014, the Turkish government adopted the New Law on Foreigners and International Protection. The new law places all Syrians under temporary international protection and provides provisions to access health care and labour markets (this will be done through a quota system and is still in the works) but many challenges to integration still remain. The caveat of temporary protection is that as soon as the climate in Syria is deemed stable, all Syrians in Turkey will have to return to their country of origin. This provision

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causes ambivalence toward long-term integration, impacting the willingness and motivation of Syrians to learn the language and establish ties to Turkey.

Policy Shortcoming and Barriers to Integration

In contrast to Jordan and Lebanon, where UNHCR and local NGO’s play more central roles, in Turkey the government plays a significant role in migration management. Particularly since the implementation of the new law and the creation of the directorate of migration management who now handles all registration and case-processing for Syrians nationals. Currently, UNHCR Turkey’s scope is limited to vulnerable screening for Syrians and refugee status determination procedures for non-Syrians. The DGMM has now taken over registration and only when third countries are accepting refugees does resettlement occur. Turkey’s motivation to maintain this geographical limitation even in the case of the new law has been closely tied to the international migration and foreign policy nexus as concerns rise in Turkey over becoming a buffering zone between fortress Europe and the Middle East. In 2014, through the new Law on Temporary Protection the Turkish government created a new directorate of migration management (DGMM) under the umbrella of the Ministry of Interior. The DGMM has since been tasked with handling all registration of Syrians in Turkey and case-processing which was previously handled by the UNHCR together with the Ministry of Interior. The DGMM is gradually asserting its authority as the sole decision maker in asylum applications in Turkey. On May 18th 2015 the DGMM launched GOC-NET a platform for registering all

80 Gülfer, “Turkey’s Refugee Regime Stretched to the Limit?”
refugees and asylum-seekers into a national database system. Through AFAD, the Disaster and Emergency Management Presidency, that manages all government camps in Turkey and the DGMM the government has come to play a central role in managing migration and the humanitarian response in Turkey.

One of primary drivers of the implementation of this new law, as stipulated in the official temporary protection regulations was the sheer scale of the influx of Syrians arriving in Turkey making it impossible to assess cases on an individual basis. Currently, the status of temporary international protection has been reserved exclusively for Syrians and Palestinians from Syria, who are legally recognized not as refugees nor asylum-seekers but as ‘guests’ in Turkey. This status alone and all it denotes in the Turkish context is representative of a broader Turkish sentiment of hospitality and willingness to maintain an open door policy but strictly on a temporary basis, restricting asylum-seekers from obtaining Turkish “vatandas” or citizenship. However, the problem with the ‘welcoming guests’ response is that after five years of protracted conflict in Syria public opinion is beginning to view these guests as overstaying their welcome.

Producing the Refugee as a Universal and De-historicized Category of Humanity

The discipline of anthropology’s surge in research to expose vulnerability and exploitation is generated by NGO and INGO discourses and practices that re-inforce the victim narrative of helplessness. Migration scholar Nando Sigona argues that to understand the refugee experience one must examine not only the causes and consequences of forced displacement but also engage with discourses and practices of the
‘humanitarian government’ and the politics of compassion that underpins it.\textsuperscript{81} Indeed, the vocabulary of vulnerability and trauma employed by humanitarian organizations to describe the condition of refugees overshadows the everyday agency of refugees. Sigona explains that this rhetoric operates in conjunction with other interventions in the name of humanitarianism that “produce refugees as a universal and de-historicized category of humanity”\textsuperscript{82} My findings exemplify the persistence of this vocabulary in the actions and discourses of various humanitarian actors in migration management and protection paradigms. By producing the de-historicized refugee by way of constricted legal frameworks and discourses of victimhood or on the other hand narratives of security and otherness, refugees are lumped into universalized categories. This causes the death of the subject and the individual experience. The politics of compassion that underpin the humanitarian government are strife with contestations and power struggles.\textsuperscript{83}

**Implications and Further Research**

This study has brought to surface the complexities of the international legal framework relating to refugees and the politics at stake in Turkish Asylum Policy and within the broader framework of the official refugee criteria. As such this study has generated important data on the narratives of various groups offering important insights into the refugee experience as well as the implications and political connotations that surround the refugee discourse. Based on these findings, I believe more research is


\textsuperscript{82} Sigona, “The politics of refugee voices”, 372.

\textsuperscript{83} Sigona, “The politics of refugee voices”, 370.
needed in this area, particularly into the ways the experience of legal limbo in Turkey will impact upon the futures of these people. The effects of policy changes and their effects in practice remain to be seen but this another area that will require attention from scholars as practices and policies implemented now will have long terms implications as Turkey has gone from site of emigration, to transit and now more recently a final destination.
CHAPTER 6: CONCLUDING REMARKS

The migration management framework in Turkey has evolved over the years to take a more state-centered stance in managing flows and in creating more substantial policy to address the realities of a protracted conflict in Syria and the long-term effects of having more than 2.7 million refugees in the country. Through the implementation of the New Law for Foreigners on Temporary International Protection, Syrians in Turkey can now access health care services, schools and translation services which are a critical step for integration. The provision of work permits was another important steps but its implementation in practice remains to be seen. However, Turkey does still maintain a geographical limitation on the 1952 Refugee Convention which means that legally none of the Syrians in Turkey will be entitled to permanent residence or citizenship. Despite president Tayyip Erdogan’s recent citizenship announcement for Syrians this doesn’t seem likely to happen in practice as Turkey would first have to remove the geographical limitation which would enable all refugees to seek refuge in Turkey. Moreover, the Turkey- EU deal was struck fairly recently and thus its long terms impacts still remain to be seen. But in practice, the deal remains highly unethical and clearly illustrates the increasing state and sovereign management and governmentality of human flows. While this deal was made in the name of humanitarian reason to prevent more deaths at sea and justified through border-security rhetoric it signals a shift in global governance that increasingly limits mobility and the rights of those fleeing persecution to seek protection. Fieldwork findings demonstrates the vulnerabilities and gaps in protection for refugees
in Turkey, particularly for LGBT and Palestinians who are not supported by the UNHCR.\textsuperscript{84}

Furthermore, this paper has sought to demonstrate the different population categories created by the hierarchical policies in places that differentiate between Syrians as guests and other asylum-seeker from Iran, Afghanistan, Somalia and Iraq as asylum-seekers with very limited rights but eligible for resettlement. Ultimately it is the temporality and spatial regulation of asylum-seekers in Turkey that disciplines and punishes through a challenging period of limbo characterized by uncertainty. In comparison to neighboring countries Jordan and Lebanon and their migration management systems the Turkish government has a far more involved approach as evidenced by the adoption of new policies and the creation of the Directorate of Migration Management now tasked with all cases processing of Syrians which is apparently supposed to, over time, to take over operations for the UNHCR in Turkey. Indeed with the largest refugee population in the world Turkey’s resources have been stretched to their limits and with other political instability in the country including the ongoing Turkish-Kurdish tensions and civil war in the South East, increasing numbers of terrorist attacks perpetrated by both ISIL and PKK among other groups and July’s failed coup as well as hostility towards academics, journalists and freedom of speech it is difficult to make a truly strong case that Turkey is a safe third country despite management of refugee flows.

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\textsuperscript{84} These are certainly not the only groups, but these were the groups interviewed within the parameters and under the constraints of this study.


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Appendix
Figure 1.1


Figure 1.2: A factory employing Syrian youth in Antakya, Hatay
Figure 1.3: At the Memorial Site of the Suruc Bombing
Figure 1.4: In the Iraqi Yazi Camp Outside of Diyarbikir
Figure 1.5: Youth Giving me a Tour of the Camp

Figure 1.6: Men playing Chess in the Camp