

A COMPARATIVE ANALYSIS OF SYRIAN AND VENEZUELAN MIGRANT
EMPLOYMENT IN THE INFORMAL MARKETS OF TÜRKİYE AND
COLOMBIA

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COLOMBIA**

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ABSTRACT

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The informal economy is an important option for migrants to secure their means of livelihood. Therefore, countries employ work permits to increase engagement in formal markets and protect rights of migrant workers. This dissertation conducts a comparative analysis of Syrian and Venezuelan migrant employment in the informal markets in Türkiye and Colombia, aiming to understand the prevalence of informality despite granted work permits. The reasons behind these population movements, the temporary protection status and work permits provided by the host countries, and the informal economy structures of Türkiye and Colombia are discussed. Utilizing secondary data analysis and a comparative case study method, the research integrates theoretical perspectives on informal economy with empirical evidence. The reasons of prevalence in the informal sectors are evaluated from the perspectives of Structuralist, Legalist, and Voluntarist theories. This dissertation posits that the substantial engagement of Syrian and Venezuelan forced migrants in the informal labor market in Türkiye and Colombia can be attributed to a complex interplay of factors influenced by the state's approach to managing informal employment among these forced migrants. Utilizing perspectives from the

Structuralist, Legalist, and Voluntarist schools of thought, it contends that deficient state infrastructure, overly burdensome regulations, and state-induced circumstances driving forced migrants towards informal employment highlight the critical impact of the state's role. Despite the risks and vulnerabilities of informal employment, flexibility of working hours is the most significant factor directing employees to the informal market. This research concludes that legal regulations in Türkiye are stricter compared to Colombia.

Key words: Colombia, informal economy, migrant, temporary protection status, Türkiye

ÖZ

TÜRKİYE VE KOLOMBİYA'NIN KAYIT DIŐI PİYASALARINDAKİ SURIYELİ VE VENEZUELALI GÖÇMEN İSTİHDAMININ KARŐILAŐTIRMALI ANALİZİ

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Kayıt dıŐı ekonomi, göçmenlerin geçim kaynaklarını güvence altına almaları için önemli bir seçenektir. Bu nedenle ülkeler kayıtlı (resmi) ekonomiye katılımı artırmak ve göçmen işçilerin haklarını korumak için onlara çalışma izni hakkı tanımaktadır. Bu tez, Türkiye ve Kolombiya'daki kayıt dıŐı piyasalarda Suriyeli ve Venezuelalı göçmen istihdamının karşılaŐtirmalı bir analizini yapmakta ve çalışma izni hakkı verilmiŐ olmasına rağmen bu göçmen gruplarındaki yaygın kayıt dıŐı istihdamın nedenlerini anlamayı amaçlamaktadır. Bu nedenleri daha anlaşılır kılabilmek adına bu kitlesel akınların hangi sebeplerden kaynaklandığına, ev sahibi ülkelerin bu göçmen gruplarına sağladığı geçici koruma statüsü ile çalışma hakkı düzenlemelerine ve bu ülkelerin kayıt dıŐı ekonomi yapılarına çalışmada yer verilmiŐtir. İkincil veri analizi ve karşılaŐtirmalı vaka çalışması metotlarını kullanan araştırma, ampirik verileri teorik perspektifler ışığında incelemektedir. Göçmenlerin çoğunlukla ev sahibi ülkelerin kayıt dıŐı sektörlerinde yer almalarının nedenleri kayıt dıŐı ekonomiye ilişkin Yapısalcı, Hukukçu ve Gönüllülük teorileri perspektifinden değerlendirilmiŐtir. Bu tez, Suriyeli ve Venezüellalı zorunlu göçmenlerin Türkiye ve Kolombiya'daki kayıt dıŐı işgücü piyasasına önemli ölçüde katılımının, devletin bu göçmenler arasındaki kayıt dıŐı istihdamı yönetme yaklaşımından etkilenen

faktörlerin karmaşık bir etkileşimine atfedilebileceğini ileri sürmektedir. Yapısalcı, Hukukçu ve Gönüllülük düşünce ekollerinin bakış açılarını kullanarak, devlet altyapısını, külfetli bürokratik düzenlemeleri ve zorunlu göçmenleri kayıt dışı istihdama yönlendiren devlet kaynaklı koşulları göz önüne almakta ve devletin rolünün önemini altını çizmektedir. Kayıt dışı istihdamın sunduğu esnek çalışma saatleri, beraberinde getirdiği risklere ve kırılganlıklara rağmen bu tercihin yapılmasındaki en önemli faktördür. Türkiye'deki yasal düzenlemelerin Kolombiya'ya kıyasla daha katı olduğu sonucuna varılmıştır.

Anahtar kelimeler: geçici koruma statüsü, göçmen, kayıt dışı ekonomi, Kolombiya, Türkiye

To my family and friends

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LIST OF ABBREVIATIONS

ANC	Constituent National Assembly
DANE	National Administrative Department of Statistics
DEA	US Drug Enforcement Administration
ELN	National Liberation Army
ENCOVI	Survey of Living Conditions in Venezuela
ESSN	Emergency Social Security Network
ETPV	Temporary Protected Statute for Venezuelan Migrants
FARC	Revolutionary Armed Forces of Colombia
HTS	Organization for the Liberation of the Levant
IACHR	Inter-American Commission on Human Rights
ILO	International Labor Organization
IMF	International Monetary Fund
IOM	International Organization for Migration
ISIS	Islamic State of Iraq and Syria
LFIP	Law on Foreigners and International Protection
MERCOSUR	Southern Common Market
OAS	Organization of American States
OECD	Organisation for Economic Co-operation and Development
OPEC	Organization of the Petroleum Exporting Countries
PDVSA	Petroleum of Venezuela
PEP	Special Permit of Permanence
PEPFF	Special Stay Permit for the Promotion of Formalization
PEP-RAMV	Special Permanency Permit of the Administrative Registry of Venezuelan Migrants
PIP	Entry and Permanence Permit
PKK	Kurdistan Workers' Party
PMM	Presidency of Migration Management
PPT	Temporary Permanence Permit
PTT	Temporal Transit Permit
PYD-YPG	Democratic Union Party - People's Defense Units
R4V	Regional Interagency Coordination Platform for Refugees and Migrants of Venezuela
RUMV	Single Registry of Venezuelan Migrants
SACM	South American Conference on Migration
SENA	National Learning Service
SuTPs	Syrians under Temporary Protection
TMF	Border Mobility Card
TPR	Temporary Protection Regulation
UIK	International Labor Law
UN OCHA	United Nations Office for the Coordination of Humanitarian Affairs
UNHCR	United Nations High Commissioner for Refugees

CHAPTER 1

INTRODUCTION

Migrant employment in the informal market remains notably high across the globe, reflecting a common trend in labor dynamics for this demographic group. While many countries have attempted to address this issue through regulatory and legal frameworks designed to integrate migrants into the formal economy, these efforts often fall short. This dissertation conducts a comparative analysis to explore the factors contributing to the significant prevalence of employment in the informal market, despite the Turkish and Colombian governments granting work permits to millions of people fleeing Syria and Venezuela. The employment trends of Syrian and Venezuelan forced migrants in the informal economy are examined through informal market theories to explain the multifaceted and often complex barriers as well as motivations. Theories explaining the informal market are diverse and each offers different perspectives that help clarify the factors of informality examined in the cases of Syrians and Venezuelans.

The large-scale forced displacement from Syria to Türkiye since 2011 and from Venezuela to Colombia since 2015 have highlighted the importance of providing decent employment conditions for continuing their economic and social lives in receiving countries. There are 3.332.896 Syrian refugees in Türkiye and 2.452.890 Venezuelans in need of international protection in Colombia in 2023, placing them to be the first two countries hosting the largest displaced populations in the world (UNHCR, 2023). The substantial numbers reflect not only the significant scale of the displacements, but also underscore the importance of host countries in providing shelter, services, and stability to those fleeing crisis. Benefiting from certain rights and services is only possible with the granted legal status. Upon receiving legal status from their host countries, displaced individuals are granted access to resources, services, protection, and rights. Migrants can obtain various legal statuses according to the laws

determined by international, regional, and national regulations. Therefore, it is important to understand and employ the correct terminology. Terms such as foreigner, migrant, immigrant, emigrant, refugee, asylum-seeker, person under temporary protection, displaced people, people in need of international protection, and stateless person carry specific legal and sociological meanings corresponding to distinct rights that can be obtained respectively. Considering the available abundant resources illustrating these terms as well as given that this dissertation focuses on displaced people engaged in informal economy in receiving countries, the term forced migrant is utilized in this thesis. For the purposes of this study, the term forced migrant is used as an umbrella term to include both Syrian refugees¹ and Venezuelan persons in need of international protection.

Amidst the global landscape, migrant employment in the informal market remains persistently high, posing a complex challenge to policymakers and researchers. Despite efforts by governments to integrate forced migrants into formal economies through regulatory frameworks, the prevalence of informal employment among forced migrants remains notable. This dissertation embarks on a comparative analysis, delving into the factors underpinning this phenomenon, particularly among Syrian and Venezuelan forced migrants in Türkiye and Colombia, where millions have been granted work permits in recent years. The research question guiding this thesis is to explore the factors contributing to the significant prevalence of employment in the informal market, despite the Turkish and Colombian governments granting work permits to millions of people fleeing Syria and Venezuela. This dissertation hypothesizes that the significant prevalence of employment in the informal market among Syrian and Venezuelan forced migrants in Türkiye and Colombia is a result of multiple interrelated factors caused by state's stance in addressing employment in the informal market among forced migrants. Drawing from the Structuralist, Legalist, and Voluntarist schools of thought, it argues that inadequate state structures, excessive regulatory burdens, and state-created conditions that compel forced migrants to choose informal employment demonstrate the important role of state.

This dissertation employs a secondary data analysis by adopting a comparative

¹ The Republic of Türkiye grants temporary protection status to Syrian nationals, who are referred to as Syrians under Temporary Protection (SuTPs). However, these individuals qualify as forced migrants and can be eligible for refugee status under the criteria established by the 1951 Convention. This thesis employs the term forced migrant to ensure terminological consistency.

case study approach which focuses on two distinct migrant groups and their integration into the labor markets of the host countries. This method comprises analyzing literature including books, articles, research papers, government reports, institutional reports, public records, statistics, and case studies. They bring qualitative insights into the experiences, challenges and motivations faced by migrants who are employed in the informal market. Given the importance of empirically evaluating the theories of informal market within the context of actual experiences, it is crucial to systematically extract relevant data from published reports and research articles. These documents, which encompass surveys, interviews, and testimonials conducted by various scholars, non-governmental organizations, governmental bodies, and international organizations, provide a rich source of evidence necessary for the analysis of this study. The research and analysis utilized sources in English, Spanish, and Turkish. Documents in Spanish were translated into English using Google's Machine Translation service for review. This richness of resources has made it possible to conduct comparative analysis by allowing an in-depth examination of informal market theories and practical evidence for both countries. This helps detecting the factors contributing to the significant prevalence of employment in the informal market, despite the Turkish and Colombian governments granting work permits to millions of people fleeing Syria and Venezuela.

This research is significant since comparative analysis of these leading countries integrating migrants into local labor markets gain relevance amidst large-scale migratory movements. The comparison between Türkiye and Colombia is crucial for a number of reasons in the context of understanding migration dynamics and migrant employment in the informal market. First, theories of the informal market offer extensive opportunities to interpret the prevalent phenomenon of migrants being frequently employed within the informal sectors observed in both countries. Second, the differing origins of these migration flows, stemming from a civil war in Syria and economic collapse in Venezuela, offer insights into how various types of crises can impact migration patterns. Third, both countries have implemented legal frameworks aimed at managing migrant flows and integration through temporary protection status and work permits. The examination of these two distinct case studies offers a valuable chance to delve into the breadth and effectiveness of temporary protection and work permits as mechanisms in terms of employment in formal economy. Fourth, both

Türkiye and Colombia have recently experienced significant influxes of migrants. Due to the size and scope of these displacements, these case studies provide rich data to analyze and compare the labor market engagement of migrants considering the high numbers of employment in the informal market. Lastly, it is valuable to examine these two cases in order to better understand the factors behind the prevalence of informal employment by synthesizing empirical data on the employment of Syrian and Venezuelan forced migrants in Türkiye and Colombia with theoretical perspectives.

Each of the reasons explained above has been analyzed in separate chapters. Following this introduction chapter, in the second chapter, theories of the informal economy are explained to demonstrate the existence, characteristics, and persistence of the informal market in economies. These theories provide different perspectives on why the informal sector exists and how it functions within economic systems. Scholarly discourse on the informal economy has been shaped by four predominant theoretical models that articulate diverse perspectives on the essence and characteristics of the informal sector (Chen, 2012; Williams & Lansky, 2013). These theoretical frameworks include the Dualist, Structuralist, Legalist, and Voluntarist theories. These models offer distinct interpretations, each providing a unique lens through which the informal economy can be understood and analyzed. The Dualist school views the informal sector as fundamentally separate and distinct from the formal economy. It is perceived as a low-productivity sector that absorbs the excess labor force, providing employment to those marginalized from the formal economy. The Structuralist school offers a critique of the capitalist system, suggesting that the informal sector is an integrated part of the economy, exploited by the formal sector. It highlights the structural economic reasons forcing individuals into informality due to the lack of sufficient formal employment opportunities. The Legalist school argues that the informal sector is not a result of marginalization but a logical response to an overregulated and restrictive formal economic environment. Employers choose to operate informally to evade the burdens of excessive regulation and high taxation. Lastly, the Voluntarist school emphasizes individual agency, suggesting that workers voluntarily choose informal employment due to benefits such as flexibility, evasion of taxes, or the lack of stringent regulations. This thesis utilizes the Structuralist, Legalist, and Voluntarist schools of thought to analyze the research question, as Dell'Anno (2022) states that the Dualist school primarily addresses the causal origins of informal

markets and does not provide an explanatory framework for identifying the factors that lead migrants into informal employment.

In the third chapter, the events leading up to the mass Syrian inflow into Türkiye and the start of the mass Venezuelan inflow into Colombia are explained. The start of the Syrian Civil War in 2011 is the main reason of the massive influx. Millions of Syrians were forced to escape their homes in search of safety in neighboring countries, particularly Türkiye, as a result of this conflict, which is characterized by severe violence and instability. On the other hand, due to global fluctuations in oil prices and the imposition of sanctions, Venezuela has been thrust into an economic and political crisis. This political and economic unrest coincided with the massive influx into Colombia. Millions of Venezuelans fled their homeland in pursuit of better living conditions and opportunities for employment as a result of the crisis, which is characterized by hyperinflation, shortages of necessities, and turmoil in politics. Since 2015, there has been a systematic rise in the number of migrants to neighboring countries, with Colombia experiencing a surge, reaching millions by 2018 and reaching its peak in 2022.

In the fourth chapter, the international and regional legal instruments that govern migration, the specific provisions for temporary protection, and work permits governing the employment of migrants are explicated. Owing to mass influx and the initial expectation of not being permanent settlement, the majority were granted temporary protection status by the respective authorities allowing them to enjoy protection and various rights under the legal structures of host countries. Therefore, a thorough overview of the temporary protection status and work permits acknowledged by both countries is provided. Turkish and Colombian state authorities implemented legal regulations that provide access to the labor market, albeit after a certain period of time following the first mass influxes. Nevertheless, even when examining the circumstances thirteen and nine years following mass migration, elevated levels of employment in informal market still persists. This circumstance underscores the importance of analyzing the informal market structures of the two host countries in subsequent sections of the study, followed by an investigation into the factors that have caused this situation.

In the fifth chapter, the structure of informal economies of Türkiye and of Colombia, and the employment dynamics of Syrian and Venezuelan forced migrants

in the informal labor markets in their host countries are explored. This exploration sheds light on the specific sectors and conditions influencing the employment patterns of these migrant groups in their respective host countries. In Türkiye, there is predominant employment of Syrian forced migrants in sectors like agriculture, construction, and small-scale manufacturing, where informal work is prevalent. This situation is further exacerbated for specific demographic groups such as women and youth, who face even poorer job prospects. Syrians, in particular, adopt multiple strategies to sustain their livelihoods within the Turkish economy. These include initiating their own businesses, engaging in work for local enterprises, or pursuing self-employment as tradespeople. In Colombia, the situation mirrors some of the challenges seen in Türkiye, with high rates of informality persisting within the labor market. Venezuelan forced migrants in Colombia encounter systemic barriers that limit their access to formal employment, despite the existence of legal pathways designed to facilitate formal work integration. As a result, a lot of Venezuelans are compelled to find jobs in informal settings, which often lack social benefits, fair pay, and job stability even though they provide quick employment and payment.

In the sixth chapter, theoretical frameworks are integrated with empirical observations, analyzing why, despite legal provisions, many migrants opt or are forced into informal employment. From the Structuralist perspective, the informal sector is not merely a separate sphere but is inherently linked to and exploited by the formal sector. This theory explains how the formal economies of Türkiye and Colombia might indirectly sustain a demand for informal labor. This includes practices where employers subcontract migrants informally, often to circumvent labor regulations and reduce costs, thereby perpetuating a cycle of informality. Legalist theory highlights how bureaucratic hurdles and regulatory constraints can drive individuals toward informality. For migrants, particularly those from Syria and Venezuela, the complex legal environments in Türkiye and Colombia make formal employment unfeasible, thus making the informal sector a more accessible alternative. Voluntarist perspective focuses on the individual choice of migrants, positing that many may opt for informal work due to its flexibility, which could be particularly valuable for those who need to balance multiple responsibilities or who value autonomy over the security of formal employment. This theory helps explore the personal motivations behind the Syrian and Venezuelan forced migrants' choice to remain or enter the informal economy. Thus,

this chapter sets the stage for a comprehensive analysis of how the Structuralist, Legalist, and Voluntarist theoretical understandings of the informal market can explain the persistent informal employment among Syrian and Venezuelan forced migrants in Türkiye and Colombia.

In conclusion, the theories of informal market provide valuable perspectives on migrant participation in the informal labor market across different contexts, such as Türkiye and Colombia. These frameworks help categorizing the various factors influencing this engagement, shedding light on the dynamics of informal economies in diverse settings. These countries exhibit notable parallels in the determinants of informal employment. Nonetheless, Türkiye demonstrates comparatively stringent legal measures in contrast to Colombia.

This research has certain limitations. It primarily focuses on understanding the reasons behind the prevalence of informal employment among migrants in Türkiye and Colombia, without evaluating the specific government policies and interventions aimed at reducing informal employment. The decision to exclude an analysis of government and international projects to decrease informality was made to avoid expanding the scope of the research excessively. Future studies should consider including these aspects to provide a more holistic view of the efforts to integrate migrants into the formal economy. In addition, studies involving other countries facing similar challenges may also increase the generalizability of the findings.

CHAPTER 2

THEORIES OF INFORMAL ECONOMY

The term informal economy broadly encompasses all economic transactions and activities that take place beyond the regulatory oversight of governmental bodies although a universally agreed-upon and precise definition of the informal economy is difficult to pinpoint (ILO, 2002). Williams & Lansky (2013) point out that there are more than four thousand studies with titles referencing informality. Losby et al. (2002), where they conduct an extensive literature review, state in their research that scholars have referred to the informal economy under a variety of terms. Various scholars have referred to informality as the irregular, subterranean, underground, black, shadow, invisible, submerged, unrecorded, hidden, non-official, or clandestine economy, market, or sector (Fayomi et al., 2017). In 2002, the ILO officially adopted the term informal economy (Williams & Lansky). According to its definition, the informal economy encompasses "all economic activities by workers and economic units that are -in law or in practice- not covered or insufficiently covered by formal arrangements." This definition acknowledges the broad diversity of informal economic activities observed across different countries, highlighting the variety of forms that informality can take depending on local legal and practical contexts.

Although there are various definitions for this multi-named term, many of them have common expressions. The definition provided by the ILO is incorporated in numerous studies and encompasses common interpretations. They are either not documented or are only partially reflected in national accounting schemes. This characterization highlights the informal economy's nature of operating outside the formal structures of government control and legal frameworks, encompassing a wide range of economic behaviors that evade standardization and official monitoring. The informal economy, therefore, includes a range of labor arrangements and business operations that operate outside the purview of official regulation and protection. This

phenomenon occurs in various ways, including small businesses that operate without formal registration, street vendors, and even formally established companies that hire part of their workforce informally, thereby not providing these employees with formal contracts, benefits, or protections against unemployment. This diversity spans various types of workers, enterprises, and entrepreneurs, each exhibiting distinct characteristics. Informal activities are not recorded in official economic statistics, are not regulated by public institutions according to established rules, and are consequently excluded from the calculations of national income.

Historically, economic research predominantly focused on the formal sector, often overlooking activities outside its scope (Chen, 2005). However, the growing prominence of informal economic activities since the early twentieth century has made the informal economy a significant area of systematic study within economics research (Williams & Lansky, 2013). The theoretical perspectives elucidate diverse rationales for the persistent existence of the informal economy. Scholars argue that these theories provide insights into the dynamics and underlying reasons why informal work remains a significant part of many economies (Dell'Anno, 2022; Gërxhani, 2004; Portes & Haller, 2010; Portes & Schauffler, 1993; Williams & Lansky). They offer a robust conceptual framework that helps explain the nature of informal employment and allow understanding the factors that drive migrants into the informal sector. Specifically, they shed light on how various socio-economic pressures, regulatory barriers, and limited access to formal employment opportunities contribute to the prevalence of informal labor. These various perspectives are very helpful to better understand the involvement of people in vulnerable situation, especially forced migrants who may face additional barriers in the labor market. Therefore, these frameworks help us understand not just the existence of informal work, but also the complex interplay of factors that compel migrants, particularly those in vulnerable situations, to engage in this sector. In this chapter, theories regarding informal work are discussed to illuminate the factors that lead migrants toward participation in the informal market. These factors are elaborated later by drawing connections with the theories to explore their applicability to the circumstances faced by Syrian forced migrants in Türkiye and Venezuelan forced migrants in Colombia.

Academic discussions surrounding the informal economy have been significantly influenced by four principal theoretical models that provide varied

perspectives on the nature and attributes of the informal sector (Chen, 2012; Williams & Lansky). These frameworks are the Dualist, Structuralist, Legalist, and Voluntarist theories. Each of them brings unique interpretations that facilitate a comprehensive understanding and analysis of the informal economy. These perspectives provide a range of explanations that illuminate the complex and multifaceted nature of the informal economy. In a nutshell, the scarcity of formal employment opportunities is highlighted by the Dualist theory, the demand for inexpensive goods and labor is pointed out by the Structuralist theory, the avoidance of overly burdensome regulations is noted by the Legalist theory, and the desire to circumvent taxes and rental costs is stated by the Voluntarist theory.

2.1. Dualist (Modernisation) Theory

The Dualist school became widespread in the 1970s, primarily through the works of Hart (1973) and the ILO (1972). However, Lewis's early work (1954), which developed a theoretical model of economic development based on the dual assumptions that an unlimited supply of labor exists in most developing countries and that this surplus labor would eventually be absorbed as the modern industrial sector within these countries expands, coincided with the foundational ideas of the Dualist approach (Chen et al., 2002). Lewis's dualistic theory of informality, posits that the formal and informal economies function as largely separate entities, each with distinct characteristics and dynamics. These two separate sectors are an urban, formal sector characterized by high marginal labor productivity, and a rural, informal sector marked by low productivity and an excess of labor that contributes minimally to output. According to this view, the two sectors produce different products of the market and also utilize diverse resources in terms of capital and labor.

The term "informal sector" was first introduced into academic literature by British social anthropologist Keith Hart in 1971 (Hart, 1973). Hart's study focuses on economic activities of unskilled migrants from northern part of Ghana who had moved to the capital Accra and were unable to secure formal work. He described these migrants as engaging in small-scale and self-employed activities that existed outside the formal labor market which forms the concept he termed as the informal sector. Chen (2012) states that this concept was further explored and given additional context in the ILO's 1972 report following a mission to Kenya. This mission observed similar

dynamics in Kenya's informal sector which included activities and profitable enterprises. The report characterized the informal sector as largely defined by the avoidance of government regulations and taxes, linking the growth of the informal sector to its positive effects on employment opportunities, poverty reduction, and income distribution (ILO, 1972). Moreover, informal sector is described as economically efficient and capable of generating profits, despite being characterized by small-scale operations, the use of simple technologies, minimal capital, and limited connections with the formal sector. Bangasser (2000) identifies the contributions of Hart and the ILO as landmark studies in the field of informal economy research. These two definitions highlight the capacity of informal market to empower low-income populations that operate outside formal work.

In addition, Doeringer & Piore (1971) offer a framework for analyzing the labor market by dividing it into four distinct categories: primary, secondary, informal, and illegal sectors. Each of these sectors represents a different facet of the employment landscape, reflecting varied levels of formality, security, and legality. This approach provides a viewpoint to analyze the informal market and understand the dualist perspective. The primary sector represents regular, taxed and rule-based paid work. The secondary sector represents jobs that are less secure and less regular than jobs in the primary sector. The informal sector represents jobs involving employees who cannot gain access to primary and secondary jobs or unregistered workers. The illegal sector covers all kinds of criminal activities that generate income. According to this perspective, the informal sector is a separate economic sector that serves lower-class people living in cities by offering jobs, products, and services. The informal economy offers income to the poor and serves as a safety net during crises. Therefore, informal economic activities are efficient and possess comparative advantages over similar activities conducted within the formal sector.

Other scholars contribute early research that acknowledges the dualistic character of the urban economy in developing countries. Geertz (1963) identifies these as the firm-centered economy and the bazaar-type economy. McGee (1973) describes the cities in the Third World as comprising two coexisting production systems as one rooted in capitalist production methods, and the other in traditional peasant production systems. Santos (1974) characterizes them as the upper and lower circuits of the economy.

In conclusion, the Dualist school conceptualizes the informal sector as inherently separate and discrete from the formal economy. It is characterized as a low-productivity sector that serves to absorb surplus labor, thereby offering employment opportunities to individuals who are marginalized from the formal economic system. Dualist school describes the factors that contribute to the exclusion of informal workers from the formal economy. Specifically, it highlights that informal workers are often left out of the formal economic sector due to two main reasons: disparities in growth rates and skill mismatch (Chen, 2012). The argument posits that informal workers find themselves excluded from modern, formal economic opportunities due to disparities between the rate of population growth and the creation of modern industrial jobs, alongside a misalignment between the skill sets possessed by the labor force and the demands of modern economic structures. Essentially, informal activities are often seen as a consequence of the inability of the modern job market to absorb surplus labor, compounded by low economic growth and/or rapid population increases. Since the 1980s, the earlier prognosis that the informal economy would eventually vanish has been increasingly challenged, as a matter of fact, it has even expanded (Arnold & Bongiovi, 2013; Chen, 2012). This persistence suggests that the informal economy is not merely a transient phase within developmental trajectories but a stable and possibly growing component of modern economies. Therefore from the perspective of the Dualist school, the fact that migrant workers in Türkiye and Colombia are still frequently employed in the informal market can be explained by the fact that informal employment is not only a temporary phase, but also a fundamental and potentially expanding element of the economic system.

2.2. Structuralist (Globalization) Theory

The Structuralist theory, brought to prominence by Moser (1978) and further developed by Castells & Portes (1989), views the informal sector as deeply intertwined and mutually dependent with the formal sector. Moser suggests that the informal and formal economies are inseparable, with informality driven by the inherent dynamics of capitalist development and sustained by the scarcity of formal employment opportunities. However, according to the Dualist school, informal economy is considered independent from formal economy. Moser further argues that the informal sector plays a crucial role in strengthening the formal sector's contribution to

development. As a result, it is essential for the state to support the informal sector so that the informal economy can increase the welfare of the poor without negatively affecting the rich. According to Castells & Portes, the idea that the informal sector is made up of workers and micro-enterprises that cut costs and hence help larger capitalist firms grow more competitively. Moser and Portes & Schauffler (1993) suggest that the informal sector's existence stems from deliberate strategies by large, formal enterprises aimed at maximizing production capacity and minimizing labor costs, often by sidestepping labor regulations. This perspective argues that the informal sector emerges from and is perpetuated by the operational tactics of large, formal companies.

Sethuraman (1976) and Moser (1978) have argued that the dual classification into formal and informal sectors complicates the understanding of urban economies. Following this perspective, Bromley (1978) in his research on street vendors in Cali, Colombia, challenges the dualist notion that depicts formal and informal sectors as distinct and separate entities (Linares, 2018). His findings demonstrate that street trading is intricately linked with the formal economy, primarily through the dependent relationships that vendors maintain with suppliers who produce goods in the formal sector. Consequently, Bromley's work advances Structuralist theories by highlighting the interconnectedness between formal and informal sectors.

Tokman (1979) also another scholar who contributed Structuralist ideas and investigates the dynamics between the informal and formal sectors, as noted by Chen et al. (2002) and Dell'Anno (2022). Tokman sees the existence of these two sectors as largely positive and mutually beneficial. He views this relationship as one where the informal sector contributes to an economic model that promotes more equal income distribution. Tokman describes the informal sector as largely independent and self-reliant, providing jobs, goods, and services primarily for the lower-income demographics. In other words, he suggests that the informal and formal sectors are complementary and mutually beneficial. The informal sector, focusing on labor-intensive production, predominantly employs low-skilled workers. In this model, the growth of the informal sector correlates with the expansion of the formal sector. According to his ideas, the informal economy is portrayed as neither fully integrated nor completely detached but as an essential, somewhat autonomous part of the broader economy (Dell'Anno). His statements that informal activities have comparative advantages over their formal counterparts, are autonomous, and are economically

efficient align with the Dualist perspective. However, it would not be correct to advocate that his thoughts fully comply with the Dualist school of thought. This is because, according to the Dualists, the connections between informal businesses and government regulations are of minor significance, as informal and formal activities function as distinct and separate sectors of the economy (Chen, 2012).

In addition to the perspective they offer within Structuralist theory, Castells and Portes (1989) also redefined the concept of informal economy. In most definitions, the field of informal economy covers also illegal economic activities within the framework of the formal-informal dichotomy. Castells and Portes redefined the concept and introduced a clear limitation. They made the main difference between formal and informal not in the nature of the final product but in how goods and services are produced. They proposed a threefold distinction between economic activities: formal, informal and illegal. In the formal economy, both the final product and the mode of production are legal. In the informal economy, the final product is legal but the mode of production is illegal. In the illegal economy, the final product and method of production are illegal.

According to Chen et al. (2004), Structuralist school involves exploiting informal workers and providing subcontracted labor to small-scale, unregulated businesses, thereby enhancing the competitiveness of large and formal companies. Additionally, the structuralist approach argues that informal economic activities are vital income-generating activities, not controlled by the state, and essential for capitalist accumulation. In summary, Structuralists discuss that the nature of capitalist growth triggers informality since formal firms aim to reduce labor costs, increase competitiveness, exploit organized labor, oppose state regulation of the economy especially in terms of taxes, and engage in the industrialization process for instance, offshore industries, subcontracting chains, and flexible specialization (Chen, 2012).

In conclusion, the enduring presence and expansion of informal production relations can be attributed to the characteristics of capitalist development, particularly the efforts of formal enterprises to minimize labor costs and enhance competitiveness through employing subordinated workers to decrease costs. Structuralists accept that inclusion in the informal market is consciously chosen by firms in terms of production expenditures, especially in order to reduce labor expenditures. Unlike the dualist view, they contend that the persistence and expansion of the informal sector are inherent to

the nature of capitalist development, particularly as firms seek to reduce labor costs in production (Chen et al., 2004). Moreover, the informal economy persists even in the modern, post-modern, and post-industrial sectors of the economy and is not solely linked to the underdevelopment of third-world nations (Castells & Portes, 1989).

The Structuralist theory underscores the interconnected relationship between the formal and informal sectors, highlighting how informal economies emerge and thrive due to inherent dynamics within capitalist systems. Despite the intricate linkages and mutual dependencies highlighted by scholars such as Castells, Moser, and Portes, the lack of robust structural state conditions often exacerbates the challenges faced by the informal sector. A critical aspect in this discourse could be the role of structural state conditions in perpetuating this interconnectedness. The absence of robust state mechanisms to regulate labor markets and enforce labor laws facilitates the proliferation of informal activities. The state's inability or unwillingness to create sufficient formal employment opportunities and ensure equitable economic policies drives workers into the informal sector, where they often face exploitation and insecurity. Ble (2023) and Gordon (2024) reveal that many Venezuelan forced migrants turn to informal jobs due to limited formal job opportunities in Colombia. This regulatory deficiency allows large formal enterprises to leverage informal labor to cut costs and evade regulations, further entrenching the informal sector within the capitalist framework. Therefore, the persistence and expansion of the informal economy can be seen as a direct consequence of state structures that fail to provide the necessary conditions for fair and formal participation. This perspective reinforces the Structuralist view that informality is a systemic feature of capitalist development, exacerbated by inadequate state intervention and support.

2.3. Legalist (Neoliberal) Theory

The Legalist school contends that the informal sector arises not from marginalization but as a rational reaction to an overly regulated and constrictive formal economic environment. Inspired by De Soto's (1989 and 2000) analyses of Latin American countries, the Legalist school, which is often referred to as Neoliberal theory, was very influential in economic debates about informality during the 1980s and 1990s (Dell'Anno, 2022). This theory views the informal sector as a response to a hostile legal system that excludes urban poor from the formal economy. According to

Legalist school, informal entrepreneurs emerge as effective market forces in reaction to excessive regulation and government oppression (De Soto, 1989). The theory argues that individuals with limited financial resources have no choice but to establish informal businesses to avoid high taxes and legal restrictions that increase labor costs and restrict business flexibility (De Soto, 1989).

According to De Soto (1989), formal and big-scale firms with mercantilist interests collaborate with governments to set the rules of the bureaucratic game. In line with his thoughts, Becker (2004) states that these practices were designed to protect the interests of a narrow elite. They advocate that governments should simplify bureaucratic procedures to encourage the registration of formal businesses and extend the legal ownership rights of assets held by informal entrepreneurs which enable them to unlock their productive potential and convert their assets into real capital. Furthermore, De Soto views informal enterprises as an alternative market, thus suggesting that the informal sector is an unregulated entity.

Bureaucracy imposes significant financial burdens through registration fees and licensing costs, as well as temporal costs related to obtaining the right to operate legally, thereby diminishing the potential value that entrepreneurs could derive from participating in the formal economy. Consequently, informal employment is often viewed as providing greater autonomy, flexibility, and freedom (Chen, 2012; Webb et al., 2013; Williams & Lansky, 2013). In light of these factors, Legalists advocate for the simplification of bureaucratic processes as a strategy to encourage informal enterprises to transition into the formal sector.

Chen (2012) portrays this theory as a result of bold micro-entrepreneurs choosing informal work to avoid the costs, time, and effort associated with formal registration. As Chen (2012) also notes that in terms of policy implications, the Legalist school advocates for the simplification of bureaucratic procedures to record and expand the legal ownership rights of assets held by informal operators. In conclusion, contrary to the views of the Dualist and Structuralist schools, the Legalist school posits that informal activities are not a consequence of poverty or a structural requirement of late capitalism. Rather, these activities arise as a means to bypass the legal system, as the official institutional framework, including taxation and administrative costs of the formal economy, negatively impacts the growth of small and medium-sized enterprises.

The Legalist school's analysis of the informal sector reveals a critical perspective on the state's regulatory environment and its capacity to support economic growth. According to this theory, the proliferation of informal enterprises is not an indication of marginalization or an inherent characteristic of capitalist development, but rather a rational response to an excessively regulated and oppressive formal economic environment. De Soto (1989) highlights how cumbersome bureaucratic procedures and prohibitive costs associated with formal registration compel employers to operate informally. This perspective suggests that low state capacity and strict regulations leave individuals with no choice but to circumvent the formal economy to sustain their livelihoods. The imposition of high taxes, costly licensing fees, and time-consuming registration processes creates a significant barrier to entry, disproportionately affecting small and medium-sized enterprises. By simplifying these bureaucratic hurdles and reducing regulatory burdens, the state could foster a more inclusive economic environment and encourage informal employers to transition into the formal sector. This would not only enhance economic productivity but also extend legal protections and benefits to a broader segment of the population.

2.4. Voluntarist (Post-Structuralist) Theory

The Voluntarist theory, based on Levenson & Maloney (1998) and Maloney's (2004) analysis of informality in Latin American countries, focuses on the deliberate and rational choices made by informal entrepreneurs to avoid regulations and taxation. Often referred to in some studies as the post-structuralist approach, according to Maloney, this theory suggests that workers weigh the costs and benefits of the informal sector compared to the formal sector and choose to operate in the informal economy. Essentially, individuals assess the benefits and costs of conducting activities either formally or informally, and based on this evaluation, economic actors consciously opt to leave or avoid the formal economy to participate in the informal economy (Oviedo et al., 2009). According to Voluntarists, many freelance workers and employers voluntarily transition to the informal sector due to the numerous monetary and non-monetary benefits it offers, which include greater workplace independence and thus a better balance between work and home responsibilities (Maloney; Oviedo et al.).

Advocates of the Voluntarist school emphasize the importance of informal self-employment that is conducted within personal and community networks, including

relatives, neighbors, friends, and acquaintances. This perspective highlights that such employment often arises not primarily for financial gain but for a variety of non-monetary motivations (Williams & Lansky, 2013). The decision to engage in informal work is made voluntarily, underpinned by a commitment to familial obligations, the desire to support redistribution within the community, and the intent to uphold community solidarity. This form of employment reflects a deeper socio-cultural dynamic where the value of work transcends economic benefits and serves to strengthen social bonds and ensure mutual support within community frameworks. These activities are thus integral to maintaining the social fabric of communities, serving functions that formal employment often does not fulfill, such as providing care, aiding neighbors, or sustaining traditional crafts and practices (Schneider & Enste, 2013).

Unlike the Legalist school, which blames cumbersome registration procedures, the Voluntarist approach focuses also on informal businesses who deliberately avoid regulations and taxation without criticizing the bureaucratic procedures. Therefore, informal employers gain a price advantage through bypassing regulations. Voluntarists pay relatively less attention to the economic links between informal businesses and formal firms but agree that by avoiding official regulations, taxes, and other production costs, informal enterprises create unfair competition for formal businesses (Chen, 2012). Given the absence of law enforcement allowing people to make their own decisions, Maloney proposes that urban informal micro-enterprises could be seen as part of a voluntary small company sector, similar to those in industrialized countries. Chen (2012), from the perspective of Voluntarists, states that in order to increase the tax base and reduce unfair competition towards formal businesses, informal enterprises should be brought under a formal regulatory environment.

In conclusion, the Voluntarist school centers on the concept of individual agency, proposing that workers consciously opt for informal employment because of the distinct advantages it offers. These benefits include greater flexibility, the opportunity to evade taxes, and the avoidance of stringent regulatory frameworks that exist in the formal employment sectors. This theory suggests that the decision to engage in informal work is not merely a matter of necessity but is also influenced by the desire for a more autonomous and less regulated working environment. This flexibility enables individuals to adjust their work schedules to better accommodate

personal and family needs, while also allowing them to evade taxes and bypass the intricate bureaucracies linked with formal employment. Hence, they can enhance their net earnings and operational freedom. This perspective highlights how informal employment can be seen as an empowering choice for many, providing them with the control over their work-life balance that formal employment often does not. Lastly, the Voluntarist school emphasizes the role of individual choice in the decision to engage in informal self-employment, particularly within personal and community networks due to non-financial reasons.

The Voluntarist theory underscores how state policies and regulations significantly influence individuals' decisions to participate in the informal economy. According to this perspective, the state's regulatory environment, characterized by stringent taxes and complex bureaucratic procedures, creates conditions that drive workers to voluntarily opt for informal employment. This decision is not merely a reaction to marginalization but a deliberate choice driven by the desire for greater autonomy and flexibility. Informal employers and workers, when faced with the high costs and rigid structures of formal employment, often find the informal sector more appealing due to the relative freedom it offers from regulatory constraints. By avoiding official taxes and cumbersome regulations, they can maximize their net earnings and achieve a better balance between work and personal life. Moreover, the state's inability to effectively enforce laws and provide a supportive framework for small businesses exacerbates this trend since individuals seek to navigate an economic landscape that allows them to bypass bureaucratic hurdles. Consequently, these conditions, shaped by state policies and regulatory frameworks, lead many to perceive informal employment as a more viable and advantageous option. This highlights the need for state intervention to simplify regulatory processes and create a more inclusive and supportive environment for all economic activities, thus encouraging a smoother transition of informal employment into the formal sector.

CHAPTER 3

SYRIAN FORCED MIGRATION TO TÜRKİYE AND VENEZUELAN FORCED MIGRATION TO COLOMBIA

In recent years, the world has witnessed significant migratory movements, which has prompted a closer look at the underlying causes of forced displacements. Migration across international borders takes place as a result of a diverse range of causes. People may have various motivations to migrate other countries as they aspire to increase their life standards. They may move abroad to pursue higher educational standards or to access improved job prospects. This type of migration occurs voluntarily to places in which there is high standards of living and greater demand for certain skills or expertise (de Haas et al., 2020). Additionally, family reunification is also an important reason which also contributes to the continuation and perpetuation over time (Natter, 2014). Many people relocate to reunite with family members or move their families towards a better future.

On the other hand, people may also leave their country to avoid persecution. Davenport et al. (2003), Moore & Shellman (2004), and Savun & Gineste (2018) argue that being targeted for political, religious, ethnic or racial reasons may lead to forced displacement in search of safe haven. Moreover, adverse conditions such as political unrest, severe economic circumstances, poverty, violence, civil wars, natural disasters (Betts, 2013; de Haas et al., 2020; Ibáñez & Vélez, 2008; Kondylis, 2010; Martin-Shields, 2017; Ruiz & Vargas-Silva, 2013), and as Black (1994), Hugo (1996), and Tacoli (2009) suggest climate change can also be a main reason for fleeing the country of origin. In such cases, people are forced to migrate due to the need not only for a safer environment in order to protect themselves and loved ones but also for political stability, better economic conditions, and a life in dignity in general (de Haas et al.).

This suggests that the reasons behind international migration can be quite

diverse and are often shaped by the interaction of various factors at the individual or societal level. In addition, it is well known, based on a plethora of research, that migration is typically motivated by a complex interaction of multiple causes rather than a single one. For instance, Massey et al. (1999) highlight the wide range of push and pull factors, such as labor market possibilities, social networks, and economic disparities, that influence migration preferences. Similarly, Miller & Castles (2009) highlight the multifaceted nature of migration motivations, encompassing economic, political, social, and environmental factors. In his article, which includes surveys and interviews, Carling (2002) reveals that mixed aspirations can be determinants of migration claiming that his aspiration/ability model is applicable to both voluntary and forced migration cases. Naujoks (2022), in accordance with the results of Carling's study, acknowledges that the reasons behind migration decisions can be complex and therefore may include mixed motivations. (Sirkeci et al., 2015) also state that there are hundreds of research demonstrating qualitatively that almost always there are multiple motivations and several causes for migration.

Forced migrations are caused by the factors mentioned above and can be a result of various causes, yet a comprehensive understanding of this process cannot be obtained through research that focuses only on reasons of which foundations are not explained (Schmeidl, 1997). This is why the research should be further deepened and the root causes that are behind forced migration of millions must be provided in detail (İçduygu & Altıok, 2023). Therefore, identifying root causes that lead mass influxes is surely needed to obtain a clear understanding for Syrian and Venezuelan cases as well. By attempting to unravel the structure of causes generating Syrian and Venezuelan forced migratory movements, studies elaborated on political, economic, social, and humanitarian aspects.

In a nutshell, the main reason for the forced migration from Syria to neighboring countries, which started in 2011, is noted as the ongoing civil war and consequents in the country (Del Carpio & Wagner, 2015; Sirkeci et al., 2015; Şimşek & Çorabatır, 2016). The main reason for the forced migration from Venezuela to neighboring countries, which started in 2015, is noted as the ongoing political and economic instability which led to human rights crisis (Freedom House, 2024; Gouveia, 2022; Maggio & Caporali, 2024).

3.1. Syria

The multifaceted issues in Syria, including political climate, marginalization of minorities, repression of opposition, insecurity, ill governance along with economic factors such as unemployment, income disparity, and significantly low average GDP per capita compared to many European countries contribute to migration from the region (Fandrich & Fargues, 2012; Ferris et al., 2013; İçduygu & Altıok, 2023; Lischer, 2017; Sirkeci et al., 2015). Pearlman (2016) suggests that one of the factors driving the rebellion, which resulted in millions of Syrians leaving their country, was the fear experienced by citizens. In her study, she categorizes these fears as the expression of personal opinions before the uprising, the oppressive power of the state, the escalation of the rebellion into a militarized conflict, and the uncertainty of the future. Thus, even in the absence of violence, there were significant motivations for Syrians to seek safety and opportunities elsewhere.

In 2010, demonstrations advocating for increased democratic governance, freedom, and enhanced human rights were initiated by the citizens of several Arab countries which is named as the Arab Spring. As the widespread public uprisings in Arab states escalated into violent demonstrations, Syria also became engulfed by the protest movements. Syrians were discontent with the unemployment, pervasive corruption and oppression under single-party rule for half a century (Lynch, 2014). Thus, they carried the demonstrations across the country. The escalation of protests turned into a civil war as a result of the violent intervention of the army. Nearly a million civilians lost their lives, thousands were injured, tortured or arrested over the course of this civil war (Heydemann & Leenders, 2014). Over 14 million Syrians have been compelled to leave their residences in pursuit of safety (UNHCR, 2024a). Currently, more than 7.2 million Syrians are internally displaced within their country, with 70 percent of the population requiring humanitarian aid and 90 percent living below the poverty threshold (UNHCR). The civil war has been continuing in Syria for thirteen years, albeit with a diminished intensity observed in recent years.

Demonstrations in Syria started in March, 2011 and spread across the country a month later. Protesters in Syria consider that their revolution started in Deraa, one of several locations where demonstrations first took place on March 15 (Lynch, 2014). According to the news by Misto & Temizer (2018), in Deraa province, located in the southern region of Syria, a group of primary school students, inspired by the

revolutions in Tunisia and Egypt, wrote “You, doctor! Now it is your turn.” on the school wall on March 15, 2011 where they addressed the leader of the regime, Bashar al-Assad, and this ignited widespread uprisings and later on escalated to a civil war. Erkmen (2021) states that the civil war commenced with the uprising of heterogeneous and leaderless groups against the oppressive government that held the central authority with the alliance of minorities, the contribution of wealthy families, and the support of a very harsh army forces.

Over the past decade, the civil war in Syria has resulted in the deaths and displacement of millions of Syrians and has gradually transformed the country into a narco-state (Valley, 2022). Syria has become a major producer and consumer of Captagon due to the collapse of order during the civil war, which has also increased demand owing to the ongoing war trauma (Kravitz and Nichols, 2016; Kalin, 2014). Valley conveys that the annual market volume exceeds 10 billion dollars, which is three times the annual budget of Syria, where 80 percent of worldwide production takes place. It is obvious that this situation has been enabled by the fact that the country remains uncontrolled due to the ongoing war and the existence of various armed groups in the country. Nader (2023) states that drug trafficking profits are channeled through a network that extends from Syrian villagers to millionaires and even members of the Parliament. According to BBC’s investigations, President Bashar al-Assad's brother, two cousins of him and the commander of the Syrian Army’s elite 4th Armored Division, Maher al-Assad, are involved in the drug trade (Nader).

Going back to the course of the protests that evolved into a civil war, in April 2011, as the Syrian army was deployed to suppress demonstrations, soldiers commenced firing upon protesters across the country. After months of military sieges in protest areas, demonstrations turned into armed rebellions. Armed resistance was launched by opposition troops, which were mainly volunteers and fugitive soldiers who formed an irregular army (Zambelis, 2011). Russia and Iran provided financial and military support to the Bashar al-Assad administration, while Qatar and Saudi Arabia supplied arms to the opposition. (Allison, 2013)

In 2012 and 2013, the Syrian opposition forces made substantial progress, leading to a significant decrease in the territorial control held by the Syrian regime, causing roughly half of the nation to fall out of its authority (Abboud, 2018). However, situation started to shift and the Syrian opposition fell into disagreement among

themselves and the Kurdish group within the opposition formed a second opposition group under the name PYD-YPG (Caves, 2012). The number of fronts in the Syrian civil war had then increased to three. Regime forces, taking advantage of the opposition's struggle among themselves, asked for air force support in the attacks from Russia (Haran, 2016). Dozens of aircraft belonging to the Russian Air Force reached Syria and deployed to the air base in Latakia (Lund, 2019). Due to armed conflicts in almost all of northern Syria, civilians had to migrate to southern Syria, Jordan and Iraq, while there were also migration flows to Syria's neighbor Türkiye.

In 2014 in Syria, the ISIS/Daesh terrorist organization, which has existed in Iraq since 2007 and calls itself the so-called Islamic State, began to get ready for the attacks on Syrian territory and declared caliphate (Humud et al., 2020). This organization, which was shown as the richest terrorist organization in the world due to its control of oil regions, expanded its area of influence in Syria by taking advantage of the war among the Syrian regime, the opposition and PYD-YPG, and carried out bomb attacks in Türkiye and Europe, causing hundreds of innocent people to lose their lives (Göksedef, 2021). Following these events, this armed terrorist organization began to indiscriminately attack non-Sunnis. The USA decided to take a joint action against ISIS/Daesh, which has become the cruelest terrorist organization. More than 60 countries have joined forces to form the Combined Joint Task Force-Operation Inherent Resolve (CJTF-OIR), promising to fight against the terrorist group (Dominique, 2015). ISIS/Daesh began to suffer heavy losses in the attacks and lose control of the region. Syrian regime forces, Syrian opposition and PYD-YPG united against their common enemy ISIS/Daesh (Acun & Keskin, 2017). In addition, Syria faced broader challenges which were coupled with political instability and the civil war. According to Werrell et al. (2015), Syria went through one of the worst extended droughts in its modern history together with crop failures and livestock destruction between 2007 and 2012.

Türkiye realized several military operations in Syria, primarily focused on combating the PYD-YPG, which Türkiye views as affiliated with the PKK, a designated terrorist organization (Republic of Türkiye Ministry of Foreign Affairs, n.d.). The operations aimed to establish buffer zones along the Turkish-Syrian border and address security concerns regarding potential terrorist threats. Türkiye was determined not to evacuate the border area because it would face a new wave of

migration if Idlib fell into the control of regime forces again. In 2017, the Hay'at Tahrir al-Sham (HTS) opposition force emerged, urging all Syrian opposition segments to unite under its Islamic leadership (Newlee, 2018). Türkiye and Russia agreed to establish a safe corridor twelve kilometers from the Turkish borders, accommodating approximately 5.5 million people. Erkmen (2022) argues that the Syrian government, which is struggling with a major economic crisis and whose army has still not recovered, took advantage of this situation because the Syrian government is not in a position to take care of this community and does not have the power to deal with nearly a hundred-thousand-armed militants living in this region.

There were no major military conflicts in 2021, but the period of relative silence did not mean that the civil war is over (Erkmen, 2021). As a result of the civil war in Syria, which has passed its tenth year in 2021, the country has unfortunately been left in ruins, its economy has collapsed as it has become unable to fight the deepening food and energy crisis, and the Syrian Lira has rapidly lost value due to the regime being subjected to economic sanctions because of its crimes against human rights (Özcan, 2021). Considering the Türkiye-Syria relations in 2022, it is noteworthy that the Syrian regime did not want Türkiye to repatriate SuTPs due to the PKK/PYD-YPG element and the economic situation. Russia, on the other hand, was a driving force that wanted the two sides to reach a compromise (Erkmen, 2022). At the end of 2022, Türkiye said through the highest-level authorities that it was possible to meet with Damascus, and the first diplomatic contact took place on December 28, 2022 (Euronews, 2022).

Despite the ongoing civil war in 2023, Assad managed to persevere. Assisted by Iran and Russia, he emerged victorious over the majority of his adversaries and only a few remote areas of the country remained outside his regime's authority. Maizland & Robinson (2023) state that hopes for regime change have largely faded, peace talks have failed, and some regional governments were considering re-establishing relations with Syrian leader Bashar al-Assad. On May 18, 2023, Syrian President Bashar al-Assad participated in the Arab League summit in Saudi Arabia, where Syria was readmitted to the organization. Heller (2023) states that Arab states can establish dialogue with Damascus on important issues after the re-establishment. He conveys that they could put pressure on Assad to rein in drug traffickers, prevent Syria from falling completely under Iran's control, expand the scope of humanitarian aid, ensure

the restoration of basic services, work with Damascus to improve the conditions of the Syrian people, also provide assistance to facilitate the voluntary return of forced migrants, and support the infrastructure and basic services in the regions where people will be resettled.

In 2024, Syria is effectively divided into four. Erkmen (2024) points out that the Syrian Government controls a significant portion of the country, while other areas are governed by the PYD-YPG, HTS, and Syrian Interim Government which receives support from the Syrian National Army. Due to years of funding the war, the Syrian government's economy is in disastrous condition. In addition, Russia's capacity to support Syria to the extent is constrained because of the war on the Ukrainian front. Over 14 million Syrians have been compelled to leave their homes in pursuit of safety since 2011, 90 percent of people live in poverty, 70 percent of people require humanitarian aid, and more than 7.2 million Syrians are still internally displaced (UNHCR, 2024a). Unfortunately, circumstances are not going well for those who are still attempting to live in the country. Prices for goods and services are very high, salaries are low, unemployment is high, and the economy is struggling due to a lack of foreign investment (World Bank, 2022). According to Erkmen (2024), internal migration is primarily motivated by economic factors rather than security concerns. Additionally, UN OCHA (2023) states that there would be many difficulties in accessing food in the near future. Erkmen predicts that since food prices will increase significantly, 5.5 million people living in the Idlib region will have to go to other places to survive, and one of the most likely routes of this population mobility will inevitably be Türkiye. Kalın in Temizer (2021) states that as long as the Syrian civil war continues and the country remains torn apart, the refugee crisis will return.

3.2. Venezuela

An overview of the country's political and economic background is presented in this section similar to the previous one in order to better understand the situation of the last decade and the root causes of Venezuelan forced migration. According to Bonilla-Mejía et al. (2023), Johar (2024), Legler et al. (2018), Maza-Avila et al. (2023), and Ordóñez & Arcos (2019), Venezuelans have been migrating to regional countries as a result of the political unrest followed by long term economic problems. In addition, López-Maya (2018), Polga-Hecimovich (2019), and Vargas-Ribas (2018)

explain that the crisis stems from the instability of governmental institutions, which fail to instill confidence or offer adequate protection to its citizens. Moreover, Vargas-Ribas adds that this situation has eventually led to social inequality, widespread poverty, and the collapse of the national economy. On the other hand, Buxton (2021) emphasizes on dependence solely on oil revenues while Gill (2019) stresses the role of international actors specifically the USA due to its interest in the region.

Based on data published by O'Neill (2024), the ongoing hyperinflation in Venezuela is expected to cause the average inflation rate to be approximately 200 percent in 2024 and Venezuela's inflation rate peaked in 2018, when it was recorded at 63,000 percent (IMF, 2021). It has gradually become more difficult for people to meet their basic necessities and eventually they were left with no choice but to flee their country. Consequently, mass migration to neighboring countries has resulted from shortage of food and healthcare, coupled with hyperinflation (Pont, 2018), and government's reluctance to acknowledge the crisis has even worsened the situation (Doocy et al., 2019). Considering all, Venezuelan forced migration process is explained as a dimension of an internal crisis (Vargas-Ribas, 2018). Kirchnbaum (2022) reveals that as of April 2022, around 5.1 million Venezuelan forced migrants had fled to various countries in Latin America, and approximately 6.1 million in total had fled globally. UNHCR is preparing to address the needs of approximately 6.5 million Venezuelan forced migrants across the region in 2024 (UNHCR, 2024d).

Venezuela's declining political and economic conditions, prompting significant forced migration, are intricately tied to its status as a petrostate. When the Petrolia Oil Company was founded in 1878 by a group of Venezuelans who started extracting oil in the Andean state of Táchira which lies close to the Colombian border (Salas, 2015), significant transformations within the country had begun. The country has the highest proven oil reserves globally and it is the primary source of income for the nation. Venezuela has approximately 303 billion barrels of proven oil, and followed by Saudi Arabia which has approximately 267 billion barrels according to OPEC (2022). Prior to the 1960s, Venezuela was the world's leading producer of oil, before it dropped to second position in 1970 after Saudi Arabia overtook it (Venezuelan & Ausman, 2019). Venezuela's substantial income from oil revenue contributed to a strong economy and high living standards until the 1980s, making the country appealing to foreign investors. Crude oil exports account for more than 95% of foreign currency earnings

for the country (Rosales, 2018). After 1980, democratic, economic and social problems began and got worse from 1990 onwards. These problems have started to throw Venezuela into a state of turmoil, and the majority began to support Hugo Chávez in the hope that he could be a possible savior (Sylvia & Danopoulos, 2003). Bull & Rosales (2020) and Buxton (2021) state that the economy of the country has always been dependent on the use of its oil resources and this became much more pronounced in 1999 when Chávez rose to power. The economy's reliance on oil was further consolidated by the reforms of Chávez administration.

Unlike his predecessors, Chávez has prioritized meeting the needs of Venezuela's poor population (Rodríguez, 2008) and as claimed, he intended to build a more robust democratic regime (Hybel & Mintz, 2020). The promise that oil revenue would be transferred to the society who demand wealth redistribution attracted the attention of the public who were tired of corruption (Sylvia & Danopoulos, 2003). He made three election promises that would immediately be implemented after his victory: gathering a Constituent Assembly to draft a new constitution and strengthen the state, combating poverty and social exclusion, and eliminating corruption (Coronel, 2008). Chávez was initially hailed as a hero and received support of majority. However, he was the one who started economy's downward spiral and was accused of institutionalizing authoritarianism in Venezuela (Velasco Guachalla et al., 2021). He had the new constitution prepared and in 1999, it was ratified in the referendum. Complete authority over the military forces was given to the president, who also had the power to name and remove any minister and the vice president (Hybel & Mintz, 2020). In order not to leave a single obstacle in his way, he eliminated all kinds of independent control mechanisms and subordinated them to himself. Corruption and crimes have become systematic but he just ignored. The decline of liberal institutions resulted in the gradual centralization of economic and political power within the executive branch.

In the early years of Chávez administration, oil prices were high and the economy grew rapidly. The country has earned oil revenue worth hundreds of billions of dollars. According to the special report by Ellsworth & China (2012), Fonden was founded in 2005 as the largest secretive fund and avoided congressional approval by directing funding into a number of initiatives but was directly approved by Chávez. Fonden was giving Chávez authority over the distribution of tens of billions of dollars

with the intention of transforming the country into an oil-funded socialist model (Ellsworth & China). They add that these projects range from modernizing army's swimming pools to acquiring Russian fighter jets, enabling public housing, and carrying out several other large-scale ventures. This collection of income was distributed to different central mechanisms according to loyalty criteria of the President in order to strengthen his power over society and thus, consolidating an authoritarian model of government (Mora Contreras et al., 2017).

The government nationalized *Petróleos de Venezuela, S.A. (PDVSA)*, the public institution that has the right to operate Venezuelan oil, and took it under full control, appointed members loyal to him to the Board of Directors, and over time, they began to operate inefficiently thus, its exports and revenues began to decline (Sylvia & Danopoulos, 2003). During this period, Chávez pursued close relationship with China and Russia, signing various bilateral agreements which were sharpening new ties of dependency (Rosales, 2016 and Salas, 2015). Russia notably supplied billions of dollars' worth of arms to Venezuela, while China provided oil-backed loans worth billions of dollars (Kaplan & Penfold, 2019). It is interesting to note that Venezuela's revolutionary discourse and Western imperialism rhetoric did not bring about greater prosperity or autonomy for the nation. Conversely, Venezuela was forced to give over oil contracts to Chinese and Russian enterprises on less favorable terms in order to avoid bankruptcy.

Rafael Ramírez was the Minister of Oil in the Chávez administration and also the President of the state's national oil company PDVSA. His loyalty to Chávez allowed him to bypass the Parliament and for the first time in the country's history, a bureaucrat had uncontrolled access to oil revenues. He states in the interview of DW (2020) that

I estimate oil export revenues at 700 billion dollars during ten years I was in charge (2004-14). According to my calculations, 480 billion dollars of tax revenue was obtained. The rest came directly from PDVSA's oil trading. 700 billion in total. The big question is: what did the government do with the money? This is indeed a big question.

López Maya (2018) argues that the mafias, with family members and close friends, are

involved in many illicit activities. These include money laundering through organizations like PDVSA, smuggling medicine, food, and weapons, abusing the currency exchange control system to make unlawful profits, and engaging in drug trafficking. Corrales (2020) portrays Venezuela once a petro-state as now a narco-mining state. Gil & Irujo (2024) state that embezzlement in PDVSA was \$2 billion only in between 2007 and 2012. Burns et al. (2021) state that from 2015 to 2020, PDVSA experienced 84% decline in oil production which can be attributed primarily to inadequate maintenance of infrastructure, a shrinking workforce, and decreased foreign investments.

Amidst the ongoing challenges, Chávez's authoritarian stance towards the media became increasingly apparent. According to Martinez et al. (2009), after he ordered the closure of an anti-government television channel, he threatened them with personal action if the country's authorities did not punish the channel that was expected to be closed. He had been holding live broadcasts, which lasted more than a decade, on state television named *Aló Presidente* every week, often speaking for hours, particularly on Sundays (Nolan, 2012). He was expressing his opinion on every subject and sometimes threatening the few remaining opponents and even countries. It is reasonable to assume that the public was highly fatigued by the ongoing situation.

Following his diagnosis, Chávez passed away in 2013 in Cuba, where he went to receive cancer treatment. Although corruption and looting did not first begin with Venezuelan President Hugo Chávez, immediately after he came to power in 1999, their prevalence reached unprecedented levels during his presidency (López Maya, 2018).

Situation got worse under Nicolás Maduro, who took power after Chávez's death in 2013. Since Maduro won the elections by a very narrow margin, the opposition objected to the results. Although all Latin American countries, China, Russia and some European states accepted the result, the USA also refused to recognize Maduro's election (Salas, 2015). Maduro took office on April 19, 2013, at which Latin American heads of state attended the ceremony. Although a petition was filed in the following weeks to annul the election, whose transparency was questioned, the Supreme Court ruled against those who opposed the results.

Reduction in oil prices started in 2014, and as a result, the country experienced hyperinflation, an intense economic crisis marked by extreme poverty, and an unprecedented regional migration crisis (Rosales, 2018). In addition to losing 62% of

its GDP, the country transitioned from a limited democracy to an authoritarian regime between 2013 and 2019 (Bull & Rosales, 2020). The rule of law collapsed along with the democratic system. Bull & Rosales state that the government has systematically bypassed or overridden parliament, including the establishment of the National Constituent Assembly (ANC), a supra-constitutional body, in 2017 following a massive wave of protests. According to Galavís (2020), a public security crisis was brought on by the simultaneous erosion of the rule of law and the growing militarization of security measures. According to Bull & Rosales, both the militarization of civil society and the paramilitarization of the state are the result of the emergence of paramilitary groups that use armed violence.

Maduro appointed sociologist Luis Salas as Vice President for Productive Economy amid rising consumer prices and chronic product shortages (Orozco & Crooks, 2016). Salas argued that inflation did not actually exist, arguing that scarcity and rising prices were the result of exploitation by businesses rather than government policy (Ellsworth, 2016). Therefore, it was out of the question that printing money would cause inflation to skyrocket. These government policies collectively contributed to the downfall of Venezuela. Money has become essentially worthless due to the excessive printing and consumers started to weigh their cash to assess its value rather than counting it (Zerpa & Rosati, 2016). According to IMF (2019), the income and imports of the Venezuelan government fell precipitously, resulting in severe shortages of imported products and a spiraling inflationary situation. As a consequence of governmental imposition of price controls and the escalating scarcities, citizens in Venezuela have been compelled to resort to the black market to procure essential items like milk and toilet paper (Gupta, 2015). The country urgently needed foreign debt or credit however, neither institutions nor foreign countries were willing to give loans to Venezuela due to its high risk.

Maduro, in collaboration with China, has effectively endangered the nation's future prosperity. Coyer (2016) states that by driving a hard bargain in Latin America in exchange for loans, China has legal rights to a very large percentage of the country's natural resources. China has been almost the only major power willing to invest significant amounts of money in Venezuela. In 2014, the USA initiated an economic embargo on the grounds that the Venezuelan government used excessive violence against protesters (Bull & Rosales, 2020). Together with the embargo and the rapid

decline in oil prices accelerated the economic collapse of Venezuela. Even the simplest reaction, the simplest criticism, the most innocent protest was easily labeled as a conspiracy against the state, *a coup attempt*, or a counter-revolution. The pro-government press in Venezuela has imposed a publication ban on incidents of looting, riots, and kidnapping cases that occur daily. Maduro and his media outlets consistently attribute these issues to an alleged economic war waged against the country. At a campaign rally, he blamed criminal mafias for hyperinflation and recession (Buitrago et al., 2018). Consequently, the atmosphere of uncertainty has deterred investments, discouraged agricultural production, and stifled industrial output.

Venezuela is perceived as one of the most corrupt countries in the world because over time the country has turned into a criminal state run by groups and mafias involved in drugs, human trafficking, money laundering, gold and arms smuggling (López Maya, 2018). The government denounces and denies all of this as part of the discourse of economic war against the revolution. As Pierson (2017) conveys that two nephews of Maduro's wife were arrested in a US Drug Enforcement Administration (DEA) operation in Haiti in 2015. Despite Venezuela's substantial oil export revenues, the wealth was not allocated for the public's benefit but instead nepotism has become an extensive practice. As López Maya (2018) states that Maduro, in collaboration with his relatives, close associates, and military allies of Chávez, has been governing outside of legal norms, exploiting public resources for personal gain. The country's security forces have a significant role in the rising levels of violence. These forces were responsible for more than 2,000 murders, most of them extrajudicial, in the first nine months of 2020 and more than 25,000 since 2014 (Government of the US, 2021). The increasing frequency of protests in the country is accompanied by a rise in violence against citizens, underscoring the Venezuelan government's utilization of its security forces as instruments of oppression.

Venezuela has increasingly relied on imports, most of the factories are closed so that deepening dependence on the state. The decline in economy was exacerbated by the rapid abandonment of foreign capital from the country and the reluctance of foreign investors to engage. Pons & Romero (2018) deliver that companies such as Unilever, Kellogg, and Ford minimized production due to lack of demand and high inflation, while General Motors and Goodyear shut down their factories and left Venezuelan market in 2018. Many people are impoverished as a result of the severe

economic conditions, and some have doomed to seek trash cans for food (López Maya, 2018). According to the Survey of Living Conditions in Venezuela (ENCOVI), in 2017, despite the lack of official statistics, poverty affected almost 87% of households (Spain & Ponce, 2018), dropping to 50.5% in 2022 (Peñaloza, 2022). Access to basic necessities like electricity and water has become severely limited, disproportionately affecting the most vulnerable members of society (Rendon et al., 2019). According to an estimate by humanitarian organization Convite, medicine shortages were at 26.3% by August 2023. Lack of electricity and running water hampered hospital services, while the supply of medicines became unaffordable for many (HRW, 2024). This catastrophic situation highlights Venezuela's severe humanitarian crisis as well as the breakdown of essential services. Therefore, millions of Venezuelans have been compelled to flee their country in search of better opportunities elsewhere, as a means of escaping poverty.

To point out mass fleeing López Maya (2018) argues that the situation in Venezuela as of the end of February 2018 could not be worse and states that the country was dragged into an unprecedented catastrophe and there seemed to be no way out of it. Venezuelans are fleeing starvation as medical care collapses and child mortality increases. Those without any documents are crossing the Colombian border illegally. Especially the brain drain is very painful for the country. Most of the forced migrants are doctors, lawyers and teachers (Stevenson & Zentmeyer, 2021). There is currently a lack of well-educated people in the country. López Maya states that by June 2019 alone, 4 million people had left the country. That is 4 million out of 30 million Venezuelans. Venezuela was considered the model country of Latin America, and its capital, Caracas, was a modern metropolis. Considering all this, it is obvious that Maduro, an unpopular president, should not continue to govern the nation for an extended period. Moreover, irrespective of his successor, if the systemic issues persist, widespread suffering remains an inevitable outcome. As Sequera & Armas (2024) state that the President of the Venezuelan National Electoral Council announced that the presidential election is scheduled for July 28, 2024. However, there appears to be no indication that the government is preparing for the potential return of the millions who have fled the country (Gamba, 2024).

CHAPTER 4

LEGAL FRAMEWORK AND ACCESS TO FORMAL LABOR MARKET IN TÜRKİYE AND COLOMBIA

This chapter delves into the legal frameworks regarding temporary protection status and right to work granted by the Governments of Türkiye and Colombia focusing on how these countries structure their migration policies to manage mass influxes from Syria and Venezuela. Initially, the international and regional frameworks are discussed. Then, insights into the complexities of managing migration in diverse regional contexts are offered through an exploration of the Cartagena and the Quito Declarations, as well as analyses of Türkiye's temporary protection regime for Syrians and Colombia's temporary protection regime for Venezuelans. Granting legal status to migrants in both countries has paved the way to enjoy basic rights in their host countries, such as the right to work, health, and education. In both Türkiye and Colombia, the introduction of work permits for Syrian and Venezuelan forced migrants represents a step towards their legal protection and economic integration. This chapter finishes by providing the regulations concerning work permits issued to temporarily protected forced migrants in Türkiye and Colombia.

4.1. International Refugee Regime, Legal Framework, and Temporary Protection

The United Nations Geneva Convention relating to the Status of Refugees was signed in 1951 in order to solve the refugee crisis that occurred during and after the World War II. It was a major turning point in the context of human rights and has become global moral norms. For the first time, it established an internationally recognized, definitive description of a refugee as well as the obligations of states towards them. The Convention indeed serves as a cornerstone of international refugee law, aiming to afford certain rights and protections to individuals forced to flee their

countries due to persecution, conflict, or other circumstances. These rights encompass crucial aspects such as non-refoulement, access to basic services, and the right to work. The Convention stipulates that the recognition of an individual as a refugee is contingent upon geographical limitations and specific temporal constraints. It was initially limited to protecting European refugees in the aftermath of World War II, up until January 1, 1951. However, as the need to protect refugees beyond these Europe-centric parameters continues to emerge worldwide, the need for a broader framework became apparent. The 1967 Protocol expanded the scope of the 1951 Convention by removing these limitations and gave it a universal character by ensuring that refugees are treated similarly regardless of the country of origin.

Türkiye signed and ratified the Convention and the Protocol, and agreed to grant refugee status only to those coming from Europe (Kirişçi, 1996). While the temporal restriction was eliminated, the geographical limitation was maintained. The Convention was signed by thirty one member states of the Organization of American States (OAS) including Colombia (IACHR, 2015). However, Brazil, Colombia, and Peru decided to continue upholding the geographical limitation within their refugee protocols similar to Türkiye (Yundt, 1989). As a result, these countries were not legally required to address or manage refugee situations involving individuals from Central America. By March 2004, the countries that had continued to uphold the geographical restriction of the 1951 Convention were Congo, Madagascar, Malta, Monaco, and Türkiye (Bem, 2004). The Convention offers an essential legal framework, yet its efficacy depends on states' desire to fulfill their commitments and the presence of systems to guarantee implementation (İneli-Ciger, 2016). Therefore, while both the Convention and the Protocol provide a foundational basis for international refugee law, their impact depend on the policies and practices of host countries.

People impacted by complex social, political, and environmental crises may not be eligible for international protection due to the limited definition of a refugee under international law. Therefore, in response to the immediate needs of displaced populations during emergencies, the notion of temporary protection was developed. UNHCR (2000) points out that temporary protection has become both a unique measure and a sensible way to handle certain cases of mass arrivals that would overwhelm state asylum procedures. Temporary protection refers to a collection of policies implemented by states to offer quick and temporary support for people

escaping persecution, conflict, or other types of violence. It is often applied in situations where the influx exceeds the capacity of existing asylum systems to process effectively or where there is a need for rapid and coordinated response to humanitarian emergencies. The crises in the former Yugoslavia in the 1990s marked the beginning of the significance of temporary protection mechanisms (Fitzpatrick, 2000). The war led to an unprecedented refugee crisis and this demonstrated that the Convention was unable to handle refugee crises in Europe so that a new protection mechanism was required (Sopf, 2001). The temporary protection visa policy has been implemented for the purpose of border control and strengthening strategy against irregular and uncontrolled asylum seekers (Mansouri et al., 2009). In an effort to improve border security and to manage the flood of unregulated asylum seekers, the temporary protection visa policy was implemented. This policy seeks to grant those seeking asylum a structured and temporary legal status while also guaranteeing that their arrival and stay are tracked and regulated (Mansouri et al.). In addition, Sopf states that European countries decided repatriation when the situations that caused the crisis were resolved. However, during substantial influx of asylum seekers, countries are obligated to provide at least temporary protection as a minimum response. Neglecting to offer such protection could compromise the principle of non-refoulement. Such policies may also include restrictions on employment opportunities, access to education, and social services, as well as barriers to obtaining legal residency or citizenship. The temporary protection statuses and associated rights provided by Türkiye and Colombia are detailed in the subsequent sections.

4.2. Refugee Regime in Latin America, Cartagena Declaration, and Quito Declaration

The migration policy in Latin America has been influenced by the outcomes of the Cold War, population growth, and the demand for cheap labor (Durand, 2009). Industrialization led to a significant increase in the demand for inexpensive labor, which migration within Latin America began to satisfy. The simultaneous experiences of countries in the Latin American and Caribbean region highlighted the need for a unified approach to migration policies. A common approach is important to support host states financially, and to assist countries in finding temporary or long-term solutions. A cohesive policy approach not only facilitates the support of host states

financially but also enhances collaborative efforts in addressing migration challenges, benefiting both origin and destination countries. In response to these shared challenges and opportunities, regional cooperation has manifested in initiatives such as the South American Conference on Migration (SACM), established in 2000 and held annually with a thematic focus on migration and development (IOM, 2000). Alongside SACM, the Southern Common Market (MERCOSUR) represents another significant effort towards regional integration, drawing parallels with the European Union (EU) in its success in fostering economic and political cooperation as well as a successful integration example (Kaltenthaler & Mora, 2002). Both the SACM and the MERCOSUR exemplify how collective action can be structured among countries within the region to manage common issues effectively such as migration and developmental goals. Such recent instances illustrate regional unity however, the region's approach towards refugee regime is rooted in earlier developments.

As provided in detail in the previous section, the 1951 Refugee Convention, a cornerstone of international refugee law, established fundamental principles for the protection of refugees, including the definition of a refugee, their rights, and the legal obligations of states. The Convention, together with its 1967 Protocol, seeks to ensure that individuals fleeing persecution are granted asylum and not returned to a country where they face serious threats to their life or freedom. Over the decades, many Latin American countries have ratified these instruments, demonstrating their commitment to upholding the rights of refugees within their borders. By incorporating the provisions of the Convention into their national legislation, Latin American states have strengthened their legal frameworks to provide better protection for refugees, aligning their policies with international standards and enhancing their capacity to respond to humanitarian crises. The 1951 Convention has been ratified by fifteen Latin American countries, including Colombia, which did so in 1961 (Ministerio de Relaciones Exteriores de Colombia, n.d.). However, the region aimed to establish its own migration policy and response mechanism. In pursuit of this goal, the 1984 Cartagena Declaration on Refugees and the 2018 Declaration of Quito on Human Mobility of Venezuelan Citizens in the Region were declared, focusing on the protection of refugee rights, defining refugee status, enacting relevant legislation, and demanding joint work, especially the latter focusing on the Venezuelan forced migration crisis (Response for Venezuelans, 2019).

The Cartagena Declaration, a significant milestone in the realm of refugee protection, was adopted in 1984 during a regional conference held in Cartagena, Colombia. This declaration holds particular importance for Latin America and the Caribbean, as it represents a collective commitment to advancing refugee rights and protection within the region. The forced displacements that occurred in Latin America in the 1970s onwards as a result of civil unrest and economic problems were major factors contributing to the need in developing the Declaration (Schmeidl, 2001). At its core, the Cartagena Declaration aligns with the principles outlined in the 1951 Convention and its 1967 Protocol. It acknowledges the internationally recognized definition of refugees as individuals who have fled their countries due to well-founded fears of persecution based on factors such as race, religion, nationality, membership in a particular social group, or political opinion.

Moreover, the Declaration goes a step further by recognizing that refugee status should also be extended to individuals who have fled their countries due to generalized violence, foreign aggression, internal conflicts, massive violations of human rights, or other circumstances that seriously disturb public order (Cartagena Declaration, 1984). This expanded definition of refugees, articulated in Article 3 of the declaration, reflects a broader understanding of the reasons people are forced to seek refuge, beyond the traditional grounds outlined in the 1951 Convention (Esthimer, 2016; OAS & OECD, 2017). It underscores the interconnectedness of human rights and refugee rights, emphasizing the need to protect the rights and dignity of all individuals, regardless of their legal status. By recognizing the inherent rights of refugees and asylum seekers, the declaration establishes a framework for ensuring their protection and well-being. The declaration also has an important place in the recognition of Venezuelan forced migrants and their acceptance into neighboring countries (Selee & Bolter, 2020).

Solidarity is a central theme where signatory states committing to support and assist refugees and displaced persons in a spirit of shared responsibility (Jubilut et al., 2021). The concept of resettlement in solidarity highlights the importance of regional cooperation and burden-sharing in addressing the needs of refugees and distributing responsibilities more equitably among countries in the region. It sets minimum standards to govern various aspects of the refugee protection process, from the entry of refugees and asylum seekers into the country to their resettlement. These standards aim to ensure that refugees are treated with dignity and afforded the necessary

protections and support throughout their displacement journey.

In conclusion, the Cartagena Declaration represents a landmark commitment by Latin American and Caribbean countries to uphold the rights and dignity of refugees and displaced persons within the region. By expanding the definition of refugees, emphasizing solidarity and regional cooperation, and establishing minimum standards for refugee protection, the declaration lays the groundwork for a more comprehensive and rights-based approach to addressing displacement and promoting refugee well-being. As a result, it emphasizes the significance of a thorough and situation-specific strategy for refugee protection that is based on the values of solidarity and human rights. The effort to create a common migration policy began to come to the fore after the Venezuelan forced migration crisis (Camacho & Freier, 2022). For this reason, another refugee regime created to solve the crisis in the region was the Quito Declaration and it was signed in 2018 for coordination of Venezuelan forced migrants within the region (Cerrutti, 2020). Governments of twelve regional countries, including Colombia, came together in Quito to share knowledge and good practices through regional coordination in order to better govern the migrants they host in their countries due to the migration crisis in Venezuela. Countries agreed on providing facilities for the mobility of migrants from Venezuela and for providing documents of identity as well as regional mobility cards. Other developments include the regularization of Venezuelans in host countries, efforts to regularize undocumented statuses, commitments to reduce the application costs for legal status, regional cooperation with Venezuela, strategies for labor market integration, agreements to address specifically human trafficking, and measures to facilitate family reunification (Proceso de Quito, 2024). A decision was reached to maintain efforts, with each country committing to collaborate in providing humanitarian aid, regulating migration, and facilitating access to mechanisms for regular residence. In conclusion, the Quito Declaration serves as an effective tool specifically tailored to address the Venezuelan forced migration movement. It recognizes the importance of regional cooperation and therefore, it reinforces both international and regional norms.

4.3. Temporary Protection in Türkiye: Syrians under Temporary Protection (SuTPs)

Temporary protection can be defined as an emergency response that can be

implemented in case of unexpected and mass population movements towards borders. This policy can be accepted as an interim solution until a longer-term solution is developed. Although the 1951 Convention contains regulations regarding mass population movements to the borders, the temporary protection policy is not clearly stated (Edwards, 2012). Türkiye continues to apply geographical restrictions however, rearrangement regarding refugee legislation was needed due to conflicts occurred in neighbours since the 1990s (Topal, 2015). Furthermore, it became evident that a different approach and status were necessary to effectively manage the Syrian forced migration that started in 2011. The Turkish government had initially hoped that the crisis would be temporary, but as the conflict escalated into a complex civil war, guest rhetoric proved insufficient to address the escalating humanitarian crisis (Topal). Therefore, the displaced Syrians were considered to stay temporarily in Türkiye with a guest rhetoric. More recently, the Syrian and Venezuelan forced displacements have prompted countries like Türkiye and Colombia to implement temporary protection regimes. These countries implemented the temporary protection status to provide legal residency, access to basic services like right to work, and protection from forced return while the problematic situation in the countries of origin persists.

The temporary protection status that Türkiye granted to Syrians is linked to previous developments. The concept of temporary protection status emerged as a response to large-scale displacements that overwhelmed traditional asylum systems. Following the World War II, millions of people were forced to displace across Europe. As discussed in the previous section, the 1951 Convention and the following 1967 Protocol were established to address the needs of these displaced people. The wars in the former Yugoslavia during the 1990s brought a significant shift. European countries were faced with massive numbers of refugees, and sought a mechanism to offer protection without granting permanent asylum. The EU developed the concept of temporary protection to address these urgent and large-scale humanitarian crises. Building on the experiences of the 1990s, the EU formalized the concept with the Temporary Protection Directive in 2001 (Ineli-Ciger, 2016). This directive provided a framework for granting immediate protection to displaced persons in the event of a mass influx. Following the fulfillment of the Copenhagen Criteria, Türkiye initiated its EU accession negotiations in 2005 (Faucompret & Konings, 2008). This process necessitated Türkiye's harmonization with the EU Acquis. Consequently, Türkiye's

implementation of temporary protection status was influenced by the EU Acquis which was developed in response to the Balkan crises (Dimitriadi et al., 2018).

In this direction, the Law on Foreigners and International Protection (LFIP) was enacted in 2013. The law aims to regulate the entry, stay and exit to Türkiye, as well as the protection procedures and principles (Asar, 2021). Türkiye made a significant progress toward accepting a domestic refugee law, yet the LFIP also maintained the geographical limitations. Therefore, according to the LFIP, non-European asylum seekers can only be granted conditional refugee status (Ineli-Ciger, 2018). Syrians were unable to apply for refugee status due to the lack of an officially designated status for an extended period. Their situation, which lingered in an ambiguous state in a grey area for some time, was only clarified when they were granted temporary protection. For this reason, Syrians in Türkiye were not allowed to apply for refugee status, stay in the country permanently and integrate into Turkish society (Kale, 2017). However, this situation has evolved, and Syrians can now obtain citizenship, allowing them to achieve permanent residency if they meet certain conditions outlined by Keleş (n.d.).

Temporary protection is governed by Article 91 of the LFIP. Then the Temporary Protection Regulation came into force in 2014. Individuals who do not meet the requirements for refugee status or conditional refugee status under the LFIP, but who face the risk of the death penalty, torture, or targeted violence due to war or internal armed conflicts in their country of origin, are then eligible for temporary protection (Zetter & Ruaudel, 2016). In other words, temporary protection is granted to forced migrants who have been compelled to flee their country and are unable to return to the nation they departed from. This protection is provided to those who arrive either individually or in large groups seeking urgent and temporary refuge and who are not eligible for international protection status determination (Temporary Protection Regulation, 2014). Within the scope of this regulation, the provision of health services, education, labor market access, social assistance and services, translation, and related services to foreigners are regulated in detail (PMM, 2014). The term refugee under international law refers to individuals who have been granted formal refugee status, Türkiye uses the term under temporary protection to denote the legal status of Syrians benefiting from temporary protection system. As of 2024, the number of SuTPs registered in Türkiye is 3,115,344 (PMM, n.d.).

4.4. Work Permits for SuTPs living in Türkiye

Granting work permits to SuTPs in Türkiye is a crucial aspect of integrating this population into the formal labor market while also ensuring their legal and social protections. Although the right to work was defined in Article 29 of the Temporary Protection Regulation, SuTPs were initially unable to obtain work permits. As Bidinger (2015) earlier stated that Türkiye has implemented legal regulations that grant SuTPs residing within its borders the right to work in the formal markets in 2016 which enabled them to maintain a dignified standard of living. In 2016, Türkiye introduced the Regulation on Work Permit of International Protection Applicants and International Protection Status Holders (WPIP in short) and the Regulation on Work Permits of Foreigners under Temporary Protection (WPTP in short). These regulations allow individuals who are recognized as refugees or granted temporary protection to engage in employment either for an employer or independently after they have obtained their legal status (WPIP, Article 4; WPTP, Article 5). However, individuals with conditional refugee status must secure a work permit prior to commencing employment (WPIP, Article 4). They are eligible to apply for this permit six months following their application for international protection (WPIP, Article 6). SuTPs possess temporary identity cards and they can apply for work permits six months after their initial registration with the Presidency of Migration Management (PMM) (WPTP, Article 5). Notably, conditional refugees seeking employment in seasonal agriculture or animal husbandry do not require a work permit (WPIP, Article 9). SuTPs are able to work in the provinces in which they officially reside (WPTP, Article 7). For some professional groups, such as teachers and doctors, verification of diplomas and competencies is required (WPTP, Article 3). On the other hand, the Ministry of Labour and Social Security retains the authority to impose geographical restrictions and establish quotas as deemed necessary. In other words, the Ministry may assign people the jobs they will work according to the needs of the sector (WPTP, Article 6), and the number of Syrians in a workplace cannot be more than 10% of the total personnel which means that at least ten Turkish personnel must be employed for each Syrian (WPTP, Article 8). This regulatory framework aims to integrate migrants into the labor market, while maintaining controlled access based on sector-specific demands and regional employment needs.

Due to delayed regulations, a large population entered the informal labor

market from 2011 to 2016, and worked in labor-intensive and low-paid jobs, especially in the construction, textile, and agricultural sectors (Loayza et al., 2018). The Regulation allowed such a large group of migrants the right to access the official labor market for the first time (İçduygu & Diker, 2017). Thus, the work permit aims to facilitate the economic integration of Syrians, reduce informal employment, and provide legal protections for both workers and employers (Refworld, 2016). In addition, the International Labour Law No. 6735, which stipulates the prevention of unregistered work by foreigners, the establishment of a domestic-foreign workforce balance, and the use of qualified foreign workforce, came into force in 2016 (UIK, 2016). It is crucial to ensure that integration into the workforce occurs without fostering unfair competition, illegal or irregular employment practices, or exploitation of labor (Erdoğan, 2015). SuTPs and conditional refugees are legally entitled to receive compensation that should not be below the minimum wage (WPIP, Article 17; WPTP, Article 10). This stipulation ensures that they are not subjected to discriminatory wage practices and helps maintain a standard of living. The enforcement of this rule is crucial for promoting fair labor practices and providing economic stability to those who have sought refuge, integrating them more effectively into the workforce by safeguarding their rights as workers.

In conclusion, the right of SuTPs to work presents a multifaceted challenge for Türkiye. It is due to the fact that although legal frameworks are in place allowing SuTPs the right to acquire work permits, a substantial number of these individuals still find themselves employed in the informal sector. This discrepancy often arises due to several reasons which will be discussed in detail in following chapters.

4.5. Temporary Protection in Colombia: Special Stay Permit (PEP) & Temporary Protection Status for Venezuelans (ETPV)

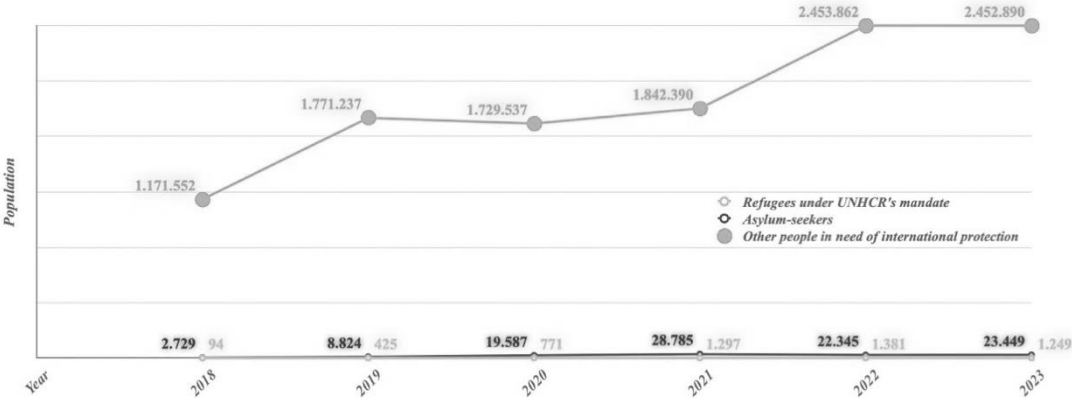
The recent migration crisis originating from Venezuela represents a challenge within the context of Latin America and the Caribbean. Catalyzed by economic, political, and social unrest in Venezuela, millions have been compelled to leave their homeland in search of safety and stability across the region. Venezuelans have spread extensively, with substantial numbers settling in Colombia, Peru, Ecuador, Brazil, among other countries in the region as well as Spain and the USA. These host countries have had to rapidly adjust and formulate policies to address the abrupt rise in migrants,

necessitating swift adaptations to their socio-political frameworks to accommodate this influx.

According to UNHCR's 2024 Venezuelan population planning figures, there are more than 7.7 million Venezuelan migrants and refugees worldwide. Among them, there are 892,200 refugees and asylum-seekers, 75,000 refugee and IDP returnees, 6,430,300 other people in need of international protection (OIP), and 3,111,900 others of concern in Latin America and the Caribbean (UNHCR, 2024c). OIP encompasses individuals who have been forced to flee their country of origin, and who do not fit into established categories such as asylum-seekers, refugees, or those in refugee-like situations, yet still likely require international protection. Others of concern term is used to describe those who do not directly fall into any of the aforementioned groups but are nevertheless recipients of protection and/or assistance services provided by UNHCR.

Table 1. Population of Venezuelan forced migrants in Colombia between 2018-2023 (UNHCR).

Retrieved from <https://www.unhcr.org/refugee-statistics/download/?url=4X9N5x>



The number of Venezuelan forced migrants residing in Colombia has surged from 39,000 at the end of 2015 (GIFMM, 2018) to 2.89 million by January 2024 (IOM, 2024). It should be noted that Colombia became a first choice for several Venezuelans due to the shared border, similar culture, and same language. Rossiasco & de Narváez (2023) categorize Colombian migration policies towards Venezuelan forced migrants into three temporal phases: an initial short-term humanitarian response spanning 2015

to 2017, a more coordinated medium-term response from 2018 to 2021, and a long-term response focused on integration beginning in 2021 and onwards. As a neighboring country to Venezuela, Colombia has welcomed the majority of this migrant population since 2015, despite initially lacking a legal and institutional framework to manage the influx.

In 2015, the issue of Venezuelan forced displacement began to emerge in the discourses and concerns of the international community. Initially, many countries in the region adopted an open-door policy, allowing Venezuelans to enter without visa requirements and passports. Colombia also adopted an open door policy toward migratory movements. Regarding entry requirements in 2015, Colombia did not ask for visa, but a valid passport was needed (Selee & Bolter, 2020). According to governments, the requirement for visas and passports is deemed necessary to ensure safe, regular, and orderly migration. However, Selee & Bolter's (2020) research suggests that such restrictive laws could push individuals towards unsafe and illegal migration routes, particularly in the context of Venezuela's dire situation, thereby complicating the process of obtaining passports and other necessary documentation.

Upon their arrival in Colombia, Venezuelan forced migrants were initially granted the Border Mobility Card (TMF), allowing them a stay of up to one week. Those who entered with a valid passport were provided an Entry and Permanence Permit (PIP) at the point of entry, which permitted a stay of up to 90 days (Wu & Del Rey, 2023). Temporal Transit Permits (PTT) were also issued for those transiting through Colombia. Consequently, Venezuelans had several options, including applying for an asylum, or for a migrant, resident, or visitor visa. However, due to the urgency of their departure from Venezuela, many arrived without passports or any formal identification, leaving them in an irregular status. These irregular migrants often extended their TMF or PIP, or in many cases, entered Colombia without any formal registration at all and therefore, in response to this situation, the regularization of migrants has become a critical policy focus for the Colombian government (Topal & Vitali, 2021). Some Venezuelans could be granted entry visas and temporary stay permits however, these options did not include the right to work, which further exacerbated the situation of Venezuelans in host countries (Bolter, 2017). In this context, Colombian government introduced visa categories that incorporate the right to work for individuals who might not meet the criteria for asylum. To address these

challenges, the government initiated the issuance of the Special Stay Permit (PEP) to facilitate regularization (Bolter).

As the crisis of displacement persisted and immediate return was not anticipated, the likelihood that Venezuelans would stay in host nations in the long run was one of the primary causes of the shift in discourse towards a more coordinated policy (Selee & Bolter, 2022). In 2017, Colombia implemented PEP, serving as an alternative to asylum with work authorization and legal status for up to two years (Selee & Bolter, 2022). In Colombia, PEP ensured access to health, education, work, and social security, thus representing a model with significant rights guarantees. At first, PEP was restricted to those who had entered the country legally and then it was granted for individuals who have arrived through also irregular routes with the extension of PEP to PEP-RAMV in 2018 (Gandini & Selee, 2023; Topal & Vitali, 2021). This system was specifically designed to streamline the process of regularizing Venezuelan forced migrants residing in Colombia without formal status.

It is important to note that movement restrictions worsened due to the global pandemic. Consequently, countries closed their borders and restricted travel to slow the spread of the virus which significantly reduced the number of asylum requests and other forms of regularization. The legal entry of Venezuelans became more challenging due to the implementation of stricter policies with new entry requirements. As a result of these measures, only less than half of the migrants in the region could have legal status by 2021 (Selee & Bolter, 2022). Additionally, a drawback of the PEP is that it is only valid for two years and cannot be converted into permanent residency status. According to Serrano et al. (2019), other visa categories that impose stricter requirements are also costly for many Venezuelans.

A significant rise in Venezuelans entering the region illegally was observed in 2021 as a result of border closures and travel restrictions. The report highlighted that a number of Venezuelans made the decision not to relocate due to the lack of passports, identity cards, and birth certificates for children (IACHR, 2021). In this sense, there occurred a growing recognition of the need for more flexible strategies regarding the issuance of documents required abroad. In 2021 the Colombian government announced the creation of the Temporary Protection Status for Venezuelans (ETPV). In order to become an ETPV owner, one must first pre-apply for the Single Registry of Venezuelan Migrants (RUMV) online. Thus, a number is

assigned to the applicant Venezuelan. Both Venezuelans who had legally entered Colombia by early 2021 and those who did so through late 2023 were covered by ETPV. It serves as a route for legal residence, which grants access to jobs, healthcare, and education. Similar to PEP, ETPV offers regular status, the right to work legally, and the opportunity to seek for social welfare benefits and it is also free of application (Del Real, 2022). While PEP is valid for two years, this program is more ambitious because it is valid for ten years for every Venezuelan living in Colombia regardless of their existing status (Banulescu-Bogdan & Chaves-González, 2021; BBC, 2021). Despite the large number of Venezuelans who have been regularized, the country has received relatively few asylum applications. One of the primary reasons for this discrepancy is that ad hoc measures provide work authorization, whereas work permits are not automatically granted during the asylum application process (Selee et al., 2019).

In conclusion, the regulatory measures implemented by the Colombian government have effectively established avenues for regularization for Venezuelan forced migrants. There have been gradual yet significant shifts in regularization policies towards Venezuelans, such as the introduction of temporary stay permits and humanitarian visas. These measures afford access to essential rights including employment, healthcare, and education. As noted by Selee & Bolter (2022), Colombia's implementation of temporary protection from 2017 onward offers valuable insights into the impact of temporary legal status on the integration of migrants within forced displacement contexts. Initially, Colombia exhibited a more open stance, permitting entry without visas or passports. However, as the Venezuelan crisis persisted, resulting in increased migration flows and longer durations of stay in host nations, compounded by the pandemic, Colombia began to impose documentation and visa requirements. It could be argued that these requirements significantly limit the legal entry of Venezuelans, thereby prompting an increase in illegal and perilous border crossings (Rueda, 2020; Schlein, 2019). Consequently, Colombian policies are subject to political decisions and may not offer comprehensive protection comparable to asylum systems. Despite offering asylum, the number of Venezuelan asylum applications remains significantly lower than other forms of regularization status (Selee & Bolter, 2020).

Most people are deterred from seeking for asylum in Colombia because they

are not granted a work permit while their asylum application is pending (Gordon, 2024). On the other hand, more Venezuelans have been granted legal status in Colombia than in any other nation in Latin America as a result of the government's temporary status programs, however many of them still remain legal status (Selee & Bolter, 2022). The key factors influencing this pattern include the insufficient expertise of the entities tasked with refugee status determination, prolonged processing times, and the complexity of the prerequisites (Selee & Bolter, 2022). This situation unfortunately jeopardizes the rights of individuals who genuinely need special protection. Even if migrants possess legal migratory status, without accompanying work permits or the legal means to access services, they may continue to find themselves in precarious conditions (Machado et al., 2021). This scenario indicates that simply having legal status does not necessarily ensure full integration or security, highlighting the importance of comprehensive rights and support structures to truly safeguard migrants from vulnerability.

4.6. Work Permits for Temporarily Protected Venezuelans living in Colombia

The work permits for Venezuelans living under temporary protection in Colombia represent a significant step towards addressing the challenges faced by Venezuelan forced migrants in the country. Through PEP and ETPV, they were granted with work permits. In addition, launched in 2020 by the Colombian government, the Special Stay Permit for the Promotion of Formalization (PEPFF) stands out as Colombia's first temporary protection program based on employment (Ministerio del Trabajo, 2020). The Ministry of Labor and the Ministry of Foreign Affairs created the PEPFF as a specific effort to reduce labor informality and allow access to work for Venezuelans in an irregular migration situation. The PEPFF is a type of work permit designed to make it easier for Venezuelan nationals to migrate regularly inside Colombian borders through employment or service-related contracts (Ministerio del Trabajo).

PEPFF enables Venezuelans residing irregularly in Colombia to regularize their status if they secure formal employment contracts. Venezuelan citizens aged 18 and over who obtain official employment contracts are eligible for PEPFF, allowing them to adjust their status for the contract's duration (Graham et al., 2020). The contract must last between two months and two years, with the possibility of renewing PEPFF

for up to four years after the initial two-year period (Graham et al.). Employers are responsible for applying for PEPFF through the Ministry of Labor on behalf of their employees, with no fee required. This approach recognizes the valuable contributions that Venezuelan forced migrants can make to Colombia's economy and society. By providing avenues for legal employment, the program not only grants Venezuelan forced migrants access to formal labor markets but also promotes their social and economic integration into Colombian communities. Even though only a small percentage of Venezuelan forced migrants in irregular status were offered jobs in the formal sector, PEPFF may open up alternatives for those who still have irregular status because it does not require proof of legal entry into Colombia (Selee & Bolter, 2022). A type M migrant visa is required for Venezuelans in order to obtain a work permit. Colombian employers must apply for the employees' work permit (Mintrabajo, n.d.), if the migrant from Venezuela has a type M migration visa (Estoy en la Frontera, n.d.), an immigration card, and a valid passport. There are eleven categories of type M visas such as M3 - Mercosur visa that is for citizens of Mercosur countries, M7 - expertise visa that is for who have expertise in a specific profession, etc. (The Visa Project, n.d.).

According to research by Gordon (2024), there are still problems even if giving work permits to Venezuelans was a significant step toward their economic integration. The national government of Colombia initiated issuing the PEP in 2017 which was valid for a two-year period in the beginning. The PEP is a significant measure, enabling Venezuelans to reside legally within Colombia, engage in the labor market, and avail themselves of essential public services such as healthcare and education. Although the PEP represents a progressive step towards legal protection and integration of Venezuelan forced migrants, it did not offer a long-term security as permanent residency or a more structured pathway to permanence (Selee & Bolter, 2022). As of March 2019, an only 4% of holders of the PEP in Colombia were employed in the formal sector, despite 84% of them were among working ages of 18 to 70 (Selee & Bolter). In response to these limitations, the Colombian government started to grant Temporary Protection Permits (PPT) to Venezuelans who had entered Colombia before 2021 as well as those who had entered legally until late 2023. Under this statute, eligible Venezuelans could receive a permit valid for ten years. This ten-year permit assures holders the right to work under full labor protections, along with access to free public education. This reflects as a more robust approach to integration than the initial

PEP. Gordon (2024) states that approximately 90% of Venezuelans residing in Colombia have achieved regularization of their status through the new ten-year program as of 2023. In 2023, the Colombian government issued over half a million PPTs to Venezuelan forced migrants who met the criteria of ETPV established in 2021 (Migración Colombia, 2023). Furthermore, the Colombian government has implemented the employment-based regularization program PEPFF to encourage formal employment among Venezuelan forced migrants. This program provides legal status to those receiving job offers within the formal sector, thereby fostering a more regulated and secure employment environment for migrants (Selee & Bolter).

Several challenges persist despite these advancements regarding pushing migrants to the formal market. Firstly, informal employment is already very prevalent in Colombia which is reported as 56.3% for the period between December 2023 and February 2024 by DANE. Hence, both regular and irregular Venezuelan forced migrants, including those with PEP, are much likely to enter the informal market (Selee & Bolter, 2022). Secondly, Farné & Sanín (2020) observe that the prevalent informality among Venezuelan workers in Colombia exemplifies wider issues within the national labor market. Specifically, while informal employment may offer initial labor market entry, it often restricts sustainable long-term employment prospects. Therefore, the start of issuing legal permits valid for ten years may be inspiring in this regard. Thirdly, let alone diplomas and other educational credentials, numerous individuals were forced to migrate without essential documents such as passports or IDs. Bahar et al. (2021) highlight that obstacles in the recognition of credentials impede migrants' capacity to obtain formal employment despite possessing skills and educational qualifications. In addition, Ramsey & Sánchez-Garzoli (2018) state that according to the findings of Regional Interagency Coordination Platform for Refugees and Migrants of Venezuela (R4V), approximately 60% of Venezuelans possess at least a high school diploma or a university degree, indicating a high level of education among this population. As a result, despite having work permits, many skilled Venezuelans find themselves working in roles that are beneath the level of their qualifications. Lastly, Chaves-González & Echeverría-Estrada (2020) discuss that the prevalence of informality observed among migrant workers in Latin America can be attributed to the temporary protection status they are granted. They argue that many of the migrants in other countries in Latin America might qualify as refugees and would

find it easier to secure formal employment. Despite this potential, the majority find themselves relegated to low-wage positions within the informal sector. Legal status and right to work have proven insufficient for the majority of these newcomers to secure access to decent work (Gordon, 2024).

In essence, while the introduction of the PEPFF in Colombia and similar types of work permits in Türkiye signifies progress in addressing the Syrian and Venezuelan forced migration, it's crucial to acknowledge and tackle the complexities involved in implementation. Despite the provision of work permits and legal rights to refugees in these host countries, high rates of informal employment persist. Therefore, the upcoming chapter delves into the dynamics of the informal markets in Türkiye and Colombia. By exploring why Syrian and Venezuelan forced migrants, despite having work permits, still choose to work in the informal sector, or why they may be hesitant to acquire work permits, one can better grasp the intricacies of migration management. Through this analysis, it is aimed to develop comprehensive strategies that address both the legal and humanitarian dimensions of migration management.

CHAPTER 5

EMPLOYMENT OF SYRIAN AND VENEZUELAN FORCED MIGRANTS IN INFORMAL LABOR MARKETS OF TÜRKİYE AND COLOMBIA

In the complex nature of international migration, legal status and work permits play pivotal roles in facilitating meaningful participation of migrants in labor markets of host countries. Previous chapter delves into the legal frameworks governing the status of Syrian forced migrants in Türkiye and Venezuelan forced migrants in Colombia, also explains regulations in accessing the formal labor market. Participation in the labor force are set by the legal status of migrants upon arrival in their host countries. In Türkiye, Syrian forced migrants primarily obtain temporary protection status under the Temporary Protection Regulation which is based on the Law on Foreigners and International Protection. This status grants them access to certain rights and services as well as to formal markets. Similarly, in Colombia, Venezuelan forced migrants often enter the country as irregular migrants, lacking formal documentation and legal recognition. Colombia has implemented temporary protection for Venezuelans since 2017, including the Special Stay Permit (PEP) and Temporary Protection Status for Venezuelans (ETPV), which allow migrants to access formal labor market as well as basic rights and services.

The influx of migrants and asylum seekers has an impact on the informal sector within OECD host countries, as noted by Ben Atta et al. (2022). Moreover, studies focusing on Syrian forced migration highlight its significant implications for Türkiye's informal sector, particularly among vulnerable demographic groups such as women and young people (Aksu et al., 2022; Ceritoglu et al., 2017; Tumen, 2016). Other research indicates that Venezuelan forced migration to Colombia leads to disruptions in the labor market by boosting the rates of self-employment and own-account work within the informal sector (Muñoz-Mora et al., 2022). These findings underscore the relationship between migration patterns and the dynamics of informal employment,

highlighting the need for a better understanding of the factors driving migrants towards informal economic activities. For many migrants in Türkiye and Colombia, informal employment serves as a coping mechanism in the face of several factors driving them to informal market rather than the formal one. These factors are explained in detail in the next chapter by making connections to the theories of informal economy. This chapter aims to demonstrate the informal market structure of Türkiye and Colombia in general and sectors where Syrian and Venezuelan forced migrants are employed dominantly.

5.1. Employment of Syrians in the Informal Labor Market in Türkiye

The informal economy represents a significant challenge globally, affecting countries across the developed to developing ones. Its elusive nature makes detection and measurement particularly difficult. In his research, Schneider (2002) utilizes World Bank data to calculate the rate of informality and reports that for Türkiye, it is at 32.1% of Türkiye's GDP in the year 2000. Furthermore, the Ministry of Treasury and Finance of the Republic of Türkiye (2022) indicates that from 2010 to 2020, the informal economy accounted for approximately 30% of Türkiye's GDP in average. According to the ILOSTAT (2022) calculations based on Household Labor Force Survey by the Turkstat, total informal employment rate is at 28.1% for the year 2022 in Türkiye. This persistent prevalence highlights the substantial role of the informal sector in the national economy.

The 2018 Turkish Household Labor Force Survey conducted by Turkstat, which also includes data on Syrian forced migrant workers, reveals that a significant portion of employees in Türkiye are engaged in the informal market without social security, according to Demirci and Kırdar (2023). Informal employment is notably prevalent in the agricultural and construction industries. Specifically, the informality rates within the 18-59 age group stand at 79.6% for agriculture, 32.4% for construction, 18.8% for the service sector, and 18% for manufacturing. Additionally, informal employment is more widespread among self-employed individuals compared to those who are salaried. 59.9% of self-employed workers aged 18-59 operate without registration, in contrast to 15.8% of salaried workers. The data also highlight a gender disparity in informal employment, with 38.5% of women aged 18-59 and 24.5% of men aged 18-59 working in the informal sector. Demirci and Kırdar indicates that there

is limited information on the labor market performance of Syrian forced migrants in Türkiye due to the absence of nationally representative data based solely on SuTPs. Dayıoğlu et al. (2021) investigate child labor among Syrian forced migrants residing in Türkiye, and state that 48.0% of those in the 15-17 age group are involved in child labor. They also note that this rate is significantly higher than that of local boys in the same age group.

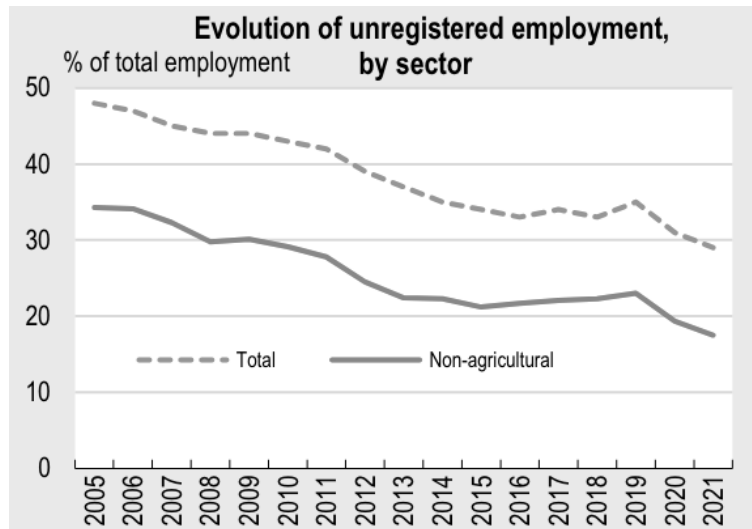


Figure 1. Evolution of unregistered employment by sector in percentage in Türkiye from 2005 to 2021 (all sectors and non-agricultural sectors) (OECD, 2023).

The informal economy in Türkiye encompasses various sectors, including agriculture, construction, manufacturing, etc. Informal labor is prevalent in the agriculture sector, particularly among seasonal and migrant workers who lack formal employment contracts and social protections. In construction sector, workers are hired on a temporary or subcontracted basis without proper documentation or labor protections. In especially small-scale manufacturing enterprises, workshops, and cottage industries, workers are paid cash wages and lack formal employment contracts. According to Pinedo-Caro (2020), the preferred sectors for manufacturing such as clothing, textiles, leather, and footwear predominantly employ Syrian labor due to the informality associated with these jobs. Employers favor informal workers in these sectors because such workers possess less bargaining power and are less capable of resisting abusive conditions, often demanding fewer rights. Pinedo-Caro’s research

reveals that 31.9% of Syrian workers remain informal in clothing, textiles, leather, and footwear sectors. Moreover, these workers often face long hours. Half of the unregistered Syrian forced migrants in Türkiye work more than 50 hours per week, and nearly one third of them exceeds 60 hours of work per week. SuTPs generally do not have high qualifications and hence, are hired as workers in small and medium-sized enterprises (Erdoğan, 2022). In addition, informal employment is widespread in service-oriented sectors such as domestic work, retail, hospitality, and transportation. Workers in these sectors may operate as self-employed individuals or work under informal arrangements with employers. Moreover, street vendors frequently operate in urban areas without official licenses or permits. According to data from 2005 to 2021 compiled by Dlugosch (2023) for an OECD report using Turkstat statistics, Figure 2 shows that nearly half of Türkiye's informal employment occurred within the agriculture, forestry, and fishing sectors.

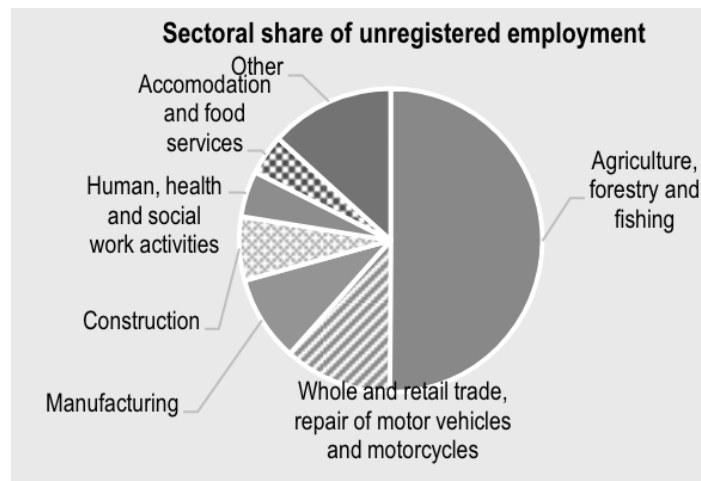


Figure 2. Sectoral share of unregistered employment in Türkiye from 2005 to 2021 (OECD, 2023).

According to the ILO report (2018), informal employment is significantly prevalent in Türkiye, particularly among women. The report indicates that 48.3% of women are engaged in informal work, compared to 28.9% of men. In the agricultural sector, an overwhelming 98% of women work informally, contrasted with 72.7% of men. The industry sector shows 29.8% of women and 22.7% of men in informal employment, while in the services sector, the rates are 24.3% for women and 19.5%

for men. By 2022, the rate of informal employment for men had decreased to 24.2%, while for women it stood at 36.3% (ILOSTAT, 2022). These statistics highlight the enduring gender gap in informal employment in Türkiye, where women are systematically more likely than males to work in informal economy across a range of industries. Korfalı et al. (2014) reveal in their research that there are many educated Syrian forced migrant women working in the informal market in İstanbul.

SuTPs in Türkiye have developed several strategies to engage with the local economy and secure their livelihoods. According to Korkmaz (2018), they enter the workforce through three main avenues: by establishing their own companies and becoming employers, finding employment as workers in local enterprises, or starting small businesses to work independently as tradespeople and craftsmen. However, ILO report states that a significant portion of SuTPs working in the Turkish labor market are paid, daily wage workers and another group of employees consists of self-employed workers and employers with high informality rates (Karadeniz, 2023).

Before 2016, many SuTPs found themselves in a precarious economic position. They were often compelled to work in informal market in order to supplement their limited aid, yet they were also unable to obtain regular jobs since they lacked the necessary work permits. They earned lower wages and their labor was exploited due to the position as a source of cheap labor. Simultaneously, the more qualified segments of the Syrian forced migrant population often opted to seek asylum in developed countries where they could be granted work permits. In Türkiye, even those who might have obtained work permits faced another significant burden which is the recognition of their educational and professional credentials. The absence of diploma or equivalence for fields requiring specific expertise made even skilled Syrian forced migrants unable to practice their professions. Consequently, most of them remained part of an underutilized workforce within the informal economy. The delayed response by Türkiye until 2016 in issuing work permits to Syrian forced migrants significantly impacted the country's ability to attract and retain qualified Syrian workforce. This delay not only hindered the potential economic contributions these individuals could make but also affected their integration and personal advancement within Turkish society (Kaymaz & Kadkoy, 2016). Türkiye unfortunately lost early opportunities to improve its labor force with qualified workers, who migrated to countries that have more favorable immigration and integration policies. Thus, Türkiye could not

promptly realize the legal and vocational integration of Syrian forced migrants.

In 2016, when work permits were granted to Syrians, there were officially over 2 million Syrians registered in Türkiye, yet less than ten thousand had obtained a work permit up to that point (Özel & Karakış, 2016). Individuals engaged in seasonal agriculture and animal husbandry are recognized under a specific category that exempts them from the requirement to hold a work permit (IPR, Article 9). Instead, they need to apply provincial governorship in the region where they are granted temporary protection (Ayhan-İzmirli & İzmirli, 2022). On the other side, Syrian entrepreneurship offers significant opportunities for boosting the local economy by creating jobs and facilitating the integration of Syrians into the local population. Issuing work permits for business establishment can also facilitate the formalization of economic activities undertaken by Syrians.

The number of Syrian companies exceeded 1,600 in 2015 (Kaymaz & Kadkoy, 2016). The south-east of Türkiye and especially the metropolitan cities in the west are frequently preferred by Syrian entrepreneurs. According to the report by Spark (2021), there were 15,000 registered small-scale businesses in Türkiye owned by Syrians in 2021, the majority of which have fewer than 10 employees. According to the same report, it is also estimated that approximately 30% of businesses owned by Syrians in Türkiye are operating without official registration. The unregistered businesses typically have a small workforce, which restricts the opportunity for Syrian and Turkish workers to collaborate at work. Moreover, as the report states that such businesses often concentrate within forced migrant-dominated districts, exacerbating the segregation between forced migrants and members of the host community.

Figure 3 shows the graph prepared by Karadeniz (2023) for the ILO report based on Work Permit Statistics for Foreigners (2011-2020) and Working Life Statistics (2021) by General Directorate of International Labor Force, Ministry of Labor and Social Security of the Republic of Türkiye. The line above demonstrates total number of work permit recipients between 2011 and 2021 and the line below shows the number of Syrians who received work permit from 2011 to 2021. The graph clearly shows a steady rise in the number of Syrians receiving work permits over the years. Initially, fewer than ten thousand Syrians had been granted work permits up until 2016. However, a notable increase occurred post-2016, following the introduction of the Regulation on Work Permits for Foreigners Under Temporary

Protection. This policy change has affected the accessibility of formal employment opportunities for SuTPs. However, the 91.500 work permits granted remain very low in comparison to the roughly four million registered Syrians residing in Türkiye. The decline in 2020 can be attributed to the pandemic, which not only affected the issuance of work permits but also had a severe impact on informal sectors, particularly on seasonal agricultural workers. Kale et al. (2021) highlight that a significant number of seasonal agricultural Syrian forced migrant workers, who were previously engaged in informal labor under challenging conditions, found themselves unemployed as a result of the pandemic.

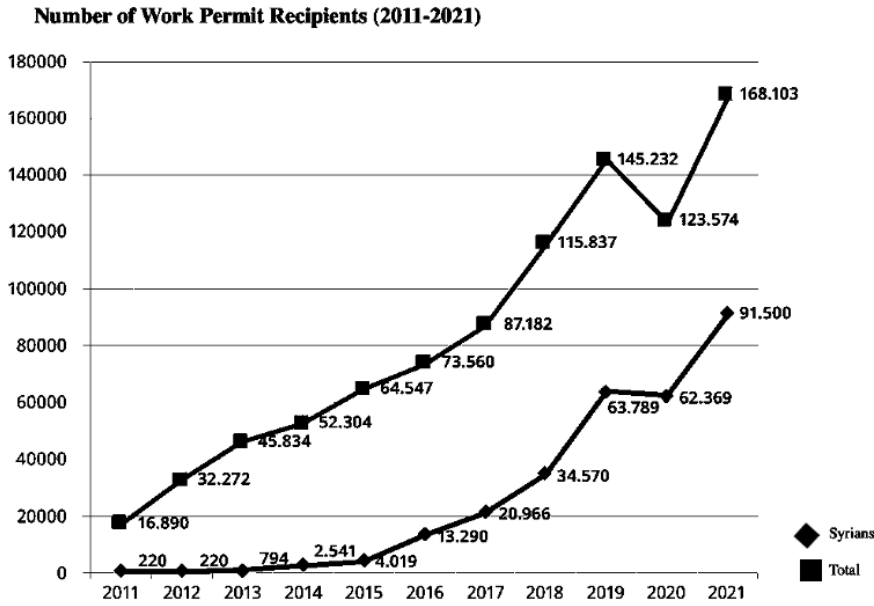


Figure 3. Number of work permit recipients between 2011-2021 in Türkiye (Syrians and total number of all refugees and migrants) (ILO, 2023).

Granting work permits to SuTPs in Türkiye is a crucial measure for several significant reasons. Firstly, it empowers these individuals by reducing their reliance on humanitarian aid. Access to legal employment enables SuTPs to earn their own living, which fosters a sense of independence and provides financial stability. This shift from dependency on aid to self-sufficiency is essential not only for the well-being and dignity of the individuals but also for easing the economic burden on host countries and government resources. Secondly, the availability of work permits plays a vital role in combating child labor. Dayıoğlu et al. (2021) analyze child labor among Syrian

forced migrants aged 12 to 17 using data from the 2018 Turkish Household Labor Force Survey by Turkstat. Their findings indicate that the rates of paid employment among boys are 18.8% for those aged 12 to 14, and 48.0% for those aged 15 to 17. These employment rates are significantly higher compared to their native counterparts of similar ages. When Syrian families can access legal employment opportunities, they are less likely to rely on their children as a source of income (Ayhan-İzmirli & İzmirli, 2022). This reduction in economic pressure allows children to pursue education and other developmental activities, which are crucial for their personal growth and future opportunities. Ensuring that children remain out of the labor force and within the educational system is a key step towards breaking the cycle of poverty and disadvantage that can affect displaced communities. Lastly, legalizing the work status of Syrians helps to decrease informal labor. Informality not only undermines labor laws and protections but also exposes workers to exploitation, unsafe working conditions, and inequitable wages (Karadeniz, 2023). By bringing Syrian workers into the formal economy, they can benefit from labor protections, fair wages, and improved working conditions. This regularization also benefits the state by increasing tax revenues and improving the overall regulation of the labor market.

5.2. Employment of Venezuelans in the Informal Labor Market in Colombia

Colombia's unstable recent history has been characterized by widespread violence and enduring conflicts. The fight against narcotics trafficking and institutionalized corruption have influenced the political and social climate of the country for many years. The country has undergone significant transformations, marked by armed conflicts and large-scale internal displacement which has produced a complicated socioeconomic environment where different groups fight for resources and power (Few et al., 2021). Due to internal conflicts, Colombia possesses the world's second largest population of internally displaced persons (IDPs), with an estimated 6.8 million displaced within Colombia's borders (UNHCR, 2024b). Cusson (2017) states that Colombia used to be recognized globally as the kidnapping capital and ranked among the most dangerous countries worldwide. Since the early 1990s, the government has taken significant steps towards overcoming the violence and instability issues it has battled for many years. One of the most evident indicators of this transformation process has been the peace negotiations carried out with

Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN), following the dismantling of world's largest drug cartels. In 2016, the Colombian government signed a peace treaty to end over fifty years of conflict with the FARC which is one of the largest guerrilla armies in the world. In Colombia, decades of armed conflict and institutional fragmentation have led to opportunities for the expansion of informal labor markets, where also migrants often find employment due to prevalence of informal activities and regulatory oversight.

Colombia still has disproportionately high rates of informal employment despite these significant achievements. Labor informality continues to pose a significant challenge in Colombia, where approximately 60% of the workforce is engaged in informal employment, lacking access to social security benefits, with the exception of health coverage (OECD, 2022). Perry et al. (2007) state that labor market segmentation results in the exclusion of some workers from the formal sector in Colombia which compel them to operate within the informal sector. On the other hand, other workers voluntarily leave the formal sector since it is considered that there are better opportunities within informal arrangements. Flórez (2002) states that in Colombia, the informal sector can be segmented into at least three distinct sub-sectors: salaried employees in both small and medium-sized enterprises, entrepreneurs, and workers engaged in subsistence activities. According to the latest data published by National Administrative Department of Statistics (DANE), the national informality rate in Colombia for the period between December 2023 and February 2024 is at 56.3%. It is reported at 42.9% across 23 cities in metropolitan areas. Meanwhile, in dispersed rural regions, the informality rate is at 84.2% (DANE, 2024).

The influx of migrants from Venezuela into Colombia exacerbates the Colombian labor market's problems and fuels the trend toward informal market as both natives and recent arrivals search for alternatives to the formal sector. Venezuela has transformed from an economically prosperous country to an economically and politically unstable one, and hence, millions of citizens have been moving to Colombia in pursuit of better opportunities. Consequently, a diverse range of workers have been gathering in Colombia's informal economy in search of employment. In Colombia, similar to trends observed across other Latin American countries, the informal sector represents a significant segment of the labor market. This sector serves as a crucial employment reservoir for many individuals, particularly migrants who have left their

home countries due to adverse conditions (Chaves-González & Echeverría-Estrada, 2020). Among these, Venezuelan forced migrants constitute a noteworthy group, as they often find themselves reliant on informal employment opportunities due to various factors. The population of Venezuelan forced migrants has increased from 39,000 by the end of 2015 (GIFMM, 2018) to 2.89 million by January 2024 (IOM, 2024). Bonilla-Mejía et al. (2020) highlight that migrants from Venezuela exhibit significant cultural similarities to Colombian natives, owing to a shared history and same language. A further finding of the study is that 28% of these migrants are actually returnees, people who were born in Colombia but moved to Venezuela in the 1980s and 1990s due to the opportunities of oil boom in Venezuela.

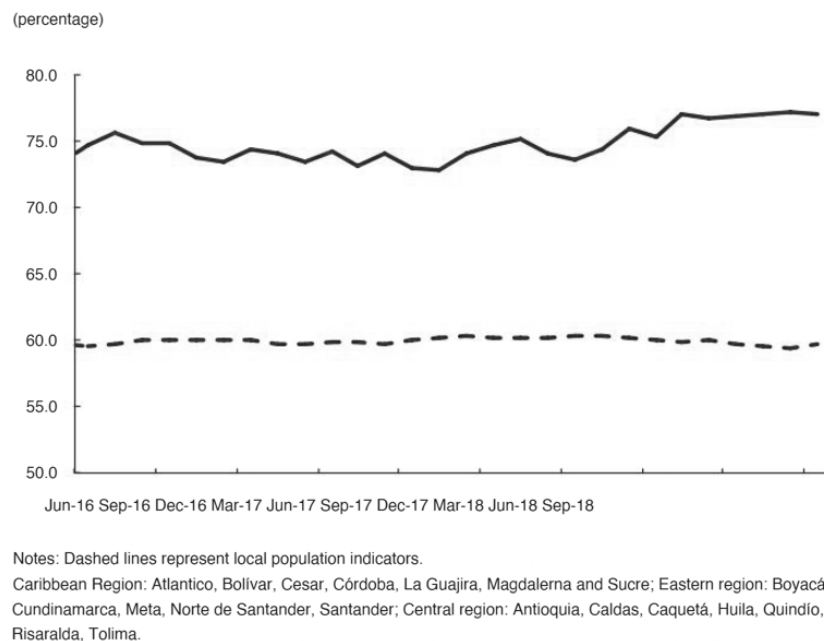


Figure 4. Informality rate of migrants from Venezuela from June 2016 to September 2018 as percentage (Central Bank of Colombia, 2019).

Figure 4 shows the informality rate of Venezuelans in the Colombian informal market at 77.1% which is prepared by Flórez (2019) for the Central Bank of Colombia according to the DANE and GEIH data in between 2016 and 2018. According to García-Suaza et al. (2024), approximately 90% of employed Venezuelans were engaged in informal work, compared to 60% of Colombians in 2019. The fact that a significant portion of Venezuelans working in Colombia since 2015 have been in the

informal sector underlines the obstacles they face in securing formal employment, and throughout the pandemic, migrants have experienced these difficulties even more intensely (Graham & Ble, 2020; Selee & Bolter, 2022).

Table 2 shows the distribution of informal workers in Colombia from 2004 to 2018 categorized by age groups. It has been consistently observed that the age group of 35–54 years old has the highest rate of informal employment, where approximately 40% of employed individuals engage in informal work. Even though the employment rate for those between the ages of 15-24 has decreased over the years, the proportion of informal employment within this younger demographic remains at approximately 15%. The stable rate of informal employment among different age groups suggests that workers continue to face challenges in accessing formal employment opportunities.

Table 2. Percentage of informal workers by age groups in Colombia (OECD Statistics). Retrieved from https://stats.oecd.org/Index.aspx?DataSetCode=KIIBIH_B1#

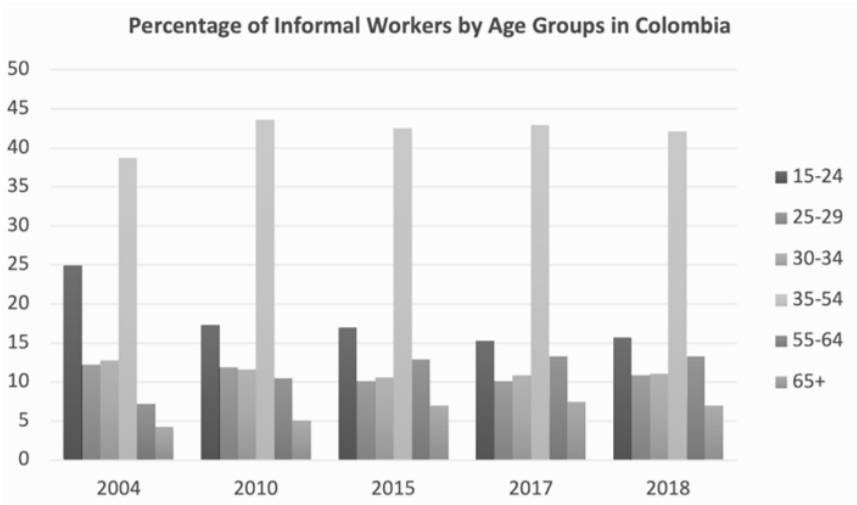


Table 3 illustrates the distribution of informal workers in Colombia, segmented by firm size, over the period from 2004 to 2018. It is evident from the analysis that small-scale firms exhibit the highest incidence of informal employment. A progressive increase in informal employment rates within these firms is noticeable over the years. According to the OECD data shown in Table 2, by the year 2018, it is estimated that approximately 90% of employees in small firms were engaged in informal work

arrangements. This substantial level of informality, particularly in smaller enterprises, suggests that such businesses may lack the capacity or incentive to formalize their employment practices. The data also reflects a significant rise in the rate of informality from 2010 to 2017, during which there was an approximate 10% increase. This spike coincides with the onset of the Venezuelan exodus beginning in 2015, a mass migration triggered by the socio-economic and political crisis in Venezuela. This influx likely exacerbated the labor market dynamics in Colombia, increasing the supply of labor, which small firms may have absorbed into informal roles due to the flexibility and lower costs associated with informal employment. This situation underscores the complex interplay between migration and informal labor markets.

Colombia's high corporate tax rate has a big effect on the country's economy, especially when it comes to the informal sector. Currently set at 35%, this rate presents considerable challenges for the growth and sustainability of small and medium-sized enterprises (SMEs), which account for 67% of Colombian businesses according to the OECD 2021 data (Zhongming et al., 2021). This substantial tax burden not only hampers the operational capacity of these enterprises, which constitute the majority of the country's business operators, but it also drives a considerable number of individuals towards the informal sector, seeking relief from the financial strains imposed by formal economic structures (Davalos et al., 2021).

Table 3. Percentage of informal workers by firm size in Colombia (OECD Statistics). Retrieved from https://stats.oecd.org/Index.aspx?DataSetCode=KIIBIH_B8#

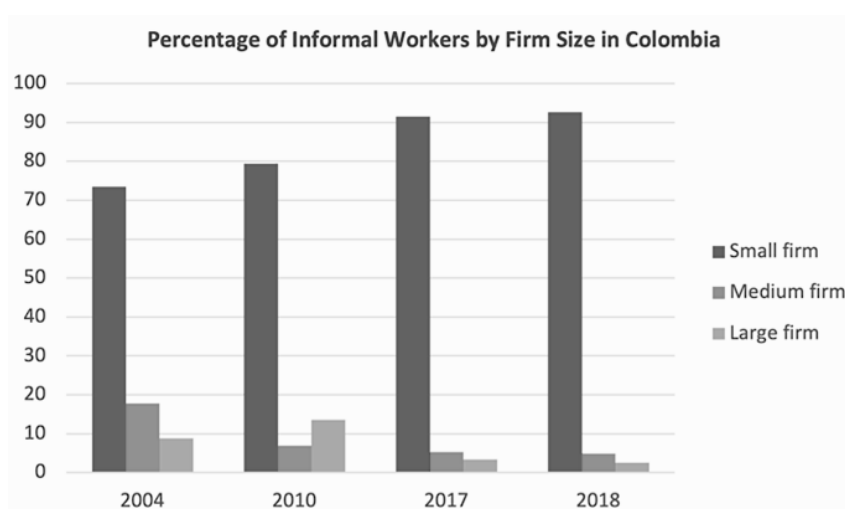
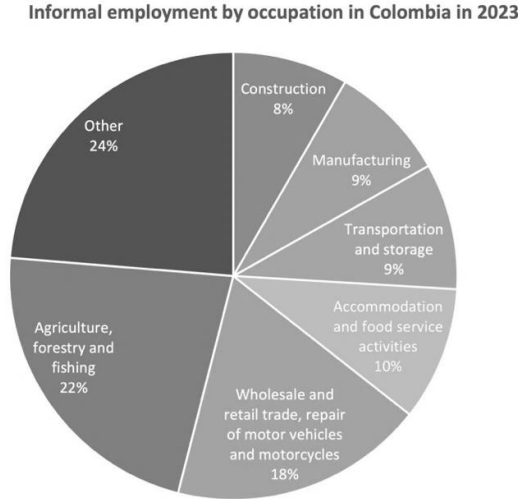


Table 4 provides prevalence of informal employment across different occupational sectors in Colombia for the year 2023, expressed as percentages. Consistent with trends observed in Türkiye, the agriculture, forestry, and fishing sector in Colombia exhibits the highest incidence of informal employment. This pattern aligns with global observations where primary industries often have higher levels of informality due to less regulatory oversight and the seasonal nature of work.

Table 4. Informal employment by occupation in Colombia in 2023 (ILOSTAT). Retrieved from <https://ilostat.ilo.org/data/country-profiles/>



In a comparative analysis with Türkiye, it is noteworthy that the sectors of wholesale and retail trade, repair of motor vehicles and motorcycles have a larger proportion of their workforce engaged in informal employment in Colombia. Figure 5 from the study conducted by Benítez-Rueda (2023) for IDB discussion paper presents a comprehensive analysis of the employment trends among Venezuelan forced migrants in Colombia, examining shifts in the distribution across key economic sectors before and after the reopening of the border. The data clearly illustrate a significant migration into the retail sector, which saw the most substantial increase in Venezuelan forced migrant workers. Specifically, the retail sector's employment of Venezuelan forced migrants surged from an approximate 13 thousand individuals in the period prior to the border reopening to an average of 120 thousand following the reopening.

One plausible explanation for this higher rate of informality in this sector could be the uniformity of the language among locals and migrants within Colombia. Effective communication is crucial in service-oriented sectors where customer engagement with the employee directly influences business operations and success. Furthermore, the proportions of informal employment within the construction and manufacturing sectors in Colombia are similar to those observed in Türkiye. This similarity suggests that certain structural aspects of these sectors may inherently foster comparable levels of informality, regardless of the country-specific economic or regulatory contexts. This pattern might be influenced by the labor-intensive nature of these industries.

	Number of migrants		Share of migrants	
	2013Q1-2016Q2	2016Q3-2019Q4	2013Q1-2016Q2	2016Q3-2019Q4
Agriculture	9,284	53,841	0.003	0.014
Mining	1,193	1,842	0.004	0.007
Manufacturing	9,313	71,084	0.004	0.026
Electricity, Gas and Water	245	2,168	0.002	0.012
Construction	8,714	64,978	0.006	0.043
Retail	12,565	120,755	0.003	0.029
Hotels and Restaurants	6,825	105,771	0.005	0.069
Transportation and Storage	4,654	26,633	0.003	0.018
Financial and Real Estate	1,870	8,974	0.003	0.016
Technical and Professional	3,069	28,620	0.002	0.015
Services	9,974	82,795	0.002	0.020

Note: This table shows the distribution of migrants across the main economic sectors before and after the border reopening. Data are sourced from the GEIH-DANE.

Figure 5. Distribution of Venezuelan forced migrants by economic sectors in Colombia before and after the border reopening (IDB, 2023).

Prepared based on the data of Great Integrated Household Survey (GEIH) and National Administrative Department of Statistics (DANE) by Alvarez & Pizzinelli (2021) for the IMF research, Figure 6 shows total informality rate as well as female and male breakdown in percentages in Colombia over a two-year period from March 2019 to March 2021. Prior to the onset of the pandemic, approximately 50% of women were engaged in the informal sector, and it has reverted to the same level after the pandemic. Conversely, the prevalence of informal employment among men, which stood at around 45% before the pandemic, experienced an increase to 50% following the pandemic, thereby equalizing the rates of informal employment between genders. This convergence in informal employment rates suggests a shift in the labor market

dynamics induced by the pandemic, impacting men's participation in informal employment. In Colombia, women are more likely than men to be hired in the informal sector, following similar trends observed in Türkiye. This trend indicates a gender disparity in the type of employment available or sought by women compared to men. Several factors might contribute to this phenomenon such as flexibility and gender discrimination which are discussed in detail in the next chapter.

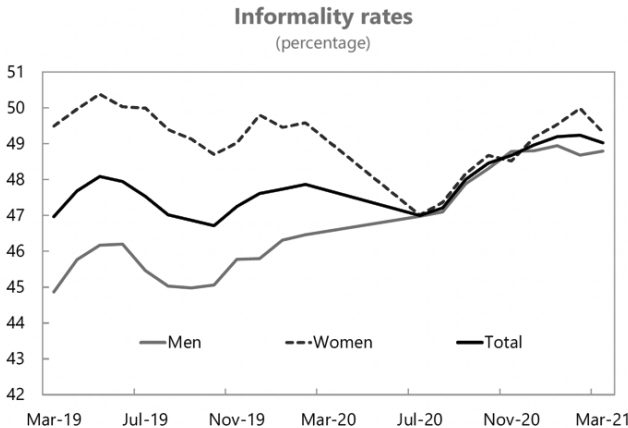


Figure 6. Informality rates in percentage in Colombia between March 2019 and March 2021 (IMF, 2021).

A significant portion of Venezuelan forced migrants in Colombia faces considerable challenges in securing stable and formal employment. A government survey conducted in August 2023 reveals that 32.3% of the surveyed population is self-employed, 52.9% is working with their family, Venezuelan friends, or Colombian colleagues, and 10.2% sent their resumes to companies (DANE, 2023). 81.9% of the surveyed working population has a verbal contract and only 18.1% has a written contract. Almost half of the migrant population has experienced difficulties finding a job. By age range, those between 25 and 54 years old are the ones who experience these difficulties the most. Among these difficulties, 49.2% responded that the documents which they do not have were demanded, 27.2% stated that they felt discrimination because of their nationality, 22% answered that they were offered with low wages and poor working conditions, 15.3% indicated that they faced problems with proving work experiences or educational credentials, and 8.9% did not know where to look for a job. Chaves-González (2021) suggests that there is a need for

effective outreach and communication to ensure that Venezuelan forced migrants are aware of their rights and entitlements the programs provide. The challenging situation of Venezuelan forced migrants in Colombia, especially their incorporation into the informal labor market, highlights the importance of researching factors they encounter in obtaining formal and decent jobs in detail that is provided in the next chapter.

CHAPTER 6

FACTORS DIRECTING SYRIAN AND VENEZUELAN FORCED MIGRANTS INTO THE INFORMAL MARKET

Faced with severe conditions, Syrians impacted by a catastrophic civil war and Venezuelans affected by a profound economic and political decline, millions of people have been compelled to pursue livelihoods in the host countries Türkiye and Colombia. As migrants settle in new countries, securing employment becomes crucial for rebuilding their lives. More importantly, the work permit provided to migrants in host countries to access the labor market is significant for various reasons. Firstly, work permits allow migrants to legally and formally participate in the labor market. This legal status helps them find better jobs and reduces their vulnerability to exploitation and informal employment, which often involves poor working conditions and lower wages. Secondly, work permits provide legal protection for migrants, safeguarding them against arbitrary deportation and giving them access to legal resources. This can significantly improve their living conditions and sense of security in the host country. Thirdly, work permit ensures social security and is linked to access to other essential services, including better healthcare, banking, investment, credit and loan system, rental and home ownership opportunities. These services are crucial for the full integration of migrants into society, ensuring they have the support needed to build sustainable lives in their new countries. Therefore, work permits are a key component of successful migration management, facilitating the economic, social, and legal integration of migrants while benefiting both the individuals and the broader society of the host country.

On the other hand, integration into the formal labor market may be hindered by factors beyond the control of the migrants, even when having the right to acquire a work permit. Also, it may not always be the preferred option for the migrants for various reasons. The informal labor market serves as a crucial lifeline for migrants

who are already in vulnerable situation due to fleeing their home countries. British anthropologist Keith Hart first used the term informal sector in 1971 in his research on low-income activities among unskilled Ghanaian migrants who went to the capital Accra and could not find paid jobs (Hart, 1973). Hart argues that most of the migrants were engaged in informal jobs as they had autonomous ability for generating income. The fact that this concept was used for the first time for migrants who could not find paid jobs and had to turn to the informal labor market emphasizes the importance of researching prevalence of Syrian and Venezuelan forced migrants in the informal markets of Türkiye and Colombia.

The objective of this chapter is to test theories of the informal market by exploring the factors that lead Syrian and Venezuelan forced migrants to work in the informal sector, despite the given right of having work permits by the governments of Türkiye and Colombia. The factors are analyzed through the lenses of Legalist, Structuralist, and Voluntarist theories. In accordance with the researches conducted by Badalič (2023) and Fernandez & Villar (2016), this discussion is made upon these three theoretical frameworks for the case studies of Türkiye and Colombia. By elucidating these connections between theory and real-world circumstances, this analysis seeks to deepen understanding of the underlying drivers behind the prevalence of informal employment among these migrant groups in their host countries.

Badalič (2023) conducts a comprehensive research regarding the factors driving Syrian workers towards the informal labor market in Türkiye, employing analytical frameworks from Structuralist, Legalist, and Voluntarist schools of thought. His study integrates these theoretical perspectives with empirical data gathered from interviews with Syrian workers, providing a nuanced understanding of their economic behaviors. In parallel, Fernandez & Villar (2016) develop a taxonomy to categorize Colombia's informal labor market. Their analysis divides the reasons for engaging in the informal labor market into three main categories: productivity, barriers, and choice, which are respectively termed as subsistence, induced, and voluntary informal workers. Although Fernandez & Villar do not explicitly frame their findings within established theoretical models, their categorization aligns well with the Structuralist, Legalist, and Voluntarist schools, respectively. However, they acknowledge similarities between their classification system and the theoretical contributions of noted scholars such as De Soto (2000) and Maloney (2004), who have significantly

influenced these schools.

Badalič (2023) argues exploitation, cheap/inexpensive labor, cost avoidance regarding work permit acquirement and insurance fees, minimum wages under the Structuralist school explanation of involvement in the informal market. Fernandez & Villar (2016) focus on incidence of informality in lower productivity groups and low wage earning to explain presence of subsistence informality. Therefore, economic sectors, education, experience (different age groups), and rural-urban comparisons regarding Colombian labor market are provided. It is also possible to see traces of the Dualist approach in the last one. Badalič analyzes legal status, regulation, legislation, controls and restrictions related issues such as conditions stated on the Turkish Labor Law, Temporary Protection Regulation, and Regulation on Work Permits, payroll taxes, minimum wages, and inspections under the Legalist school explanation of involvement in the informal market. Fernandez & Villar provides implicit and explicit obstacles under barriers heading. Discrimination, ethnics, gender, education, culture and custom related issues are given under implicit formal market barriers. Legislation and regulation related issues such as payroll taxes and minimum wages are given under explicit formal market barriers. Badalič discusses the issues regarding beneficiary programs, insurance fees, and working hour flexibility to demonstrate the validity of Voluntarist school in terms of Syrians' involvement into the informal labor market. Fernandez & Villar highlight the determinants of preferences for informality such as education, age, gender, rural-urban area differences, and big city - border city differences. However, they do not explore the underlying reasons of engagement into the informal market.

6.1. Structuralist (Globalization) School

Moser (1978) and Portes & Castells (1989), advocates of the Structuralist school, emphasize the significant interconnections between the formal and informal sectors. They argue that the informal economy plays a crucial role in supporting capitalist growth by supplying inexpensive goods and labor, which facilitates various contributions to the formal economy. Moser further elucidates that the informal sector is integrated within the capitalist production system and suggests that the toleration of certain informal practices occurs because they enhance capital accumulation and ensure its continuity.

In both Türkiye and Colombia, the informal market plays a significant role in absorbing surplus labor and providing livelihood opportunities for migrants. According to Selee & Bolter (2022), the prevalence of informal employment in Latin America has been both a benefit and a limitation for Venezuelan forced migrants due to the highly flexible and unregulated nature which facilitates quick access to the labor market. In addition to such aspects that are described as positive, this framework also helps to illuminate the underlying reasons for the exploitation of marginalized groups within the economic system. From the perspective of the Structuralist school, employment of Syrian and Venezuelan forced migrants within the informal sector can be analyzed through the lens of labor exploitation. This perspective underscores the utilization of migrant workers as a source of inexpensive labor, which is a pivotal factor in understanding their predominant engagement in this sector. Such an analysis highlights how the dynamics of the informal economy capitalize on the vulnerability of migrant populations to sustain cost-effective labor practices. Several factors contribute to the predominant employment of Syrian and Venezuelan forced migrants in the informal market, some of which align with the Structuralist school of thought.

From the perspective of employers, there are several reasons. First, employers refuse to apply for work permits due to the high costs. In Türkiye, employers hiring SuTPs are mandated to submit applications for each individual they wish to employ and are also required to pay a specific fee per SuTP that is 1724,40 Turkish liras equals approximately \$53 for the year 2023 (CSGB, n.d.). The reluctance of employers to manage administrative requirements and pay application costs often motivates employers to hire informally. This applies mainly to Syrian business owners who employ Syrian acquaintances, as well as to Turkish employers. In Colombia, employers apply for the PEPFF on behalf of an employee who has received a job offer. Employers have to apply for the work permit, but they are not required to pay a fee for obtaining the PEPFF for the employee (Mintrabajo, n.d.), provided that the Venezuelan forced migrant possesses a valid passport or an immigration card (Estoy en la Frontera, n.d.). Yet, these documents are not free. Moreover, as the workplace and employer changes, a new work permit application is required, which applies to both countries. Since this is again challenging for employers, informal employment seems more attractive.

Second, employers are willing to pay lower wages. In Türkiye, while

employers are legally obligated to pay the minimum monthly wage as determined by the Turkish Government, many pay less since they choose not to secure work permits for their employees (Toksöz et al., 2012; Yılmaz & Erdoğan, 2019). Employers subcontract SuTPs at unregulated small-scale businesses for profit maximization. SuTPs mostly work as unskilled workers in labor-intensive sectors such as agriculture, construction, manufacturing and textile. Such employment practices evade regulatory systems, including labor laws, tax obligations, and occupational health and safety insurances. By operating outside these formal regulatory procedures, employers are able to significantly reduce costs associated with formal employment, thus leveraging the economic advantages provided by informal hiring. Tarlan (2015), who witnessed a conversation between two employers in the first year of Syrian forced migrants' arrival in Türkiye, reported that one of the employers said "May God bless Assad! It is good that Syrians came because it was not possible to employ Turkish people for 1000 liras per month however, now there are many Syrians working for 500 - 600 liras." In Colombia, informal practices enable employers to circumvent expensive social security contributions, payroll taxes, and additional labor expenses, which can be significant in the region, typically amounting to around half of the wages (Busso et al., 2017). Also, the cost of labor is lower for the migrant population than for Colombian residents. This suggests informal hiring which increases labor exploitation, but employers frequently do this (Aliaga Sáez et al., 2020; WB, 2018). Despite the fact that the vast majority of Venezuelans in Colombia have work permits in 2022, Ibáñez et al.'s (2022) research finds that Venezuelans work longer hours for much lower wages than Colombians. Gordon (2024) states that estimates of the wage gap vary but several researches suggest that most Venezuelans earn up to a third less than their Colombian counterparts. Therefore, employers consider migrants as cheap labor and exploit their rights in both countries.

From the perspective of employees, there are several reasons. First, employees refuse to apply for work permits to be able to receive the gross wage. They receive less salary due to insurance and tax deductions. In Türkiye, the issuance of work permits is based on applications submitted by employers on behalf of their employees. In Colombia, employees need to apply for a work permit in the form of work visa. When they do not have a job offer which allows them to acquire the PEPFF, they need a work visa to be employed formally. In order to have a work permit, a Venezuelan must have

a type M migrant visa. This visa is issued on a passport therefore, one also has to have a valid passport. The visa study costs \$52 and visa issuance costs \$230 (Estoy en la Frontera, n.d.). After having the visa stamped on a passport, one has to apply Migración Colombia to request the issuance of the immigration card, and it costs 199 thousand Colombian pesos which is around \$52 (Estoy en la Frontera). Work visa and PEPFF cannot be granted to the migrant at the same time. When one obtains a type M migrant visa, then PEPFF is cancelled (Decree 117 of 2020, Article 2.2.6.8.3.12). As the workplace and employer changes, a new work permit application is required, which applies to both countries. Since this is challenging and costly, most migrants prefer to be employed informally.

Second, employees are willing to accept lower wages. According to Standing (2018), migrants are compelled to work not for the improvement of their living conditions, but rather to address immediate necessities. In Türkiye, empirical data from multiple research studies indicate that migrant workers frequently receive lower pay rates while performing the same activities as their domestic colleagues especially in labor-intensive business sectors such as construction and textile (Akdeniz, 2014; Aslantürk & Tunç, 2018; İçduygu & Diker, 2017; Kaya & Kırac, 2016; Ohnsorge & Yu, 2021; Tarlan, 2015). According to findings from a study by Del Carpio & Wagner (2015), Syrian labor tends to work at lower socioeconomic positions. In 2017, Kaynak, the former Deputy Prime Minister of Türkiye, stated that "Türkiye should regard the three million Syrians within its borders as human capital. Currently, if there were no Syrians in provinces such as Kahramanmaraş, Adana, Osmaniye, Gaziantep and the OSTİM Industrial Zone in Ankara, there would be no manual labor workers and the activities in our factories would stop" (Esin, 2023). In addition, employees express a preference for receiving their gross salary rather than the net amount. This desire stems from the fact that when they possess valid work permits and engage in formal employment, they are obligated to cover expenses related to insurance and taxes (Badalič, 2023). On the other side, in Colombia, due to the poverty conditions in some areas migrants are willing to work for lower wages than the receiving population (World Bank, 2018). According to the research by Pineda & Jaramillo (2018), interviewees reported that their income origins from multiple sources. The majority stated that their earnings stemmed from informal employment mostly street vending. Additionally, government aid, humanitarian support, familial or social support, and

donations were other sources of income. Moreover, the dynamics of sex work in receiving areas have changed as a result of the risk of prostitution, violence, and sexual exploitation faced by migrating women, especially those who are irregular migrants. Anecdotal evidence suggests that Venezuelan women who work as prostitutes are forced to charge a lower price (Ramsey & Sánchez-Garzoli, 2018). In addition, Venezuelan forced migrants often become targets for criminal networks and armed groups. Human trafficking networks and illegal armed groups regularly enlist young people from Venezuela, as proven by local authorities and aid workers (Ramsey & Sánchez-Garzoli).

6.2. Legalist (Neoliberal) School

The Legalist school posits that the informal economy consists of individuals who engage in informal work as a strategy to circumvent the expenses, time, and effort associated with formal registration (De Soto, 1989; Chen, 2012). In other words, Legalist theory suggests that the work permit application process can be time-consuming and can include intricate governmental processes. The reasons why Syrian and Venezuelan workers are employed in informal market and why Syrian and Venezuelan business owners hire other migrants without work permits are examined from the perspective of Legalist theory. Migrants seek employment in the face of legal obstacles, including restrictions related to the legal status granted to them. In addition, according to Aleinikoff & Zamore (2019), the fact that forced migrants in host countries have limited opportunities to apply to the formal job market is one of the criticisms against the traditional refugee regime. This critique underscores the importance of examining the factors that push migrants to work in the informal market despite having the right to acquire work permits in Türkiye and Colombia. Several factors contribute to the predominant employment of Syrian and Venezuelan forced migrants in the informal market, some of which align with the Legalist school of thought.

In Türkiye, Syrian forced migrants face bureaucratic burdens and restrictive labor market policies that impede their ability to secure formal employment (Korkmaz, 2018). Initially, the state's focus was on providing shelter and protection for migrants, neglecting their integration into formal labor markets under the assumption that their stay would be temporary and they would eventually return to their home countries.

Syrians did not have the right to formal employment until 2016, except in special circumstances. The challenge of integrating Syrians into the formal labor market received minimal attention before 2016 (Kaymaz & Kadkoy, 2016). Since people started to migrate in 2011, this lag led many to be employed in informal market. The WPTP delineates a set of conditions and qualifications that applicants must fulfill to obtain the requisite permission for engaging in lawful employment activities within a designated jurisdiction.

First, Syrians need to enter the country with a passport in order to be employed formally (WPTP, Article 5). Only 7,692 work permits were granted to Syrians before 2016, most of whom initiated businesses (Demirci & Kırdar, 2021). Under the open-door policy, individuals who arrived before 2016 without proper documentation could enter with the permission of governorships according to Temporary Protection Regulation (TPR) Article 17. However, they were unable to obtain work permits. According to scholars cited in Akpamuk's (2023) article, despite the presence of 1 million Syrians in Türkiye's workforce as of May 2023, approximately 60,000 possessed an official work permit due to regulatory constraints. Consequently, only 6% had obtained the permit, enabling them to participate in the formal labor market.

Second, an employer can apply for work permit for SuTPs six months after they arrive in Türkiye (WPTP, Article 5). During this interim period, individuals may face challenges in accessing legal avenues for employment, leading them to explore alternative means of generating income. Consequently, many SuTPs may turn to the informal labor market as a means of livelihood during this waiting period.

Third, SuTPs can only apply for work in the places they are initially registered and only in sectors determined by the President of the Republic of Türkiye (WPTP, Article 7). Most of the SuTPs are registered in the cities located southern part of the country which are close to the Syrian border. Even though many are hired in Gaziantep and Şanlıurfa, in metropolitan areas such as İstanbul, Ankara, and İzmir, there exists a greater abundance of employment opportunities. However, SuTPs who relocate to these cities encounter regulatory obstacles. Specifically, employers are unable to apply for work permits due to the migrants' registration being made to their initial place of residence. In other words, the work permits issued are valid only for the province where they are located. Thus, people working in other provinces become unregistered because their permits are in a different province. While theoretically it is possible to

change the registered province, the process is intricate and costly (Del Carpio et al., 2018). In addition, these work permits are granted for a duration of one year, with the possibility of extension through a renewal application process. Moreover, the excessive number of SuTPs in İstanbul led authorities to stop new registrations in the city in 2017, despite the continued influx (Badalič, 2023). Consequently, many SuTPs have resorted to informal employment as a means of sustaining livelihoods, navigating these administrative and regulatory challenges.

Fourth, employers can hire SuTPs up to the number of 10% of the Turkish people that they employ (WPTP, Article 8). If there are nine or less people are employed in a workplace then only one Syrian can be hired. This leads employers to hire Syrians without work permits (İçduygu & Şimşek, 2016).

Fifth, for SuTPs to gain employment in the formal labor market, verification of their academic or professional qualifications through appropriate documentation is necessary (WPTP, Article 3). However, in cases where such documents are unavailable, skilled Syrian laborers are compelled to seek employment whether in formal or informal positions that do not align with their qualifications. This misalignment is often exacerbated by the inability to achieve diploma equivalence, primarily due to not being able to communicate with the universities in Syria (Ayhan-İzmirli & İzmirli, 2022). In addition, Sert (2016) indicates that Syrian forced migrants are employed in the informal sector because of issues with accreditation, language barriers, identity-based discrimination, weak social networks, and a lack of information.

In Colombia, Venezuelan forced migrants encounter legal obstacles in obtaining work permits and bureaucratic inefficiencies. Despite the progress in Colombia's attempts to encourage Venezuelans' economic integration, many Venezuelans continue to struggle to get regular status and to use the benefits of regularization such as formal employment opportunities. The majority of Venezuelans continue to labor in the informal economy, where they are under risk of exploitation (Ble, 2023) and the reasons can be attributed to several reasons.

First, the need for passports in order to work in the formal market is a major barrier for Venezuelans, especially given the circumstances under which many have fled their home country without any official document (Ble, 2023; Ramsey & Sánchez-Garzoli, 2018; World Bank, 2018). Requiring passports from Venezuelan forced

migrants, who have already been compelled to relocate due to economic hardships appears impractical, also considering that passports are costly.

Second, a Venezuelan forced migrant can be issued the PEPFF upon the employer's request, coinciding with the term of the provided employment contract and this work permit is valid for a minimum of two months and a maximum of two years (Decree 117 of 2020, Article 2.2.6.8.3.8). Despite legislative intentions to support inclusion of migrants into the formal economy, research show that there is no significant impact. In their analysis of the impact of the PEP program, Bahar et al. (2021) observed only a marginal increase in formal employment levels. Ibáñez et al. (2022) state that PEP has economically significant impacts on the socioeconomic well-being of Venezuelans. Both studies agree that Venezuelans in Colombia have not been able to participate in the formal labor market in significant numbers, even with the availability of work permits.

Third, the PEPFF is cancelled if it is used for a job or activity different from the one it was originally issued for (Decree 117 of 2020, Article 2.2.6.8.3.12). This permit is specifically granted to Venezuelan forced migrants who have secured employment in certain designated workplace. As long as the employee possesses a type M migrant visa, it is more straightforward for the employer to apply for PEPFF on the employee's behalf, since no fee is required. This contrasts with the situation in Türkiye, where employers must pay a fee to obtain a work permit for their employees. Its primary purpose is to facilitate the formal employment of Venezuelan forced migrants, thereby reducing informal work and improving the overall integration of migrants into the economy. PEPFF can be valid for a maximum of four years. Graham et al. (2020) argue that PEPFF holders may not be able to leave abusive work situations due to the fear of losing their documents. This can direct Venezuelan forced migrants towards informal employment opportunities.

Fourth, employability services like the technical training programs offered by the National Learning Service (SENA) are available, yet migrants often have an urgent need to earn income, which they tend to fulfill more rapidly in the informal market (World Bank, 2018). In addition, in the informal sector, job opportunities often do not require formal qualifications or extensive training, allowing migrants to swiftly enter the workforce without undergoing lengthy preparatory programs.

Fifth, according to Bolívar & Arroyave-Velásquez (2022), Presidency of

Colombia (2020), and the World Bank (2018) report, Venezuelans have encountered persistent challenges in having their diplomas validated and a failure to acknowledge work experience obtained in Venezuela. Because of this, many competent Venezuelans, even those with work permits, continue to labor in jobs that do not match their qualifications and some find employment in the informal market. The mission report identifies the recognition of academic qualifications as a challenge for Venezuelan forced migrants seeking employment in the formal sector (European Parliament, 2023).

Moreover, in Colombia, some Venezuelan forced migrants report that they are compelled to seek employment within the informal economy due to the scarcity of formal employment opportunities (Graham et al., 2020; Pineda & Jaramillo, 2018). Therefore, their involvement in the informal market shows itself as a pragmatic response to the lack of formal opportunities. According to the report by Pineda & Jaramillo, the majority of migrants are involved in informal vending activities. For example, Lucia, a Venezuelan forced migrant, described how she and her aunt go out to the streets in search of items to sell, emphasizing the lack of formal job opportunities. Lucia explained that they rely on finding anything to sell because there are limited employment prospects. This narrative highlights the dependence on the informal economy in the face of challenging economic conditions.

Furthermore, in Colombia, the attitude towards Venezuelan forced migrants has recently changed which negatively affect their overall well-being. Initially, the administrations of Juan Manuel Santos and Iván Duque Márquez implemented a series of protocols, established relevant entities, and provided legal resources aimed at enabling migrants to formalize their status. This formalization was critical as it allowed them to access employment opportunities, as well as educational and health services. However, since Gustavo Petro's presidency in August 2022, there has been a noticeable slowdown in these processes (Pardo, 2023). Ble (2023) argues that Petro's government ignores the presence and needs of Venezuelans in the country and calls this situation the policy of silence. Pardo reports the experience of a 47-year-old Venezuelan woman who migrated Colombia in 2019 and secured formal employment with an NGO, enabling her to obtain a visa twice. As a migrant paying taxes as well as healthcare insurance who has a bank account, she considered herself part of the Colombian system. However, she observed a significant shift in 2023, noting a decline

in the quality of interaction with officials and an increase in bureaucratic inefficiencies, which she described as migration negligence. She described how she was sent from one office to another in order to make appointments and finish registration procedures. Despite spending approximately 2 million Colombian pesos that equals to around \$500, she still remained without regular status. Additionally, Pardo conveys that Venezuelan forced migrants report widespread issues, including halted or unprocessed residency applications, deleted profiles, and the inability to renew visas, leading to a rise in undocumented statuses. These administrative challenges are occurring amidst Petro's broader diplomatic efforts and discussions about encouraging the voluntary return of Venezuelans. These situations highlight systemic issues within the recent migration framework in Colombia.

Both in Türkiye and Colombia, employers are unfamiliar with the application process and they do not know how to apply (Agudelo-Suárez, 2020; Badalič, 2023). In addition, Badalič mentions a misconception among some Syrians who believe that working in the formal jobs will expose their identities and could potentially result in deportation. Gordon (2024) states that there is a notable lack of initiatives aimed at educating Venezuelans about their labor rights, and resources for legal assistance to address rights violations. Gordon also states that some Venezuelan employers are reluctant to hire workers with a temporary permit or ignorant about the permit's validity for formal work.

In addition, there are exclusionary and discriminatory discourses against migrants in both countries. These discourses often stem from deeply ingrained prejudices, misconceptions, and fears regarding migrants (Özpınar et al., 2016). Bauder (2005) and Kaya (2017) discuss that exclusion of migrants due to language barriers, ethnic background, and racial differences significantly restricts employment opportunities. Badalič (2023) documents through the interviews that the economic deterioration and election results in Türkiye caused exclusionary attitudes towards Syrians. Similarly, Bitar (2022) and Gordon (2024) highlight that Venezuelans frequently encounter discrimination and xenophobia from employers, which serve as significant barriers to obtaining and maintaining decent employment. According to Gordon, due to lacking sufficient support and fearing the potential loss of their employment, many Venezuelans choose not to report the abuses they experience.

6.3. Voluntarist (Post-Structuralist) School

The Voluntarist school assumes that workers make autonomous and voluntary choices regarding their participation in the informal sector (Chen, 2012; Maloney, 2004). As this theory claims that individuals possess the autonomy to voluntarily opt for informal sector employment, it may not adequately address the situation of Syrians and Venezuelans who are forced to migrate due to threats to their safety and basic needs. Nevertheless, Badalič (2023) argues that despite these limitations, the Voluntarist school does still have an explanatory value to elucidate why some still opt to engage in informal employment. Several factors contribute to the predominant employment of Syrian and Venezuelan forced migrants in the informal market, some of which align with the Voluntarist school of thought.

First, in Türkiye, one of the most important reasons why Syrians do not prefer to be in the formal employment is the risk of losing the Emergency Social Security Network (ESSN) aid program (IGAM, 2019). This program offers financial assistance to help vulnerable families manage basic living costs. However, when a family member gains formal employment, the entire family loses access to the benefits provided by the ESSN program. Consequently, the potential loss of these benefits creates a disincentive for Syrians to seek or accept formal job opportunities. Therefore, migrants often voluntarily choose to be employed in the informal sector as it allows them to retain aid provided by the government while still earning an income.

Second, in Türkiye, employees are frequently willing to getting hired informally because formal employment includes employer-paid insurance, which leads to lower net salaries. Consequently, to maximize their earnings, they are willing to forego formal employment benefits, such as insurance and safety measures. Moreover, SuTPs are entitled to free access to health services when they are not formally employed (Baban et al., 2017; Badalič, 2023). This creates an incentive for many to remain in informal market since it allows them to continue earning wages while still benefiting from free healthcare services.

Third, the desire of SuTPs in Türkiye to eventually move to Europe reduces the need to obtain a work permit. Furthermore, with the expectation that they will not retire in Türkiye, these individuals often choose to engage voluntarily in informal employment (Badalič, 2023). In Colombia, Venezuelan forced migrants prefer to relocate to the USA due to the difficulties they experience such as obtaining a

residence permit (Forero & Vyas, 2023; Rueda, 2024). However, no information has been confirmed from any source that they chose to participate in the informal market in Colombia due to this situation. Nevertheless, these choices reflect a strategic consideration of their longer-term migratory plans rather than a commitment to the regulatory norms of the host country.

Fourth, in Türkiye and Colombia, among migrant workers, network and social connections play a great role in facilitating informal employment, particularly in sectors such as family-owned businesses and small-scale enterprises. In such cases, trust and personal relationships are more valued than formal contracts (Badalič, 2023). On the contrary, a deficiency in social networks could also impact migrants' engagement in the informal economy. Gordon (2024) states that Venezuelans lack networks that would allow them to access scarce formal opportunities, and often only have access to the lowest-paying, most demanding jobs.

Fifth, in Türkiye and Colombia, particularly among women, there is a high preference for employment within the informal sector due to the flexibility it offers in working hours (Badalič, 2023; Ble, 2023). This flexibility is crucial for women who bear responsibilities related to childcare and household management. Badalič also states that the need for adaptable work schedules becomes even more important considering the patriarchal norms prevalent within Syrian forced migrant communities, which often allocate the bulk of domestic responsibilities to women. Consequently, many female migrants seek informal employment as it allows them to balance their professional obligations with familial and household duties more effectively.

Sixth, in Türkiye and Colombia, the law stipulates that administrative fines must be issued to employers who employ migrant workers without a permit (UIK, Article 23; ICLG, 2023). Despite these regulations, there is an observable tendency among employers to disregard the fines associated with informal employment (Ayhan-İzmirli & İzmirli, 2022). Moreover, foreign nationals found working without a work permit are subject to deportation decisions (Ayhan-İzmirli & İzmirli). On the other hand, they also count on that Turkish authorities rarely conduct inspections (Badalič, 2023).

This table summarizes the key findings regarding the factors of informal employment among Syrian and Venezuelan forced migrants in Türkiye and Colombia.

The items written in italics reveal the similarities observed in the two countries.

Table 5. Author’s summary of factors directing Syrian and Venezuelan forced migrants into the informal market.

	Factors of Informal Employment among Forced Migrants	
	Türkiye	Colombia
Structuralist perspective	<p>Employers:</p> <ul style="list-style-type: none"> - High costs of work permits, - <i>Willing to pay lower wages to evade taxes and security insurance costs.</i> <p>Employees:</p> <ul style="list-style-type: none"> - <i>Not applying for work permits to receive the gross salary,</i> - <i>Willing to accept lower wages to address immediate necessities,</i> - Free work permits. 	<p>Employers:</p> <ul style="list-style-type: none"> - Free work permits, - <i>Willing to pay lower wages to circumvent taxes and security insurance costs.</i> <p>Employees:</p> <ul style="list-style-type: none"> - <i>Not applying for work permits to receive the gross salary,</i> - <i>Willing to accept lower wages due to poverty conditions,</i> - High costs of visa and passport to get a work permit.
Legalist perspective	<ul style="list-style-type: none"> - Work permits are available after 2016, - 6 months condition, - Registration place condition, - 10% limitation, - <i>A work permit is valid for only one workplace,</i> - <i>Lack of documents,</i> - <i>Unfamiliarity with the process,</i> - <i>Exclusionary and discriminatory discourses.</i> 	<ul style="list-style-type: none"> - Need for passports in order to apply for a work permit, - Scarcity of formal employment opportunities, - Petro’s government’s stance towards Venezuelan forced migrants, - Availability of technical training program but takes long time, - <i>A work permit is valid for only one workplace,</i> - <i>Lack of documents,</i> - <i>Unfamiliarity with the process,</i> - <i>Exclusionary and discriminatory discourses.</i>
Voluntarist perspective	<ul style="list-style-type: none"> - Risk of losing ESSN, - Unwillingness to lose free healthcare services, - <i>Intention of relocating,</i> - <i>Social connections,</i> - <i>Flexibility of hours,</i> - <i>Inspections.</i> 	<ul style="list-style-type: none"> - <i>Intention of relocating,</i> - <i>Social connections,</i> - <i>Flexibility of hours,</i> - <i>Administrative fees.</i>

In conclusion, the factors directing Syrian and Venezuelan forced migrants towards the informal market in Türkiye and Colombia are complex and multifaceted, shaped by a combination of structural, legal, and voluntary considerations. While work permits offer avenues for formal integration into the labor market, various challenges impede their effective utilization. Structuralist school illuminates how the informal sector absorbs surplus labor and facilitates quick access to employment often under exploitative conditions. Legalist school reveals bureaucratic hurdles, regulatory constraints, and discriminatory practices that push migrants towards informal employment, despite possessing the right to acquire work permits. Additionally, Voluntarist school sheds light on migrants' strategic decisions influenced by factors such as social networks, and the perceived benefits of informal work including flexibility and higher net earnings.

CHAPTER 7

CONCLUSION

Forced migration often thrusts individuals into precarious and uncertain situations, with employment being a critical area of concern. For Syrian forced migrants in Türkiye and Venezuelan forced migrants in Colombia, informal employment emerges as a dominant coping mechanism. The previous section explores the underlying factors driving informal employment among these forced migrants from the Structuralist, Legalist, and Voluntarist perspectives. Therefore, it is possible to better understand how different contexts shape the employment experiences of forced migrants.

This dissertation conducts a comparative analysis to investigate the reasons behind the high rates of informal employment among forced migrants observed in both Türkiye and Colombia, despite the governments of these countries granting work permit rights to millions of people fleeing from Syria and Venezuela. The analysis concludes that migrant communities can be forced to work in the informal market for various reasons or can choose to work in the informal market voluntarily. The complexity of the factors behind informal employment has been noted in previous studies on this subject. Unlike almost all, this study examines these factors from the perspective of labor market theories in order to classify them. As a result of this examination, it is concluded that Türkiye and Colombia are quite similar in this regard. The states' stances in addressing the prevalence of employment in the informal market among forced migrants analyzed through the Structuralist, Legalist, and Voluntarist schools of thought. All the theories show the importance of the role of state from different perspectives.

From the Structuralist school perspective, the most important finding is that employers in both countries prefer to employ migrant workers informally to reduce costs, while migrant workers accept informal employment in order to maximize their earnings. Additionally, migrant workers who prefer to work for themselves mostly

own small and medium-sized businesses in both countries, or as highlighted in the case of Colombia, they rely on street vending to make a living. The structuralist perspective emphasizes the broader economic and institutional structures that influence employment patterns. In the context of forced migration, both employers and employees navigate a landscape marked by economic pressures and regulatory frameworks that often encourage informal employment. In Türkiye, the structural barriers to formal employment are significant for both employers and employees. Employers face high costs associated with obtaining work permits for foreign workers. These costs include application fees for the work permit, taxes, and security insurance contributions, which can be substantial for small scale businesses. Consequently, many employers prefer to bypass these costs by employing migrants informally. This allows them to pay lower wages and evade taxes. For Syrian forced migrants, the decision to work informally is often driven by immediate financial needs. Many forced migrants do not apply for work permits because doing so would result in deductions for taxes and social security which leave them with a reduced net salary. The economic pressures faced by these forced migrants that are stemming from displacement, loss of assets, and the need to support families make the gross salary received through informal employment more attractive despite the lack of legal protections and benefits.

In Colombia, the structural dynamics exhibit some similarities and differences compared to Türkiye. Employers in Colombia benefit from a system where work permits for Venezuelan forced migrants are free, theoretically reducing one of the barriers to formal employment. Even though employees still have to pay for a passport which enables work visa application, they are not required to pay for the work permit. However, this has not fully eliminated the incentive for informal employment. Employers still find it advantageous to pay lower wages and avoid taxes and security insurance costs by hiring forced migrants. For Venezuelan forced migrants, the situation is compounded by the high costs associated with obtaining visas and passports, prerequisites for work permits. Many forced migrants cannot afford these costs, pushing them towards informal employment. Like their Syrian counterparts in Türkiye, Venezuelan migrants prioritize immediate income to address pressing necessities, accepting lower wages despite the lack of legal protections. The poverty conditions prevalent among these migrants make informal employment a more viable option in the short term, even though it perpetuates their economic vulnerability.

From the Legalist school perspective, it is revealed that the legal regulations determining the work permits of migrants are more restrictive in Türkiye compared to Colombia. Requirements such as quotas for workers and the obligation to apply for a job in the same province indicate that Syrian forced migrants are subject to more strict legal regulations compared to Venezuelan forced migrants. Furthermore, the Government of Colombia's adoption of a silent policy towards Venezuelan forced migrants is concerning and adds uncertainty for the near future. The legalist perspective focuses on the regulatory and bureaucratic frameworks that govern employment and how these influence the propensity for informal employment. This perspective highlights the role of legal barriers and administrative inefficiencies in shaping employment patterns among forced migrants. Since 2016, Türkiye has implemented a regulatory framework aimed at integrating Syrian migrants into the formal labor market. However, several conditions and limitations hinder the effectiveness of this framework. For instance, migrants must have been registered for at least six months before they can apply for a work permit, and these permits are tied to the specific place of registration, limiting job mobility. Furthermore, there is a restriction that only 10% of an employer's workforce can be comprised of forced migrant workers, which significantly curtails the opportunities for formal employment. Moreover, work permits in Türkiye are valid for only one workplace, which is a significant deterrent for forced migrants who often rely on multiple part-time jobs to make ends meet. The lack of necessary documents and unfamiliarity with the bureaucratic process further complicate the situation for many Syrian forced migrants. Exclusionary and discriminatory discourses within the society and sometimes within the institutions exacerbate these barriers, making formal employment less accessible and less attractive.

In Colombia, the legal barriers to formal employment for Venezuelan forced migrants are less tough. A critical requirement is the possession of a passport to apply for a work permit, which many forced migrants do not have due to the prohibitive costs and logistical challenges of obtaining one. Additionally, the formal employment opportunities available to migrants are scarce, partly due to economic conditions and partly due to societal attitudes towards Venezuelan forced migrants. The current government under the President Gustavo Petro has taken steps to address some of these issues, including offering technical training programs for migrants. However, these

programs often take a long time to complete, delaying entry into the formal labor market. Similar to Türkiye, work permits in Colombia are valid for only one workplace, restricting job flexibility. The lack of necessary documents, unfamiliarity with the legal process, and exclusionary and discriminatory discourses further impede the integration of Venezuelan forced migrants into the formal employment.

Lastly, the most important factor that stands out from the Voluntarist school perspective is that the aid distributions offered to unemployed migrants in Türkiye actually push many migrants to work in the informal market. Migrant workers in both countries prefer to be employed informally to avoid insurance and tax deductions to receive full wages. This may exacerbate their vulnerable positions and obstruct dignified work. Additionally, the desire of migrants to migrate to developed countries and therefore their lack of long-term plans in Türkiye and Colombia also leads them to prefer informal employment. Furthermore, the preference for informal employment in the informal economy due to community solidarity and the mutual desire of employers and workers to maximize profits, which are in line with the theories, are also important factors explaining the widespread occurrence of informal employment among migrants. The voluntarist perspective considers the individual choices and motivations that influence forced migrants' employment decisions. This perspective highlights how personal circumstances, social networks, and perceived benefits of informal employment shape the employment patterns among forced migrants. In Türkiye, many Syrian forced migrants are reluctant to transition to formal employment due to the potential loss of benefits associated with informal status. One significant concern is the risk of losing the ESSN, a program that provides financial assistance to vulnerable migrants. Formalizing employment could disqualify them from receiving this crucial support. Additionally, formal employment might lead to the loss of free healthcare services, a vital resource for many migrants. The intention to relocate, either within Türkiye or to another country, also influences the decision to remain in informal employment. Forced migrants who view their stay in Türkiye as temporary are less likely to invest in the formalization process. Social connections play a crucial role in finding employment, with many relying on informal networks to secure jobs. The flexibility of hours in informal work is another significant factor, as it allows forced migrants to balance work with other responsibilities and adapt to changing circumstances. Although the threat of inspections and potential penalties should

discourage forced migrants from working informally, Badalič (2023) illustrates that Syrian forced migrants can persist in informal employment due to the inspectors' tendency to overlook these activities.

In Colombia, similar motivations drive Venezuelan forced migrants towards informal employment. Many migrants intend to relocate, either within Colombia or to another country, making them less inclined to seek formal employment. Social connections are instrumental in finding work, with informal networks providing job opportunities that might not be available through formal channels. The flexibility of hours in informal employment is particularly appealing to forced migrants who have multiple responsibilities, such as caring for family members or pursuing education. Additionally, the administrative fees associated with formal employment processes can be prohibitive, further deterring forced migrants from seeking work permits. The combination of these personal motivations and the broader structural and legal barriers creates a complex environment where informal employment becomes the most feasible option for many forced migrants.

Despite the differences in regulatory and economic environments, the factors driving informal employment among Syrian and Venezuelan forced migrants are remarkably similar. Both groups face significant structural, legal, and personal barriers to formal employment, leading them to seek informal work as a coping mechanism. Policy interventions by the states should aim to reduce the costs and bureaucratic hurdles associated with formal employment, provide greater flexibility in work permits, and offer targeted support to help migrants navigate the legal process. Additionally, efforts to combat exclusionary and discriminatory practices are essential to create a more inclusive labor market. By addressing these factors, it is possible to enhance the economic integration and well-being of forced migrants, reducing their reliance on informal employment and improving their overall quality of life.

This study, in line with previous similar studies in related fields, has shown that restrictive legal regimes play a significant role in pushing migrants into informal employment. It also emphasizes that migrants are capable of making individual decisions and choosing to remain in the informal economy. The various factors contributing to informal employment suggest that migrants are not solely passive subjects of employers but are also individuals who opt to engage in the informal sector for both financial and non-financial motivations (Badalič, 2023). This dissertation

posits that the notable prevalence of informal market employment among Syrian and Venezuelan forced migrants in Türkiye and Colombia is attributable to various interconnected factors stemming from the state's approach to managing migrant employment. Utilizing insights from the Structuralist, Legalist, and Voluntarist schools of thought, it contends that state deficiencies play a critical role. From the Structuralist perspective, the state's failure to implement effective policies for creating formal employment opportunities forces migrants into the informal sector. Additionally, the state may not address broader economic inequalities and power imbalances, leading to further exploitation within the informal economy. The Legalist perspective highlights how the state's overregulated and restrictive formal economic environment coupled with excessive bureaucracy push forced migrants toward the informal sector to avoid burdensome regulations and high taxes. The lack of incentives for businesses to formalize, such as tax breaks or simplified regulatory processes, exacerbates this issue. Lastly, from the Voluntarist viewpoint, the state's inadequate enforcement of labor laws, lack of public awareness campaigns or regulations towards the working hours contribute forced migrants to voluntarily choose informal employment for its perceived benefits, such as flexibility and immediate income opportunities. These combined factors underscore the significant influence of state policies, and thus supporting the hypothesis, in sustaining informal employment among forced migrants.

The scope of this thesis research is to understand the reasons for and the role of state in the prevalence of informal employment through a comparative analysis, even though both Türkiye and Colombia aim to employ forced migrants in the formal economy by granting them work permits. As is well known, this issue has drawn the attention of the governments of both countries, leading to implementation of various projects. For instance, governments develop programs, conduct awareness campaigns, or collaborate with international organizations to develop projects in order to decrease the involvement in the informal markets. Therefore, there are also many studies and reports, offering productive and effective policy recommendations to cope with the high prevalence of informality in labor markets. However, these aspects have not been included in this thesis research due to concerns about expanding the scope too much. Anyone who wants to have a comprehensive understanding of the issue and wishes to comprehend the entire situation should definitely research the approaches followed by

the governments of Türkiye and Colombia as well as projects implemented by several international organizations to diminish informal employment among migrant communities.

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APPENDICES

A. TURKISH SUMMARY / TÜRKÇE ÖZET

Göçmenlerin kayıt dışı ekonomideki istihdamı dünya genelinde oldukça yüksektir. Pek çok ülke, göçmenleri kayıtlı ekonomiye entegre etmek için tasarlanmış düzenleyici ve yasal çerçeveler aracılığıyla bu durumu iyileştirmeye çalışsa da bu çabalar çoğu zaman yetersiz kalmaktadır. Bu tez, Türkiye ve Kolombiya hükümetlerinin Suriye ve Venezüella'dan göç eden milyonlarca insana çalışma izni hakkı tanınmasına rağmen, kayıt dışı piyasada istihdamın halen yüksek oranlarda olmasına neden olan faktörleri araştırmak için karşılaştırmalı bir analiz yapmaktadır. Suriyeli ve Venezüellalı zorunlu göçmenlerin kayıt dışı ekonomideki istihdam eğilimlerinin nedenlerini daha iyi anlayabilmek için araç olarak kayıt dışı ekonomi teorileri kullanılmıştır. Bu teorilerden her biri Suriyeliler ve Venezüellalılar örneğinde incelenen kayıt dışılık faktörlerini açıklığa kavuşturmaya yardımcı olan farklı bakış açıları sunmaktadır.

Bu araştırma önemlidir çünkü göçmenleri yerel işgücü piyasalarına entegre eden bu önde gelen ülkelerin karşılaştırmalı analizi, büyük ölçekli göç hareketleri sırasında önem kazanmaktadır. Türkiye ile Kolombiya arasındaki karşılaştırma, göç dinamiklerini ve kayıt dışı ekonomideki göçmen istihdamını anlama bağlamında birçok nedenden dolayı önem taşımaktadır. Birincisi, kayıt dışı piyasa teorileri, her iki ülkede de gözlemlenen kayıt dışı sektörlerde sıklıkla istihdam edilen göçmenlere ilişkin yaygın olguyu yorumlamak için kapsamlı fırsatlar sunmaktadır. İkincisi, Suriye'deki iç savaştan ve Venezüella'daki ekonomik çöküşten kaynaklanan bu göç akışlarının farklı kökenleri, çeşitli kriz türlerinin göç kalıplarını nasıl etkileyebileceğine dair görüşler sunmaktadır. Üçüncüsü, her iki ülke de geçici koruma statüsü ve çalışma izinleri yoluyla göçmen akışını ve entegrasyonu yönetmeyi amaçlayan yasal çerçeveleri uygulamaya koymuştur. Bu iki farklı vaka çalışmasının incelenmesi, kayıtlı ekonomide istihdam açısından mekanizmalar olarak geçici

koruma ve çalışma izinlerinin kapsamını ve etkinliğini incelemek için değerli bir fırsat sunmaktadır. Dördüncüsü, hem Türkiye hem de Kolombiya son zamanlarda önemli miktarda göçmen akınına maruz kalmıştır. Bu yer değiştirmelerin boyutu ve kayıt dışı piyasadaki yüksek istihdam sayıları göz önüne alındığında bu çalışma, göçmenlerin işgücü piyasasına katılımlarını analiz etmek ve karşılaştırmak için zengin veriler sunmaktadır. Son olarak, Suriyeli ve Venezüellalı zorunlu göçmenlerin Türkiye ve Kolombiya'daki istihdamına ilişkin ampirik verileri teorik perspektiflerle sentezleyerek kayıt dışı istihdamın yaygınlığının ardındaki faktörleri daha iyi anlamak için bu iki vakayı karşılaştırmalı olarak incelemek değerlidir.

2011 yılında başlayan Suriye'den komşu ülkelere zorunlu göçün temel nedeninin ülkede devam eden iç savaş ve sonuçları olduğu belirtilmektedir (Del Carpio ve Wagner, 2015; Sirkeci vd., 2015; Şimşek & Çorabatır, 2016). 2015 yılında başlayan Venezüella'dan komşu ülkelere zorunlu göçün temel nedeninin ise insan hakları krizine yol açan siyasi ve ekonomik istikrarsızlık olduğu belirtilmektedir (Freedom House, 2024; Gouveia, 2022; Maggio ve Caporali, 2024). 2011'den bu yana Suriye'den Türkiye'ye, 2015'ten bu yana Venezüella'dan Kolombiya'ya gerçekleşen zorunlu göçler, bu zorunlu göçmenlerin ekonomik ve sosyal yaşamlarını sürdürebilmeleri için insana yakışır istihdam koşullarının sağlanmasının önemini ortaya koydu. 2023 yılında Türkiye'de 3.332.896 Suriyeli mülteci, Kolombiya'da ise 2.452.890 uluslararası korumaya ihtiyaç duyan Venezüellalı bulunmaktadır ve bu durum onları dünyada en fazla yerinden edilmiş nüfusa ev sahipliği yapan ilk iki ülke konumuna getirmektedir (BMMYK, 2023). Bu önemli sayılar, yalnızca yerinden edilmelerin ciddi boyutunu yansıtmakla kalmamakta, aynı zamanda ev sahibi ülkelerin zorunlu göçmenlere barınma, hizmet ve sürdürülebilirlik sağlamadaki önemini de vurgulamaktadır. Belirli hak ve hizmetlerden yararlanmak ancak kazanılan hukuki statü ile mümkündür. Ev sahibi ülkelerden yasal statü aldıktan sonra yerinden edilmiş kişilere kaynaklara, hizmetlere, korumaya ve haklara erişim hakkı tanınır. Göçmenler uluslararası, bölgesel ve ulusal düzenlemelerle belirlenen yasalara göre çeşitli hukuki statüler elde edebilmektedir. Bu nedenle doğru terminolojiyi anlamak ve kullanmak önemlidir. Yabancı, göçmen, mülteci, sığınmacı, geçici koruma altındaki kişi, yerinden edilmiş kişi, uluslararası korumaya ihtiyaç duyan kişi, vatansız kişi gibi terimler elde edilebilecek farklı haklara karşılık gelen belirli hukuki ve sosyolojik anlamlar taşır. Bu terimleri açıklayan mevcut kaynakların bolluğu göz önüne alındığında ve bu tezin,

zorunlu göçmenleri kabul eden ülkelerde kayıt dışı ekonomide istihdam edilen yerinden edilmiş kişilere odaklandığı göz önüne alındığında, bu tezde zorunlu göçmen terimi kullanılmıştır. Bu çalışmanın amaçları doğrultusunda, zorunlu göçmen terimi hem Suriyeli mültecileri hem de uluslararası korumaya ihtiyaç duyan Venezüellalı kişileri kapsayacak şekilde bir şemsiye terim olarak kullanılmaktadır.

Kayıt dışı ekonomideki göçmen istihdamının sürekli olarak yüksek olmaya devam etmesi, politika yapıcılar ve araştırmacılar için karmaşık bir çalışma alanı oluşturmaktadır. Hükümetlerin zorunlu göçmenleri düzenleyici çerçeveler aracılığıyla kayıtlı ekonomilere entegre etme çabalarına rağmen, zorunlu göçmenler arasında kayıt dışı istihdamın yaygın olmaya devam etmektedir. Bu tezi yönlendiren araştırma sorusu, Türkiye ve Kolombiya hükümetlerinin Suriye ve Venezüella'da yerinden edilen milyonlarca zorunlu göçmene çalışma izni hakkı tanınmasına rağmen, kayıt dışı piyasada istihdamın önemli ölçüde yaygınlaşmasına katkıda bulunan faktörlerin açıklığa kavuşturulmasıdır. Bu tez, Türkiye ve Kolombiya'daki Suriyeli ve Venezüellalı zorunlu göçmenler arasında kayıt dışı piyasada istihdamın ciddi oranda yaygın olmasının, devletin zorunlu göçmenlerin kayıt dışı sektörlerdeki istihdamını ele alma konusundaki tutumundan kaynaklanan birbiriyle ilişkili birden fazla faktörün bir sonucu olduğunu varsaymaktadır.

Kayıt dışı istihdamı inceleyen Yapısalcı, Hukukçu ve Gönüllülük teorilerinden yola çıkarak, devletin yapısal faktörlerinin, aşırı düzenleyici regülasyonlarının ve zorunlu göçmenleri kayıt dışı istihdamı seçmeye iten koşullarının incelenmesiyle devletin rolünün önemi vurgulanmaktadır. Bu tez, ikincil kaynak araştırma yöntemlerinden yararlanmaktadır. Bu kapsamda kitaplar, araştırma makaleleri, hükümet raporları, kurumsal raporlar, kamu kayıtları, istatistikler ve vaka çalışmaları analiz edilmiştir. Bu kaynaklar, kayıt dışı piyasada istihdam edilen zorunlu göçmenlerin karşılaştığı deneyimlere, zorluklara ve motivasyonlara niteliksel bir bakış açısı getirmektedirler. Kayıt dışı ekonomi teorilerini gerçek deneyimler bağlamında ampirik olarak değerlendirmenin önemi göz önüne alındığında, yayınlanan raporlardan ve araştırma makalelerinden ilgili verilerin sistematik olarak çıkarılması büyük önem taşımaktadır. Akademisyenler, sivil toplum kuruluşları, devlet kurumları ve uluslararası kuruluşlar tarafından yürütülen anketleri, röportajları ve tanıklıkları kapsayan bu belgeler, bu çalışmanın analizi için gerekli olan zengin bir kanıt kaynağı sağlamaktadır. Kaynakların zenginliği, her iki ülke için gayri resmi piyasa teorilerinin

ve pratik kanıtların derinlemesine incelenmesine olanak tanıyarak karşılaştırmalı analizlerin yapılmasını mümkün kılmıştır. Bu, Türkiye ve Kolombiya hükümetlerinin Suriye ve Venezüella'dan kaçan milyonlarca insana çalışma izni vermesine rağmen, kayıt dışı piyasada istihdamın ciddi oranda yaygınlaşmasına katkıda bulunan faktörlerin tespit edilmesine yardımcı olmaktadır.

Kayıt dışı ekonomi kavramı hükümet organlarının düzenleyici gözetimi dışında gerçekleşen tüm ekonomik işlemleri ve faaliyetleri kapsamaktadır; ancak kayıt dışı ekonominin evrensel olarak üzerinde mutabakata varılmış ve kesin bir tanımını belirlemek zordur (ILO, 2002). Williams ve Lansky (2013), kayıt dışılığı referans alan başlıklara sahip dört binden fazla çalışmanın bulunduğunu belirtmektedir. Losby vd. (2002) kapsamlı bir literatür taraması yaptıkları araştırmalarında, bilim insanlarının kayıt dışı ekonomiden farklı terimlerle bahsettiklerini belirtmektedir. Çeşitli akademisyenler kayıt dışılığı düzensiz, yeraltı, siyah, gölge, görünmez, gizli, resmi olmayan veya gizli ekonomi, piyasa veya sektör olarak adlandırmıştır (Fayomi vd., 2017). 2002 yılında ILO kayıt dışı ekonomi terimini resmi olarak kabul etmiştir (Williams & Lansky). Bu tanıma göre kayıt dışı ekonomi, "işçiler ve ekonomik birimler tarafından gerçekleştirilen, kanunen veya pratikte resmi düzenlemeler kapsamında yer almayan veya yeterince kapsanmayan tüm ekonomik faaliyetleri" kapsamaktadır. Bu tanım, farklı ülkelerde gözlemlenen kayıt dışı ekonomik faaliyetlerin geniş çeşitliliğini kabul etmekte, yerel hukuki ve pratik bağlamlara bağlı olarak kayıt dışılığın alabileceği çeşitli biçimlerin altını çizmektedir.

Kayıt dışı ekonomiyi çevreleyen akademik tartışmalar, kayıt dışı sektörün doğası ve niteliklerine ilişkin farklı bakış açıları sağlayan dört temel teorik modelden önemli ölçüde etkilenmiştir (Chen, 2012; Williams ve Lansky). Bunlar Dualist, Yapısalcı, Hukukçu ve Gönüllülük teorileridir. Her biri kayıt dışı ekonominin kapsamlı bir şekilde anlaşılmasını ve analizini kolaylaştıran yorumlar getirmektedirler. Kısaca, resmi istihdam fırsatlarının kıtlığı Dualist teori tarafından, ucuz emeğe olan talep Yapısalcı teori tarafından, külfetli düzenlemelerden kaçınılması Hukukçu teori tarafından ve çeşitli nedenlerden gönüllü olarak kayıt dışı olarak istihdam edilmeyi çalışanların seçmesi Gönüllülük teorisi tarafından açıklanmaktadır.

Kayıt dışı sektör terimi akademik literatüre ilk kez 1971 yılında İngiliz sosyal antropolog Keith Hart tarafından dahil edilmiştir (Hart, 1973). Dualist perspektifi açıklayan Hart'ın çalışması, Gana'nın kuzey kesiminden başkent Accra'ya resmi iş

bulamadıkları için göç eden vasıfsız göçmenlerin ekonomik faaliyetlerine odaklanmaktadır. Rapor, kayıt dışı sektörü büyük ölçüde hükümet düzenlemeleri ve vergilerden kaçınılmasıyla tanımlanan bir sektör olarak nitelendirmekte ve kayıt dışı sektörün büyümesini istihdam fırsatları, yoksulluğun azaltılması ve gelir dağılımı üzerindeki olumlu etkilerine bağlamaktadır (ILO, 1972). Dualist okul, kayıt dışı sektörü doğası gereği kayıtlı ekonomiden ayrı bir sektör olarak kavramlaştırmaktadır. Dualist okul, Türkiye ve Kolombiya'daki göçmen işçilerin sıklıkla kayıt dışı piyasada istihdam ediliyor olmasını, kayıt dışı istihdamın yalnızca geçici bir aşama değil aynı zamanda Chen (2012) tarafından savunulduğu üzere ekonomik sistemin temel ve potansiyel olarak genişleyen bir parçası olduğu gerçeğiyle açıklayabilmektedir.

Moser (1978) tarafından ön plana çıkarılan ve Castells & Portes (1989) tarafından daha da geliştirilen Yapısalci teori, kayıt dışı sektörü resmi sektörle derinlemesine iç içe geçmiş ve karşılıklı olarak bağımlı olarak görmektedir. Moser, kayıt dışı ve kayıtlı ekonomilerin birbirinden ayrılamaz olduğunu, kayıt dışılığın kapitalist gelişmenin doğasında var olan dinamikleri tarafından yönlendirildiğini ve kayıtlı istihdam fırsatlarının kıtlığı tarafından sürdürüldüğünü öne sürmektedir. Yapısalci teori perspektifinden, işgücü piyasalarını düzenleyecek ve iş kanunlarını uygulayacak sağlam devlet mekanizmalarının eksikliği nedeniyle kayıt dışı istihdamın yaygınlığı açıklanabilmektedir. Devletin yeterli kayıtlı istihdam fırsatları yaratma ve adil ekonomik politikalar sağlama konusundaki yetersizliği veya isteksizliği, işçileri sıklıkla sömürü ve güvensizlikle karşı karşıya kaldıkları kayıt dışı sektöre yönlendirebilmektedir. Ble (2023) ve Gordon (2024), birçok Venezüellalı zorunlu göçmenin Kolombiya'daki sınırlı kayıtlı iş fırsatları nedeniyle kayıt dışı işlere yöneldiğini ortaya koymaktadır. Dolayısıyla, kayıt dışı ekonominin varlığını sürdürmesi ve genişlemesi, devlet yapılarının doğrudan bir sonucu olarak görülebilir. Bu perspektif, kayıt dışılığın kapitalist gelişmenin sistemik bir özelliği olduğu ve yetersiz devlet müdahalesi ya da desteğiyle daha da kötüleştiği yönündeki Yapısalci görüşü güçlendirmektedir.

Hukukçu okul, kayıt dışı sektörün marjinalleşmeden değil, aşırı düzenlenmiş ve kısıtlayıcı resmi ekonomik çevreye verilen rasyonel bir tepki olarak ortaya çıktığını iddia ediyor. De Soto'nun (1989 ve 2000) Latin Amerika ülkelerine ilişkin analizlerinden ilham alan ve sıklıkla Neoliberal teori olarak anılan Hukukçu ekol, 1980'ler ve 1990'larda kayıt dışılıkla ilgili ekonomik tartışmalarda oldukça etkili

olmuştur (Dell'Anno, 2022). Bu teori, kayıt dışı sektörü, kentlerdeki yoksulları kayıtlı ekonominin dışında bırakan düşmanca hukuk sistemine bir yanıt olarak görüyor. Hukukçu ekole göre, resmi olmayan girişimciler aşırı düzenleme ve hükümet baskısına tepki olarak etkili piyasa güçleri olarak ortaya çıkıyorlar (De Soto, 1989). Teori, sınırlı finansal kaynaklara sahip bireylerin yüksek vergilerden ve işgücü maliyetlerini artıran ve iş esnekliğini kısıtlayan yasal kısıtlamalardan kaçınmak için resmi olmayan işletmeler kurmaktan başka seçeneğinin olmadığını savunmaktadır (De Soto, 1989). Bu bakış açısı, devletin uyguladığı yüksek vergilerin, maliyetli lisans ücretlerinin ve zaman alıcı kayıt süreçlerinin kayıt dışı olarak istihdamı desteklediğini öne sürmektedir. Devlet, bu bürokratik engelleri basitleştirerek ve düzenleyici yükleri azaltarak, daha kapsayıcı bir ekonomik ortamı destekleyerek kayıt dışı işverenleri kayıtlı sektöre geçmeye teşvik edebilir.

Levenson & Maloney (1998) ve Maloney'nin (2004) Latin Amerika ülkelerindeki kayıt dışılık analizine dayanan Gönüllülük teorisi, işverenlerin düzenlemelerden ve vergilendirmeden kaçınmak için yaptığı kasıtlı ve rasyonel seçimlere odaklanmaktadır. Bu teori, devlet politikalarının ve düzenlemelerinin bireylerin kayıt dışı ekonomiye katılım kararlarını nasıl önemli ölçüde etkilediğinin altını çizmektedir. Bu perspektife göre, devletin sıkı vergiler ve karmaşık bürokratik prosedürlerle karakterize edilen düzenleyici ortamı, işçileri gönüllü olarak kayıt dışı istihdamı tercih etmeye iten koşulları meydana getirmektedir. Bu karar daha fazla özerklik ve esneklik arzusunun kaynaklanan kasıtlı bir seçimdir. Kayıt dışı işverenler ve işçiler, kayıtlı istihdamın yüksek maliyetleri ve katı yapılarıyla karşı karşıya kaldıklarında, sunduğu göreceli özgürlük nedeniyle genellikle kayıt dışı sektörü daha çekici buluyorlar. Böylece resmi vergilerden ve hantal düzenlemelerden kaçınarak net kazançlarını en üst düzeye çıkarabileceklerini ve iş ile özel yaşam arasında daha iyi bir denge kurabileceklerini düşünmektedirler. Devletin yasaları etkili bir şekilde uygulamadaki ve küçük işletmeler için destekleyici bir çerçeve sağlamadaki kısıtlılığı, bu eğilimi daha da güçlendirmektedir. Sonuç olarak, devlet politikaları ve düzenleyici çerçeveler tarafından şekillendirilen bu koşullar, birçok kişinin kayıt dışı istihdamı daha uygulanabilir ve avantajlı bir seçenek olarak algılamasına yol açmaktadır. Bu teori, düzenleme süreçlerini basitleştirmek, tüm ekonomik faaliyetler için daha kapsayıcı ve destekleyici bir ortam oluşturmak, böylece de kayıt dışı istihdamın kayıtlı sektöre daha sorunsuz geçişini teşvik etmek için devlet müdahalesine olan ihtiyacın

altını çizmektedir.

Uluslararası göçün karmaşık doğasında, yasal statü ve çalışma izinleri, göçmenlerin ev sahibi ülkelerin işgücü piyasalarına anlamlı katılımını kolaylaştırmada önemli rol oynamaktadır. BMMYK (2000), geçici korumanın hem benzersiz bir önlem hem de devletin iltica prosedürlerini zorlayacak belirli kitlesel göçleri ele almanın mantıklı bir yolu haline geldiğine işaret etmektedir. Geçici koruma, zulümden, çatışmadan veya diğer şiddet türlerinden kaçan insanlara hızlı ve geçici destek sunmak amacıyla devletler tarafından uygulanan bir dizi politikayı ifade eder. Türkiye'de Suriyeli zorunlu göçmenler öncelikle Yabancılar ve Uluslararası Koruma Kanunu'na dayanan Geçici Koruma Yönetmeliği kapsamında geçici koruma statüsü elde etmektedir. Bu statü onlara belirli hak ve hizmetlerin yanı sıra kayıtlı piyasadaki iş imkanlarına da erişim olanağı sağlar. Kolombiya, 2017'den bu yana Venezüellalılar için, göçmenlerin resmi işgücü piyasasının yanı sıra temel hak ve hizmetlere erişmesine olanak tanıyan Özel Kalış İzni (PEP) ve Venezüellalılar için Geçici Koruma Statüsü (ETPV) de dahil olmak üzere geçici koruma uygulamaktadır.

Türkiye'deki geçici koruma altındaki Suriyelilere çalışma izni verilmesi, bu nüfusun kayıtlı işgücü piyasasına entegrasyonunun yanı sıra yasal ve sosyal korumalarının sağlanması açısından da önemli bir unsurdur. Türkiye 2016 yılında sınırları içinde ikamet eden geçici koruma altındaki Suriyelilere resmi piyasalarda çalışma hakkı veren ve onların onurlu bir yaşam standardına sahip olmalarını sağlayan yasal düzenlemeleri hayata geçirmiştir. 2021'de Kolombiya hükümeti Venezüellalılar için Geçici Koruma Statüsü'nün (ETPV) oluşturulduğunu duyurdu. PEP ve ETPV aracılığıyla kendilerine çalışma izni de verildi. Ayrıca Kolombiya hükümeti tarafından 2020 yılında Kayıtlılaşmanın Teşviki için Özel Kalış İzni (PEPFF) yürürlüğe girmiştir. Kolombiya Çalışma Bakanlığı ve Kolombiya Dışişleri Bakanlığı, PEPFF'yi işgücünde kayıt dışılığın azaltılması ve düzensiz göç durumundaki Venezüellalıların işe erişimine olanak sağlanması amacıyla özel bir çaba olarak oluşturmuştur.

Kayıt dışı ekonomi, gelişmiş ülkelere kadar tüm ülkeleri etkileyen küresel düzeyde önemli bir sorunu temsil etmektedir. TÜİK Hanehalkı İşgücü Araştırması'na dayalı ILOSTAT (2022) hesaplamalarına göre Türkiye'de toplam kayıt dışı istihdam oranı 2022 yılı için %28,1 seviyesindedir. Demirci ve Kırdar'a (2023) göre, kayıt dışı istihdam özellikle tarım ve inşaat sektörlerinde yaygındır. 18-59 yaş grubundaki kayıt dışılık oranları tarımda %79,6,

inşaatta %32,4, hizmet sektöründe %18,8 ve imalat sektöründe %18'dir. Ayrıca serbest meslek sahipleri arasında kayıt dışı istihdam, ücretli çalışanlara göre daha yaygındır. 18-59 yaş arası serbest meslek sahibi çalışanların %59,9'u kayıtsız çalışmaktadır, buna karşın maaşlı çalışanların %15,8'i kayıt dışı çalışmaktadır. Kolombiya'da Ulusal İdari İstatistik Dairesi'nin (DANE) yayınladığı son verilere göre, Kolombiya'da Aralık 2023 ile Şubat 2024 arasındaki dönemde ulusal kayıt dışılık oranı %56,3 seviyesindedir. Metropol bölgelerdeki 23 ilde bu oran %42,9 olarak rapor edilmektedir. Dağınık kırsal bölgelerde ise kayıt dışılık oranı %84,2'dir (DANE, 2024).

Türkiye'deki Suriyeli zorunlu göçmenler ve Kolombiya'daki Venezüellalı zorunlu göçmenler için kayıt dışı istihdam baskın bir başa çıkma mekanizması olarak ortaya çıkmaktadır. Yapısalıcı, Hukukçu ve Gönüllülük perspektiflerinden zorunlu göçmenlerin istihdam deneyimlerini nasıl şekillendirdiğini daha iyi anlamak mümkündür. Bu çalışma, zorunlu göçmen toplulukların çeşitli nedenlerle kayıt dışı piyasada çalışmaya zorlanabilecekleri veya kayıt dışı piyasada gönüllü olarak çalışmayı seçebilecekleri sonucuna varmaktadır. Kayıt dışı istihdamın ardındaki faktörlerin karmaşıklığına bu konuyla ilgili daha önce yapılan çalışmalarda dikkat çekilmiştir. Neredeyse hepsinden farklı olarak bu çalışma, bu faktörleri sınıflandırmak için işgücü piyasası teorilerini araç olarak kullanmaktadır. Bu inceleme sonucunda zorunlu göçmenlerin kayıt dışı sektörlerde istihdam edilmesine neden olan faktörler konusunda Türkiye ile Kolombiya'nın oldukça benzer olduğu sonucuna varılmıştır. Zorunlu göçmenler arasında kayıt dışı piyasada istihdamın yaygınlığını ele alma konusunda devletlerin tutumları Yapısalıcı, Hukukçu ve Gönüllü düşünce ekolleri aracılığıyla analiz edilmiştir. Bütün teoriler devletin rolünün önemini farklı açılardan göstermektedir.

Yapısalıcı okul perspektifinden bakıldığında en önemli bulgu, her iki ülkedeki işverenlerin maliyetleri azaltmak için göçmen işçileri kayıt dışı çalıştırmayı tercih ederken, göçmen işçilerin kazançlarını en üst düzeye çıkarmak için kayıt dışı istihdamı kabul etmeleridir. Ek olarak, her iki ülkede de kendi hesabına çalışmayı tercih eden zorunlu göçmen işçilerin çoğunlukla küçük ve orta ölçekli işletmelere sahip olduklarını ya da Kolombiya örneğinde vurgulandığı gibi geçimlerini sokak satıcılığından sağladıklarını ortaya koymaktadır. Yapısalıcı bakış açısı, istihdam kalıplarını etkileyen daha geniş ekonomik ve kurumsal yapıları vurgular. Zorunlu göç bağlamında hem işverenler hem de çalışanlar, çoğunlukla kayıt dışı istihdamı teşvik

eden ekonomik baskıların ve düzenleyici çerçevelerin baskın olduğu bir ortamda ilerlemektedir. Türkiye'de kayıtlı istihdamın önündeki yapısal engeller hem işverenler hem de çalışanlar açısından önemlidir. İşverenler, işçiler için çalışma izni alma konusunda yüksek maliyetlerle karşı karşıyadır. Bu maliyetler, küçük ölçekli işletmeler için önemli olan çalışma izni başvuru ücretlerini, vergileri ve güvenlik sigortası katkılarını içermektedir. Sonuç olarak, birçok işveren göçmenleri kayıt dışı çalıştırarak bu maliyetlerden kaçınmayı tercih etmektedir. Bu durum onların daha düşük ücret ödemesine ve vergiden muaf olmalarına olanak tanır. Suriyeli zorunlu göçmenler için kayıt dışı çalışma kararı genellikle acil mali ihtiyaçlardan kaynaklanmaktadır. Zorunlu göçmenlerin çoğu çalışma iznine başvurmamaktadır çünkü bunu yapmak vergi ve sosyal güvenlik kesintilerine yol açarak net maaşlarında azalmaya neden olmaktadır. Zorunlu göçmenlerin karşılaştıkları yerinden edilme, mali sıkıntılar ve aileleri destekleme ihtiyacından kaynaklanan ekonomik baskılar, yasal koruma ve güvencenin olmamasına rağmen kayıt dışı istihdam yoluyla alınan brüt maaşı daha cazip hale getirmektedir.

Kolombiya'da yapısal dinamikler Türkiye'ye göre bazı benzerlikler ve farklılıklar göstermektedir. Kolombiya'daki işverenler Venezüellalı zorunlu göçmenlere yönelik çalışma izinlerinin ücretsiz olduğu ve teorik olarak kayıtlı istihdamın önündeki engellerden birini azaltan bir sistemden yararlanmaktadır. Çalışanların çalışma vizesi başvurusuna olanak sağlayan pasaport için hâlâ ücret ödemeleri gerekse de çalışma izni için ödeme yapmaları gerekmemektedir. Ancak bu durum yine de kayıt dışı istihdama yönelik ilgiyi canlı tutmaktadır. İşverenler, zorunlu göçmenleri işe alarak daha düşük ücret ödemeyi, vergi ve güvenlik sigortası maliyetlerinden kaçınmayı hâlâ avantajlı bulmaktadırlar. Venezüellalı zorunlu göçmenler için durum, çalışma izninin önkoşulları olan vize ve pasaport almanın getirdiği yüksek maliyetlerle daha da zorlaşmaktadır. Zorunlu göçmenlerin çoğu bu maliyetleri karşılayamadıklarından kayıt dışı istihdama dahil olmaktadır. Türkiye'deki Suriyeli zorunlu göçmenler gibi Venezüellalı zorunlu göçmenler de acil ihtiyaçlarını karşılamak için acil gelire öncelik vererek yasal koruma olmamasına rağmen daha düşük ücretleri kabul etmektedirler. Bu göçmenler arasında yaygın olan yoksulluk koşulları, ekonomik kırılganlıklarını devam ettirse de kayıt dışı istihdamı kısa vadede daha geçerli bir seçenek haline getirmektedir.

Hukukçu ekol perspektifinden bakıldığında Türkiye'de göçmenlerin çalışma

izinlerini belirleyen yasal düzenlemelerin Kolombiya'ya göre daha kısıtlayıcı olduđu ortaya çıkmaktadır. İşçi kotası ve aynı ilde iş başvurusu yapma zorunluluđu gibi gereklilikler, Suriyeli zorunlu göçmenlerin Venezüellalı zorunlu göçmenlere göre daha sıkı yasal düzenlemelere tabi olduklarını göstermektedir. Dahası, şu anki Kolombiya Hükümeti'nin Venezüellalı zorunlu göçmenlere karşı sessiz bir politika benimsemesi kaygı vericidir ve yakın gelecek için belirsizliğe neden olmaktadır. Bu perspektif, zorunlu göçmenler arasındaki istihdam modellerinin şekillenmesinde yasal engellerin ve idari verimsizliklerin rolünü vurgulamaktadır. Türkiye, 2016 yılından bu yana Suriyeli göçmenlerin kayıtlı işgücü piyasasına entegre edilmesini amaçlayan düzenleyici bir çerçeve uygulamaktadır. Ancak çeşitli koşullar ve sınırlamalar bu çerçevenin etkinliğini engellemektedir. Örneğin, zorunlu göçmenlerin çalışma iznine başvurabilmeleri için en az altı ay boyunca kayıtlı olmaları gerekmektedir ve kayıtlı oldukları şehirlerde çalışabilmektedirler. Ayrıca, bir işverenin işgücünün yalnızca %10'unun zorunlu göçmen işçilerden oluşmasına ilişkin bir kısıtlama bulunmaktadır ve bu da kayıtlı istihdam fırsatlarını önemli ölçüde kısıtlamaktadır. Üstelik Türkiye'deki çalışma izinleri yalnızca tek bir işyeri için geçerlidir ve bu da geçimini sağlamak için çoğu zaman birden fazla yarı zamanlı işte çalışan zorunlu göçmenler için kayıtlı sektörde iş aramada önemli bir caydırıcı faktör olabilmektedir. Gerekli belgelerin eksikliği ve bürokratik sürece aşına olmama, birçok Suriyeli zorunlu göçmen için durumu daha da karmaşık hale getirmektedir. Toplumdaki ve bazen kurumlardaki dışlayıcı ve ayrımcı söylemler bu engelleri daha da ağırlaştırmakta, kayıtlı istihdamı daha az erişilebilir ve daha az çekici hale getirmektedir.

Kolombiya'da Venezüellalı zorunlu göçmenlerin kayıtlı istihdamının önündeki yasal engeller daha az kısıtlayıcıdır. Çalışma iznine başvurmak için bir pasaporta sahip olunmalıdır ve çoğu zorunlu göçmen, pasaport almanın yüksek maliyeti ve lojistik zorlukları nedeniyle buna sahip değildir. Ek olarak, kısmen ekonomik koşullar ve kısmen de Venezüellalı zorunlu göçmenlere yönelik toplumsal tutumlar nedeniyle, zorunlu göçmenlere sunulan resmi istihdam fırsatları oldukça azdır. Mevcut hükümet, göçmenlere teknik eğitim programları sunmak da dahil olmak üzere bu sorunlardan bazılarını ele almak için adımlar atmış olsa da bu programların tamamlanması genellikle uzun zaman almakta ve kayıtlı işgücü piyasasına girişi geciktirmektedir. Türkiye'de olduđu gibi Kolombiya'da da çalışma izinleri yalnızca tek bir işyeri için geçerli olup iş esnekliğini kısıtlamaktadır. Gerekli belgelerin eksikliği, hukuki sürece

aşına olmama ve ayrımcı söylemler Venezüellalı zorunlu göçmenlerin resmi istihdama entegrasyonunu daha da zorlaştırmaktadır.

Son olarak Gönüllülük teorisi perspektifinden öne çıkan en önemli faktör, Türkiye'deki işsiz zorunlu göçmenlere sunulan yardım dağıtımlarının aslında pek çok göçmeni kayıt dışı piyasada çalışmaya itmesidir. Her iki ülkede de göçmen işçiler, sigorta ve vergi kesintilerinden kaçınmak ve tam ücret almak için kayıt dışı çalışmayı tercih etmektedirler. Ayrıca göçmenlerin gelişmiş ülkelere göç etme isteği ve dolayısıyla Türkiye ve Kolombiya'da uzun vadeli planlarının olmaması da onları kayıt dışı istihdamı tercih etmeye yöneltmektedir. Teoriyle uyumlu olarak toplumsal dayanışma nedeniyle kayıt dışı istihdamın tercih edilmesi ve işçilerle işverenlerin karşılıklı olarak kârı maksimize etme arzusu da zorunlu göçmenler arasında kayıt dışı istihdamın yaygınlaşmasını açıklayan önemli faktörlerdendir. Türkiye'de kayıtlı istihdam, birçok zorunlu göçmen için önemli bir kaynak olan ücretsiz sağlık hizmetlerinin kaybedilmesine yol açabilir. Türkiye içinde ya da başka bir ülkeye taşınma niyeti de kayıt dışı istihdamda kalma kararını etkilemektedir. Türkiye'de kalmalarını geçici olarak gören zorunlu göçmenlerin resmileşme sürecine yatırım yapma olasılıkları daha düşüktür. Kayıt dışı çalışma saatlerinin esnekliği de bir diğer önemli faktördür çünkü bu durum, işi diğer sorumluluklarla dengelemeye ve değişen koşullara uyum sağlamaya olanak tanır. Denetim tehdidi ve olası cezalar zorunlu göçmenleri kayıt dışı çalışmaktan caydıracak olsa da Badalić (2023), denetçilerin bu faaliyetleri görmezden gelme eğilimi nedeniyle Suriyeli zorunlu göçmenlerin kayıt dışı istihdamda kalmaya devam edebildiklerini göstermektedir.

Kolombiya'da da benzer motivasyonlar Venezüellalı zorunlu göçmenleri kayıt dışı istihdama yöneltmektedir. Pek çok zorunlu göçmen başka bir ülkeye taşınmayı planlamaktadır ve bu da onların kayıtlı sektörde iş arama eğilimlerini azaltmaktadır. Sosyal bağlantılar, resmi kanallar aracılığıyla elde edilemeyecek iş fırsatlarını sağlayan gayri resmi ağlar sayesinde iş bulmada etkilidir. Kayıt dışı istihdamda saatlerin esnekliği, aile üyelerine bakmak veya eğitime devam etmek gibi birden fazla sorumluluğu olan zorunlu göçmenler için özellikle caziptir. Bu kişisel motivasyonlar ile daha geniş yapısal ve yasal engellerin birleşimi, kayıt dışı istihdamın birçok zorunlu göçmen için en uygun seçenek haline geldiği karmaşık bir ortamı oluşturmaktadır.

Düzenleyici ve ekonomik ortamdaki farklılıklara rağmen, Suriyeli ve Venezüellalı zorunlu göçmenler arasında kayıt dışı istihdama yol açan faktörler

oldukça benzerdir. Her iki grup da kayıtlı istihdamın önünde önemli yapısal, yasal ve kişisel engellerle karşı karşıya kalmaktadırlar ve bu da onları bir başa çıkma mekanizması olarak kayıt dışı iş aramaya yöneltmektedir. Devletlerin politika müdahaleleri kayıtlı istihdamla ilgili maliyetleri ve bürokratik engelleri azaltmayı, çalışma izinlerinde daha fazla esneklik sağlamayı ve göçmenlerin yasal süreçte ilerlemesine yardımcı olacak hedefe yönelik destek sunmayı amaçlamalıdır. Ayrıca, daha kapsayıcı bir işgücü piyasasının yaratılması için dışlayıcı ve ayrımcı uygulamalarla mücadeleye yönelik çabalar da şarttır. Bu faktörleri ele alarak, zorunlu göçmenlerin ekonomik entegrasyonunu ve refahını artırmak, kayıt dışı istihdama bağımlılıklarını azaltmak ve genel yaşam kalitelerini iyileştirmek mümkündür.

Bu çalışma, ilgili alanlardaki daha önceki benzer çalışmalarla uyumlu olarak, kısıtlayıcı yasal rejimlerin göçmenleri kayıt dışı istihdama itmede önemli bir rol oynadığını göstermiştir. Ayrıca göçmenlerin bireysel kararlar vererek kayıt dışı ekonomide kalmayı tercih edebildiklerini de vurgulamaktadır. Kayıt dışı istihdama katkıda bulunan çeşitli faktörler, göçmenlerin yalnızca işverenlerin pasif öznelere olmadığını, aynı zamanda hem finansal hem de finansal olmayan motivasyonlarla kayıt dışı sektöre girmeyi tercih eden bireyler olduklarını göstermektedir (Badalić, 2023). Bu tez çalışması, Türkiye ve Kolombiya'daki Suriyeli ve Venezüellalı zorunlu göçmenler arasında kayıt dışı piyasa istihdamının dikkate değer yaygınlığının, devletin göçmen istihdamını yönetme yaklaşımından kaynaklanan birbiriyle bağlantılı çeşitli faktörlere atfedilebileceğini öne sürmektedir. Yapısalcı, Hukukçu ve Gönüllülük düşünce ekollerinden yararlanarak devlet tutumunun kritik bir rol oynadığını ileri sürmektedir. Özetle, Yapısalcı perspektiften bakıldığında, devletin kayıtlı istihdam fırsatları yaratmaya yönelik etkili politikalar uygulayamaması, göçmenleri kayıt dışı sektöre itmektedir. Ek olarak, devlet daha geniş ekonomik eşitsizlikleri ve güç dengesizliklerini ele alamayabilir, bu da kayıt dışı ekonomide daha fazla sömürüye yol açabilir. Hukukçu perspektif, devletin kısıtlayıcı resmi ekonomik ortamının bürokrasiyle birleştiğinde, külfetli düzenlemelerden ve yüksek vergilerden kaçınmak için zorunlu göçmenleri kayıt dışı sektöre ittiğini vurgulamaktadır. Vergi indirimleri veya basitleştirilmiş düzenleme süreçlerinin olmayışı bu sorunu daha da derinleştirmektedir. Son olarak, Gönüllülük bakış açısına göre, devletin cezalandırma mekanizmalarını iyi uygulayamaması ve çalışma saatlerine ilişkin düzenlemelerin olmayışı, zorunlu göçmenlerin esneklik ve anında gelir fırsatları nedeniyle gönüllü

olarak kayıt dışı istihdamı seçmelerine katkıda bulunmaktadır. Bu bağlantılı faktörler, zorunlu göçmenler arasında kayıt dışı istihdamın sürdürülmesinde devlet politikalarının önemli etkisinin altını çizmekte ve dolayısıyla hipotezi desteklemektedir.

Hem Türkiye hem de Kolombiya zorunlu göçmenlere çalışma izni vererek onları kayıtlı ekonomide çalıştırmayı hedeflemelerine rağmen, kayıt dışı istihdamın yaygınlığının nedenleri ve devletin rolü karşılaştırmalı bir analizle incelenmiştir. Bilindiği gibi bu konu her iki ülke hükümetlerinin de dikkatini çekmiş ve çeşitli projelerin hayata geçirilmesine yol açmıştır. Örneğin, hükümetler kayıt dışı piyasalara katılımı azaltmak amacıyla programlar geliştirmekte, bilinçlendirme kampanyaları yürütmekte ve projeler geliştirmek için uluslararası kuruluşlarla iş birliği yapmaktadır. Bu nedenle, işgücü piyasalarında kayıt dışılığın yüksek oranlarıyla baş etmeye yönelik verimli ve etkili politika önerileri sunan çok sayıda çalışma ve rapor da bulunmaktadır. Ancak kapsamın çok fazla genişletilmesi endişesi nedeniyle bu hususlara bu tez araştırmasında yer verilmemiştir. Konuyu kapsamlı bir şekilde anlayarak durumun tamamını kavramak isteyenlerin mutlaka Türkiye ve Kolombiya hükümetlerinin yaklaşımlarını ve çeşitli uluslararası kuruluşların göçmen topluluklar arasında kayıt dışı istihdamı azaltmaya yönelik yürüttüğü projeleri araştırması gerekmektedir.

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