

TURKEY AS A WAITING ROOM:
EXPERIENCES OF REFUGEES IN TURKEY

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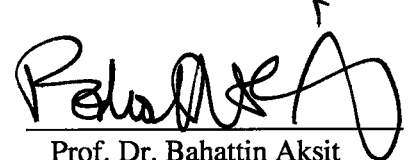
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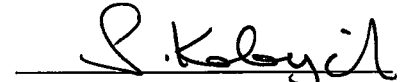
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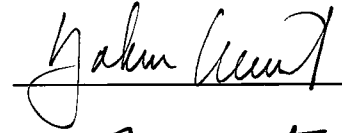

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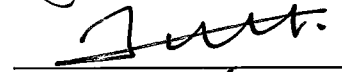

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ABSTRACT

TURKEY AS A WAITING ROOM: EXPERIENCES OF REFUGEES IN TURKEY

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The aim of this study is to question the experiences of refugees in the Turkish Republic. Because of the geographical reservation that Turkey initially accepted the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, refugees who are coming from outside Europe cannot have the status of refugee in Turkey and they cannot enjoy the full protection of the 1951 Convention. These refugees have to move to a third country for resettlement after being recognized as a “refugee” by United Nations High Commissionaire for Refugees. Thus, they live a period of transition in Turkey, and Turkey is the ‘waiting room’ on their way to the West. In this study, the experiences of refugees and their perception of their transitory period in Turkey will be examined with paying attention to their experiences in terms of housing, job opportunities, health and education services, and language. The main thesis in

this work is that the transition period that refugees experience in Turkey is a 'period' rather than a 'process'.

Keywords: Refugee, Turkey, stranger, identity, hospitality, security, discrimination, United Nations High Commissionaire for Refugees (UNHCR).



ÖZ

BEKLEME ODASI OLARAK TÜRKİYE: TÜRKİYE'DEKİ MÜLTECİ DENEYİMLERİ

Kutlu, Ülkü Zümray

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Bu çalışma, Türkiye'deki mültecilerin yaşadıkları deneyimleri sorgulamayı amaçlamaktadır. Türkiye 1951 Mülteci Sözleşmesi ve bu sözleşmenin 1967 tarihli Protokol'ünü coğrafi bir çekince koyarak kabul etmiştir. Bu bağlamda, Avrupa dışından gelen mülteciler Türkiye sınırları içinde 1951 Sözleşmesinin haklarından yararlanamamaktadırlar. Birleşmiş Milletler Mülteciler Yüksek Komiserliği tarafından "mülteci" olarak tanımlandıktan sonra, yerleşebilecekleri üçüncü bir ülke bulununcaya kadar beklemek durumundadırlar. Dolayısıyla Türkiye bu mülteciler için bir bekleme dönemini ifade etmektedir, bir başka deyişle Türkiye mültecilerin batıya uzanan yolunda bir 'bekleme odası' dır. Bu çalışmada, Türkiye'de geçiş dönemini yaşayan mültecilerin barınma, iş, sağlık ve eğitim hizmetleri ve dil konularında Türkiye'de yaşadıkları deneyimler üzerine yoğunlaşılacaktır. Bu çalışmadaki temel tez, mülteciler için bir geçiş ve bekleme dönemini ifade eden Türkiye deneyimlerinin bir süreçten çok bir dönem olarak algılanması gerektiğidir.

Anahtar Kelimeler: Mülteci, Türkiye, yabancı, kimlik, misafirperverlik, güvenlik, ayrımcılık, Birleşmiş Milletler Mülteciler Yüksek Komiserliği (BMMYK).



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Responsibility for the final result rests in the usual place.

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CHAPTER I

INTRODUCTION

The refugee question is by no means a new one, refugees and asylum seekers have always been a part of international migration, but conditions in the late twentieth century have produced urgency both in the countries of origin and countries of destination in terms of the necessity to develop the international strategies for protection of displaced people. After the Second World War, the refugee issue became a vital phenomenon; the world became aware of the large number of internally or externally displaced people, and noticed that both the causes and the consequences can be seen in every part of the world. This awareness, which has been reinforced over time, of course goes hand in hand with transformations experienced in the socio-economic structure of the world. Admittedly, there occurred an awareness of the increased number of people who have been forced to leave their homes as a result of two World Wars, the Cold War, the collapse of the Eastern Block, post-colonialism, independence movements in the Third World and ethnic based conflicts.

With the end of the Cold War, the character of conflicts shifted from states to ethnic conflicts, and due to this fragmentation, there occurred an increase in the number of internally and externally displaced people all around

the world. Refugees and asylum seekers, who have escaped from persecution or economic hardships in Asia, Africa, Middle East, and the Newly Independent States, started to use countries such as Bulgaria, Czech Republic, Hungary, Poland, Russia, Ukraine and Turkey as transit areas¹ on their way to their preferred destinations. Thus not only the sending countries but also the receiving countries, and transit countries started to experience the question of refugees in some sense.

Due to the fact that ‘displacement’² is not a new concept belonging to our age, there were also some forms of protection of displaced people in the local and religious levels in the world history. However, this issue has not been taken as an international phenomenon since the late 20th century. Eventually, after the late 20th century, displacement started to be discussed and the issue of “refugee” has been taken in the agenda of international politics, and international human rights organizations.

The recognition of the need for protection led to the 1951 Convention Relating to the Status of Refugees, which established a common set of standards for protecting a certain class of forced migrants such as the ones

¹ Transit migration is defined in this study as migratory movements to one or more countries with the intention to migrate to yet another country of final destination.

² It is obvious that the concept “displacement” not only refers to the issue of refugees, rather it refers and includes different types of migration such as clandestine migration, economic migration and so on. However, considering that this study mainly focuses on the case of refugees, this concept will be taken as a general concept of movement of people from the area of origin without their will. Moreover, the concept “forced migration” can also be used in the discussions of refugees. Yet it is important to pay attention that forcing people to move and the political reasons of displacements cannot be taken as the main causes that produce refugees; economic, environmental and ecological reasons can cause refugee flows and it is important to consider these while using both the concepts “forced migration” and “displacement”.

that escape from political persecution.³ This Convention also brought a certain definition of the concept 'refugee'. According to the 1951 Convention, migrants became refugees if the flight is due to fear of persecution or death.

Hence, according to the 1951 Convention refugee is;

Any person who, as a result of events occurring in Europe before January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or owing to such a fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence, is unable or, owing to such a fear, is unwilling to return to it.

This definition, which guided the politics and policies of the refugee issue, is an instrument of its time and therefore reflects the problems of a post-World War II world. In this sense, it can easily be argued that the refugee regime is initially developed to respond the European situation following the two World Wars.

Concomitantly, the provided definition of the concept refugee was expanded with the 1967 Protocol Relating to the Status of Refugees to post the 1951 events and non-Europeans, and to answer the world's refugee

³Wilde, R. (2001) 'The Refugee Convention at 50: Forced Migration Policy at the Turn of the Century', *Journal of Refugee Studies*, Vol.14, no.2, pp 136.

question. The 1967 Protocol was formulated to extend the scope of the 1951 Convention, which benefited only persons who had become refugees as a result of the events that had occurred before 1 January 1951. Thus, the time and place limitation was subsequently removed by Article 1, Paragraph 2 of the 1967 Protocol.

There is today some 22 million refugees spread all over the world. Although many of the changes in refugee immigration streams and policies have involved the European continent, the largest numbers of refugees by far are still found from Africa and Asia.⁴ Since the 1960s, the bulk of the world's refugees have been from developing countries. Moreover, these have been given refuge by their neighbors in developing countries in Asia, Africa and Latin America and with the collapse of Soviet communism; the Balkans joined the list, as ethnic fighting led to levels of violence and refugee flows that was never witnessed in Europe since the end of World War II.⁵

Due to the climate that it is formulated, the 1951 Convention's definition of the refugee depicts a narrow picture, and the Convention has initially a Eurocentric focus. Being far from reflecting the contemporary conditions of the refugee issue today, it excludes the majority of the world's forced migrant population⁶. With taking political reasons as the only and main

⁴ United Nations. (1998) *International Migration Policies*, New York: UNDESA, pp 173.

⁵ Keely, B. C. (1996) 'How Nation-States Create and Respond to Refugee Flows', *International Migration Review*, Vol.30, No.4, pp 1046.

⁶ It is important to consider that all the forced migrant population cannot be defined as 'refugees'. According to the 1951 Convention internally displaced people (IDP's) are not inside the concern of UNHCR and they cannot be defined as 'refugees'.

reasons for being a refugee, it excludes the economic, environmental and ecological reasons. Admittedly, the Convention does not accept people as refugee who escape because of these reasons. In this sense, Third World, which is the primary source of refugee 'production' since the 1960s cannot be considered and cannot be defined with the "refugee" definition that has been provided by 1951 Convention and its 1967 Protocol? The West European countries which did not produce any refugees since the Second World War still defines the prerequisites of being a refugee according to the 'old' regulations, and insist on this definition of the concept. However, the definition necessitates a 'revolutionary' change and reconsideration for reflecting the conditions of the refugee flows in the contemporary era.

Furthermore, the definition of the concept 'refugee' and refugee flows also needs to be considered in relation to contemporary debates and discourses. Globalization⁷, which is taken as one of the important concepts for the definition of the contemporary era, also affects the issue of refugees and contemporary refugee flows. Not only the political dimensions of globalization, but also the economic, financial, social and cultural dimensions of the issue have a crucial impact on the case of refugees. Furthermore, with advanced information technologies and systems world noticed and saw the conditions of the people in Afghanistan, Kosovo, Bosnia-Herzegovina, Iraq, Rwanda and other countries. The world 'watches' as millions of people are

⁷ The concept 'globalization' is used here as a summary term for the increasingly complex interactions between individuals, enterprises, institutions and markets across national borders.

forced into exile, looking for food, for safety, for hope for the future. This also creates urgency for awareness of refugees and refugee flows.

When we consider all the above in terms of the accelerating impacts of globalization, it can easily be argued that there occurred a change in the character of the refugee flows. Moreover, the contemporary transformations also affected the politics and policies that respond to refugee flows. Thus, the contemporary migratory movements started to be discussed within the discourse of security. Politics of nation states started to show a tendency for taking all kind of migrants –including the asylum seekers and refugees- as a security threat, and the policies started to indicate ‘humanitarian aid’ in the country of origin or nearby the region.

Within this anti-immigrant climate, many states have become more restrictive even in protecting certain classes of refugees, which are inside the provided definition of the 1951 Convention and its 1967 Protocol. Because of the large number of people from Third World and peripheral countries who seek refuge in the First World countries, the politics and policies towards the refugee question in the First World became more restrictive. An anti-immigrant climate has made it increasingly difficult to find countries willing to accept substantial numbers of refugees and there occurs a tendency to restrict and limit the refugee entries.⁸ As it was mentioned before, the bulk of the world’s refugees have been from developing countries and have been given refuge by their neighbors in developing countries in Asia, Africa and

⁸ United Nations. (1998) *International Migration Policies*, New York: UNDESA, pp 173.

Latin America whereas a series of common initiatives have been introduced to restrict migration generally, either within or between countries and refugees in the First World Countries.⁹ Accordingly, third world's displaced population are obligated to seek asylum near their country of origin and some times within their countries.

Therefore, though the concept of globalization refers to a standardization of the world, mobilization of people and money, in simple words, though it 'shrinks' the world, the experiences on the local level are so different vis-à-vis the theoretical one. Nevertheless, money became more globalized, and mobile, the globalization of people is still difficult and there occur restrictions on crossing the borders. Supranational organizations, international regimes, and nation-states still play the determinant role in the 'globalization' of people. The movement of people in the globalizing world is easier for professional elites or the entrepreneurs with capital. However, the movement of asylum seekers, refugees and unskilled labor face with difficulties in terms of passing the borders, getting visa, or finding a job and these restrictions might also encourage people to illegality.

As a consequence, the international situation of the refugee issue is complex and multifaceted; it is interrelated with concepts such as globalization, migration policies, contemporary racism and new forms of nation states. The nation-states, which provide the policies and restrictions of

⁹ Wilde, R. (2001) 'The Refugee Convention at 50: Forced Migration Policy at the Turn of the Century', *Journal of Refugee Studies*, Vol.14, no.2, pp 136.

the migration and refugee issue, are also vital in the discussions of xenophobia and new forms of racism.

Furthermore, Europe is trying to construct barriers of “Fortress Europe” and agreements such as Schengen and Dublin also depict this idea. Despite this construction has too many problems with “European identity” and the meaning of this identity, the efforts for this construction accompany with the racial discriminations in terms of immigration policy, policing and criminal justice policies, education, health and so on. In other words, though the present pattern of migration does not inevitable produce racism –as a certain conservative discourse frequently maintains-, it does give contemporary racism a focus, thus an anti-immigrant racism can direct to refugees.¹⁰ In this sense, due to this anti-foreigner polemics, there is a mounting fear for the safety and future of Europe’s estimated 15 million people of black, Third World and peripheral country origin and this fear is based on an increasing level of racial violence and murders in Western Europe.¹¹ The increasing share of votes received by far-right political parties such as France’s Front National and Germany’s Republicaner Partei also point the anti-foreigner climate in Europe, and accordingly, it can easily be argued that racism is still crucial in Western Europe in the discussions of all kinds of migratory flows including the refugees.

¹⁰ Balibar, E. (1991) “Es Gibt Keinen Staat in Europa: Racism and Politics in Europe Today”, UER, No: 186, pp 6.

¹¹ Kushnick, L. (1995) “Racism and Anti-Racism in Western Europe” in “*Racism and anti-Racism in World Perspective*”, Brower, B.P. (eds.), Sage Publications, London, pp 181.

Consequently, the refugee system that exists today is the product of the Western powers and it has gaps. It is not based on humanitarian feelings rather, it serves a political aim and it is for the protection of the nation states and the international regime which is founded by the West European countries. Hence the international refugee regime is far from being a solution for today's refugee flows and both the definition of the concept 'refugee', the international refugee regime and refugee law needs reconsideration and reevaluation for helping the increasing number of displaced people in the globalizing world.

1.1 Statement of Research Question

Turkey, with its triple role as a 'refugee sending', 'refugee receiving' and 'transit country' plays a crucial role in the international migration scene. In this study rather than the first two dimensions, Turkey's role as a transit country will be taken as the main basis.¹² Because of the geographical reservation that Turkey initially accepted the 1951 Convention, refugees who are coming from areas outside Europe cannot have the status of refugee in Turkey, and they cannot enjoy the full protection of the 1951 Convention. In this sense, these refugees have to move to a third country for resettlement after being recognized as a "refugee" by United Nations High Commissionaire for Refugees.

¹² It is also crucial to mention that not only refugees and asylum seekers, but also other types of migrants such as economic migrants use Turkey as a transit country on their way to the so-called West. With a journalistic overview, it is not unusual to hear stories of Moldavian women who work in domestic service, African drug dealers, Russian women or construction workers from Kosovo who use Turkey as a transit country.

However, once the geographical condition of Turkey is considered, it can easily be estimated that the majority of the refugees that came to Turkey are coming from the Middle Eastern countries such as Iran and Iraq. Therefore, these asylum seekers and refugees have to move to a third country. Nevertheless, the asylum seekers and refugees who applied for the status determination to UNHCR have to wait for a period of time –four to six months for the first interview- and after being recognized as refugees they have to move to third country for resettlement but the period of waiting for a receiving country can change between 8 months to 2 years. Therefore, they live a period of transition in Turkey and Turkey is the waiting room on their way to the West.

In this study the experiences of the refugees in this transition period in Turkey and their perception of this period will be taken as the main subject. Hence, the focus point of this study is how refugees themselves experience the period of transition, how they define themselves in the country of transition, and how they experience housing, job opportunities, health and education service and the language in Turkey. The aim in doing so is to study, from a sociological point of view, the refugees' perception of the relationship between the natives and the "strangers". Due to this reason, the study does not try to describe the political and psychological aspects of the refugee issue and the problems in the country of origin. Concomitantly, their experiences in their home countries and their backgrounds will not be the main focus of this study. Rather, the object of the study is to draw the period of transition from a sociological point of view and to demonstrate how the refugees perceive and

live the period of transition in terms of language, housing, job opportunities, and health and education service in Turkey. Hence, the emphasis will be their present situation and their experiences.

Furthermore, this study assumes that the transition period that refugees experience in Turkey cannot be taken as a 'process'. Accordingly, a process represents a continuous action, operation or a series of changes taking place in a definite manner; it means a systematic series of actions directed to some end. However, this study assumes that refugees, who experience transition period in Turkey, are only waiting and there occurs to actions directed to move to a third country. In other words, refugees are not the main actors and decision makers of their movements, thus they are using Turkey as a waiting room on their way to the West.

1.2 Methodology

Although this and the next chapter rely on such works that provide a broad view of the concept of "refugee", the study is not based on the mere analysis of the theoretical frameworks developed by the authors that work in this field. Instead, because of the reason that such an analysis cannot be solely focused on the macro-theoretical reflections since it may run the risk of missing the complex dynamics of the individual under consideration, the study includes a case study that will establish an interplay between the theoretical discourse on the case of refugees and the practical experience. In this sense, this study will focus on the analysis of the in-depth interviews that

are done with the refugees and their perception of the transition period that they experience in Turkey.

To this end, in addition to the exploration of the relevant literature concerning the issue, the study makes use of different sources that highlight the different dimensions of the case from different perspectives. In this sense, the method used in this work is four-dimensional. First, the study draws on advertisements, articles and interviews about the refugee issue collected from current resources such as magazines, Turkish newspapers, and Internet sources between the dates April 2002 to August 2002. Second, the study is fed from the observations of the author during 7-months internship at the Program Unit of UNHCR Ankara Branch Office, which can also be defined as a participant observation. During this time period, the author was responsible for conducting the so-called 'Financial Interviews'¹³, which are done with the refugees that are recognized by UNHCR Ankara Branch Office. Besides, the author was also dealing with the medical problems of the refugees in terms of sending them to hospitals or policlinic. Thirdly and most importantly, in-depth interviews were conducted with the refugees, which provided first hand information about their transition period in Turkey. Lastly, the study also draws on officially collected statistical data related to the refugees in Turkey.

¹³ Financial Interviews are done with the mandate refugees who inform the Program Unit that they are in need of money. During the interviews the refugees are asked about their money that they brought with them and what they spent it for. Refugees are not asked for a proof of their expenditures, rather their declaration is enough. The refugees can get financial assistance when their resources and expenditures are matched.

The in-depth interviews with the non-European refugees were held between the dates 01/05/2002 and 30/09/2002 and UNHCR Ankara Branch Office was used as the place for conducting the in-depth interviews.¹⁴ The study covered only the recognized (mandate) refugees, and asylum seekers were not included in this study. The refugees who are presented or to be presented to a third country for resettlement were the main concern of this work. In other words, the study includes the “happy” part of the refugee story in Turkey. The non-European refugees who came to UNHCR Ankara Branch Office for so-called financial interview are chosen randomly between the mentioned dates. The interviews were held in five languages; Turkish, English, Persian, Arabic and Kurdish. The interviews, which are held in Persian, Arabic and Kurdish, were done with the help of interpreters at UNHCR by emphasizing that the author is conducting the interviews purely for an academic study and the data that they gave will not be used anywhere except in the master thesis that the data is being collected for, and will not be given to any UNHCR staff. During the in-depth interviews the author did not use tape recorder because of the distrustfulness of the refugees, instead she preferred to take notes. The in-depth interviews were held between 45-60 minutes due to the refugee’s preferences and the interviews were conducted asking and using a set of semi-structured questions.

¹⁴ It can easily be argued that it was a wrong choice to conduct the in-depth interviews at Ankara Branch Office because the refugees can be distrustful both to their future after the interview and to the author who conducted the in-depth interviews. It is true but reaching to refugees and to persuade them is too difficult at another place. Because of this reason, with the awareness of this distrustful situation, the in-depth interviews were held at the UNHCR Ankara Branch Office.

The interviews were held with 10 recognized refugees. Five of the refugees were men and remaining were women. Due to the reason that most of the refugee cases were coming from Middle Eastern countries, especially from Iran and Iraq, the random sample was made up of five Iranian and five Iraqi refugees. The author of this study is aware of the fact that doing in-depth interviews with ten refugees cannot be representative for the whole refugee population in Turkey. However, rather than the representativeness of the refugee population the main aim for doing the interviews was to draw a general picture of the refugee experiences in Turkey. Besides, the observations of the author during the seven-month internship at UNHCR also makes her familiar with the refugee experiences in the country and this is also taken as one of the important major data for this study.

1.3 Organization of the Thesis

Within this framework, the organization of the thesis is formulated with taking the refugee issue from a global point to a more specific one, to Turkish case. Thus, the study tries to demonstrate the picture of the refugee experiences with the help of the concept globalization and with the international refugee regime on the one hand and the impact of the globalization and this regime on the local levels on the other.

In this sense, the second chapter gives an historical account of the emergence of the concept “refugee”. The chapter relates the issue as much to the social and economic processes in the world as to the dynamics of the

global system. In this chapter also UNHCR and the 1951 Convention Relating to the Status of Refugees and other relevant sources that provide a definition to the concept 'refugee', such as the Organization for African Unity (OAU) and the Cartagena Declaration will be discussed.

The third chapter depicts a picture of transit migration and refugee issue within the context of Turkish refugee policies. As one of the important transit countries, Turkey's role in the transit migration and in the global world is demonstrated with paying attention to the Turkish regulations and policies in this part of the study.

The fourth chapter is devoted to the analysis of the in-depth interviews and observations. In this chapter, the experiences of the refugees during the transition period and the observations of the author will be presented and discussed. This chapter will be fed from the in-depth interviews that are done with the non-European mandate refugees and their perception and definitions will be the main source of the chapter. The experiences of refugees in terms of language, housing, job opportunities, and health and education service will be discussed with considering the concepts 'identity', 'hybridity', 'stranger' and 'hospitality'.

The last chapter of the study is the conclusion chapter. With paying attention to the theoretical framework, and mainly the in-depth interviews that are done with the refugees, the general idea of the author on the refugee issue in Turkey is presented in this chapter.

The last part of this thesis is the bibliography.

CHAPTER II

WHO ARE THE REFUGEES?

2.1 Emergence of an International Regime

The term “refugee” was used as far back as 1573 to refer to the granting of asylum and assisting foreigners who were escaping persecution.¹⁵

Although the concept has deep historical roots and human history is full of episodes of people that experience conditions of displacement, the term refugee did not achieve any significance until well into the twentieth century. Indeed in an era of unregulated immigration, there was no urgent need for precise categorization of refugees to distinguish them from any other type of immigrants.¹⁶ It was only when the numbers of refugees and asylum seekers increased significantly and when policies of receiving countries became more restrictive that the need both for international criteria for the definition of the term refugee and international standards of protection and regulation became urgent. Certainly, though this was after the Second World War that the world necessitates constructing and conducting refugee protection regulations, the vitality of the subject is realized just after the First World War.

¹⁵ United Nations. (1998) *International Migration Policies*. New York: UNDESA, pp 198.

¹⁶ Ibid.

After the First World War, in the phase of formation of nation-states, refugees found themselves under increasing government restrictions and they were faced with closed borders and protective barriers. Between 1919 and 1939, violent conflicts and political turmoil uprooted over five million people in Europe alone including Russians, Greeks, Turks, Armenians, Jews and Spanish Republicans.¹⁷

Formal international efforts to assist refugees first began for the over one million nationalized Russian refugees who had been displaced during the Russian Civil war. In 1920, The League of Nations, forerunner of United Nations, responded by appointing Fridjof Nansen, a Norwegian explorer, as High Commissioner for refugees, who had specific responsibilities only for the Russian refugees in Europe. Nansen's responsibilities were later extended to include Greek, Bulgarian, Armenian and certain other groups of refugees.

Nansen specifically focused to the legal protection of refugees and he later adopted a passport system, which is commonly called as "Nansen Passports". This passport system, which offered legal documents to refugees, was then used also for the exchange and repatriation of massive numbers of refugees following the Greco-Turkish War of 1922.

Nansen's attempts to establish a legal protection of refugees also formatted the framework for the later refugee organizations. Also with viewing refugees as a part of the problem of general unemployment in Europe, Nansen believed that, by focusing assistance on the creation of

¹⁷ UNHCR (2000) *The State of World's Refugees*, Oxford University Press, pp 15

employment opportunities for refugees, the international refugee regime would also contribute to solving Europe's economic problems.¹⁸

In 1930s there occurred another important need in terms of refugee protection because of the Jewish refugee flows from Nazi Germany. James G. McDonald became the High Commissionaire who was responsible from the Jewish and other refugee flows that had been coming from Germany. McDonald believed that it was not enough to simply assist those who fled from the Third Reich, rather efforts had to be made to confront the causes that created the refugees and to negotiate with the country that was responsible for the exodus.¹⁹ However, because Germany was a member of the League of Nations and because most of the governments in the League perceived the problem as an internal one, McDonald could do little about the causes of the Jewish refugee problem and he resigned after a while. In his letter of resignation, James McDonald referred to the need to set aside state sovereignty in favor of humanitarian imperatives and to resolve the Jewish refugee problem at the level of international politics:

(W)hen domestic politics threaten the demoralization and the exile of hundreds of thousands of human beings, considerations of diplomatic correctness must yield to those of common humanity.²⁰

¹⁸ Keely, B.C. (1993) *Beyond Charity*, Oxford University Press, New York, pp 38.

¹⁹ *Ibid.*, 43.

²⁰ *Ibid.*,44.

2.2 United Nations Relief and Rehabilitation Administration (UNRRA)

The Second World War and the immediate post-war period produced the largest population displacement in the human history. In May 1945 over 40 million people were estimated to be displaced in Europe, excluding Germans who fled the advancing Soviet armies in the East and foreign forced laborers in Germany itself.²¹ There were also some 13 million ethnic Germans (Volksdeutsche) who were expelled from the Soviet Union, Poland, Czechoslovakia and the other East European countries in the following months and who became known as expellees (Vertriebene).²² Another 11.3 million forced laborers and displaced persons were found by the Allies to be working on the territory of the former German Reich.²³

These movements and conditions both before and after the Second World War made people of Europe to notice that the problem of displacement was not far away from their landscape and the impact of these conditions are seen in the area of Europe. Hence, well before the war ended, the United Nations Relief and Rehabilitation Administration (UNRRA) was therefore set up in November 1943 -even before the formal establishment of United Nations itself in June 1945- and the International Refugee Organization (IRO) replaced this in 1947.²⁴

²¹ UNHCR (2000) *The State of World's Refugees*, Oxford University Press, pp 13.

²² Ibid.

²³ Ibid.

²⁴ Ibid.

UNRRA was not specially established as a refugee agency; rather it was assisting everyone who had been displaced because of the war. Once the war ended UNRRA was largely focused on repatriation of people without any regard of their wishes. Though people who had been uprooted by the war were anxious to return to their homes; from May to September 1945, UNRRA assisted with the repatriation of some seven million people.²⁵ This “help for the victims of the war”, the repatriation was a political response rather than a humanitarian one. As Keely mentions;

The state system that requires order to engage in trade, finance, diplomacy and other daily, yet complex, behaviors of the “global village”. So the first task of the League of Nations High Commissioners included sending nationals “home” after empires broke up to “their own” countries, in an effort to create new equilibrium. ... Repatriation is an attempt to regain normalcy -with people in the state where they belong and the citizens of that state receiving the protection of life and property that they expect.²⁶

Furthermore, during these days, though the Soviet Union did not permit the UNRRA to work at the Soviet zone, there occurred a great number of repatriation –nearly 2 million people- to the Soviet Union. These repatriation movements both to the Soviet Union and to the Eastern Block countries were criticized by the United States and the United States

²⁵ Ibid., 14.

²⁶ Keely, B. Charles (1996) “How Nation states Create and Respond to the Refugee Flows”, *International Migration Review*, Vol. 30, No.4, 1058.

government had denounced UNRRA's repatriation policies and its rehabilitation programme in Eastern Block countries as serving only to strengthen Soviet political control over Eastern Europe. Thus, both the question of repatriation and the status of refugees became a political issue rather than a humanitarian work in terms of causing conflicts between West and East. Furthermore, the international refugee regime discussions started to focus on the escapes from communism and this discussion still continues to take place since the end of the Cold War.

Eventually, United States government, which provided 70 percent of the UNRRA's funding and, much of its leadership, refused to support the organization and it pressed hard for the creation of a new refugee organization with a different orientation.

2.3 International Refugee Organization (IRO)

The International Refugee Organization (IRO) was established in July 1947 as a non-permanent United Nations specialized agency, and when it was set up the expectation was that its three-year programme would be completed by 30 June 1950. Though the IRO's work was limited to assisting European refugees, it can easily be argued that it was the first international body to deal comprehensively with every aspect of the refugee issue. IRO's functions were defined as encompassing repatriation, identification, registration, and classification, care and assistance, legal and political protection, transport, resettlement and re-establishment. These multiple functions nevertheless masked a clear shift in priorities from a policy of repatriation, as carried out

by UNRRA, to one of resettlement from countries of asylum to third countries.²⁷

Not only the support for the escapes from communism but also the need for the immigrant labor in the industrialized countries can be taken as main causes of the shift from repatriation to resettlement. Labor recruitment became an important criterion in the resettlement process, and it prompted criticism by Eastern Bloc countries. They argued that resettlement was a means of acquiring a ready labor source for the wheels of the industrialized countries and of offering shelter to subversive groups, which may threaten international peace. It is clear that the 1950s was a new era of emigration and one of the motivations that shaped the international refugee regime was the economic benefit that the refugees could bring.

Because the war-torn countries of Western Europe were incapable of accepting all the displaced persons, thus, United States, Australia, Canada and the other overseas countries started to be the resettlement place for the displaced persons. Eventually, the IRO was assisted with the repatriation of a mere 73,000 people compared with the over a million people whom it assisted in resettling.²⁸ However, the IRO was not able to bring a conclusion to the refugee problem and around 400,000 people remained displaced in Europe at the end of 1951, and as a result the organization officially closed down in February 1952.

²⁷ UNHCR (2000) *The State of World's Refugees*, Oxford University Press, pp 16.

²⁸ *Ibid.*,17

2.4 UNHCR and 1951 Convention Relating to the Status of Refugees

In December 1949, the need for a refugee agency is accepted after negotiations and United Nations High Commissionaire for Refugees (UNHCR) is established for an initial period of three years from 1 January 1951.²⁹ Europe was again the principle area of the refugee concern, and the main aim was to help the European refugees.

UNHCR's primary functions were defined as being twofold; first, to provide international protection for refugees; and second, to seek permanent solutions to the problem of refugees by assisting governments to facilitate their voluntary repatriation or their assimilation within new national communities.

2.4.1 1951 Convention Relating to the Status of Refugees

As the European countries started to act in terms of refugee protection and regulation there occurred a need for the definition of the concept 'refugee'. The 1951 Convention Relating to the Status of Refugees, which was formulated one year after the establishment of the UNHCR, spelled out both the definition of the concept "refugee" and conditions that created refugees. According to the Article 1.A of the 1951 Convention Relating to the Status of Refugees, a refugee is:

Any person who, as a result of events occurring in Europe before January 1951 and owing to well-

²⁹ Ibid., 19.

founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or owing to such a fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence, is unable or, owing to such a fear, is unwilling to return to it.

Moreover, the 1951 Convention also set out the international standards for the treatment of refugees. Article 33, which also preserves its vitality today, is dealing with the prohibition of expulsion or return (refoulement):

No Contracting State shall expel or return (refouler) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion...

The Convention was drafted as a result of the recommendation by the newly established United Nations Commission on Human Rights, was adopted by the United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons at Geneva on 28 July 1951, and entered force on 22 April 1954.³⁰

³⁰ United Nations. (1998) *International Migration Policies*. New York: UNDESA, pp 198.

The 1967 Protocol Relating to the Status of Refugees was formulated to extend the scope of the 1951 Convention, which benefited only persons who had become refugees as a result of the events that had occurred before 1 January 1951. The definition of the Convention was extended with the 1967 Protocol to post the 1951 events and non-Europeans. The time limitation was subsequently removed by Article 1, Paragraph 2 of the 1967 Protocol to the Convention. Hence according to the 1.A of the 1951 Convention and Article 1, paragraph 2 of the 1967 Protocol a refugee is a person who:

owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or owing to such a fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence, is unable or, owing to such a fear, is unwilling to return to it.³¹

The international refugee flows first under League of Nations sponsored and now primarily located in the United Nations system were founded in the nation-state system. When becoming a party to the 1951 Convention, states also had the possibility of making a declaration limiting their obligations under the Convention to refugees from events occurring in Europe. In this sense, although these two international legal instruments has

³¹ In addition to the definition in the 1951 Convention and its 1967 Protocol the office of United Nations High Commissionaire for Refugees published a *Handbook on Procedures and Criteria for Determining Refugee Status* that serves as a practical guide designed to meet the needs of government officials, academics, lawyers concerned with the refugee issues.

been applicable to persons who are defined as refugees, the actual determination of refugee status under the 1951 Convention and the 1967 Protocol is under the responsibility of the contracting State in which an individual applies for refugee status.³²

Thus, despite the attempt to 'universalize' the concept of refugee it still depends on the context. In other words, while international refugee law offers a legal definition, the refugee emerges in practice within the institutional and other contexts of the states.

2.4.2 United Nations High Commissionaire for Refugees

Similar to the emergence of the previous refugee organizations, UNHCR was also an outcome of a political agenda. Besides, the debate on the attempts to establish an international refugee regime largely revolved around the possibility of defining such an organization as a "humanitarian action" or "political action".

According to the current international regime, which centers around the United Nations High Commissionaire for Refugees as the primary agency and around the 1951 Convention and 1967 Protocol on the Status of Refugees in the international law, the main objectives are to provide protection and assistance and to work for durable solutions to the refugees' situation. Accordingly, there are three durable solutions: the preferred durable solution is repatriation in safety following changes that allow for return, or failing that, settlement in the first place of first refuge or resettlement in a third country.

³² Ibid pp.199.

As it can easily be seen in the policies of the international regime, the first and the most preferable solution is repatriation, however the preferred solution depends also on the political agenda of the day.

Since the Cold War, the international refugee regime –also the preferred durable solution- is shaped according to the conflict between the East and West. In another saying, the political purpose of the refugee regime was constituted around the war against communism and the regime was used as an instrument to embarrass communist states. The refugee regime in the industrialized world was formed vis-à-vis Communism.

According to Keely;

The primary focus was originally the Soviet Union and the states of Central and Eastern Europe over which the Soviet Union established hegemony following the World War II – the countries behind the Iron Curtain. The idea was to admit and resettle those who “escaped communist oppression”. At a minimum, the program will be used to demonstrate the bankruptcy of a system from which people had to escape, often had great peril.... The goal of the refugee regime was not to help restore stability to the international system but to destabilize governments, causes states to fail, and create domestic support for a policy of opposing and weakening communist governments in a constant struggle.³³

³³ Keely, B. Charles (2001) “The International Refugee Regimes”, *International Migration Review*, Vol.35, No.1, pp 307.

People were voting with their feet, and Western countries were taking these movements as a great challenge to Communism. Hence, for the people that escaped from the communist states there was no question of repatriation, and resettlement was the only solution to those “freedom fighters” that escaped from the communist persecution. In this sense, while the resettlement was used as a preferred solution to the refugees that are coming from the Communist countries, the best durable solution was repatriation for the refugees that were coming from the Third World Countries. In the Third World, UNHCR tried to bring about durable solutions, especially the return of refugees to their own country in safety, and nearly all the Third World refugees remained in their regions of origin, either returning home after independence or being given long term asylum in neighboring communities.

At the beginning of the 1960s, the attention of the international refugee regime passed to the Third World, and millions of displaced people started to challenge the international stability. Violent decolonization, as well as the post-independence civil strife and warfare in Africa, generated vast numbers of refugees, and underscored the strategic importance of the conflicts outside the Europe.³⁴ Along with, the Cold War started to affect the Third World and the refugee policies in the Third World.

As Keely mentions, the refugee regime in the Third World was a mechanism to contain and control the political impacts of civil wars and state failures related to ideological conflict, often combined with an element of

³⁴ Loescher, G. (2001) “The UNHCR and World Politics: State Interest vs. Institutional Autonomy”, *International Migration Review*, Vol.35, No.1, pp 38.

ethnic and nationality conflict and in many cases these conflicts were exacerbated by great power involvement as part of the Cold War conflict.³⁵ Hence, during the 1960s and 1970s, the Cold War extended beyond Europe into parts of the Third World and Western governments perceived refugee problems in developing countries as sources of instability, which the Soviet Union could exploit for its own advantage for extending its hegemony in the Third World. Thus, both in the refugee regime for the industrialized world and for the Third World the main subject of the regime was to serve to a political aim and it was political rather than a humanitarian action. In simple words, the Western governments used the population displacements as an instrument in their fight with communism.

The 1980s were violent ages for the Third World and for the displaced people. As rivalry between the United States and USSR caused both powers to support local clients across the world, internal conflicts over social order became globalized and extremely violent.³⁶ This political conflict became very difficult to resolve quickly and furthermore, there was not an easy solution to the refugee dilemma in the Third World.

As a result of the crisis in the Third World, a large number of Third World refugees appeared on the doorsteps of the Western countries, however, there were no compelling political or ideological reasons for Western countries to resettle the large number of asylum seekers. Even for the refugees from the Eastern Block-though they were still producing refugees- it was

³⁵ Keely, B. Charles (2001) "The International Refugee Regimes", *International Migration Review*, Vol.35, No.1, pp 311.

³⁶ *Ibid.*, 40.

really difficult to pass the borders because of the restrictions, and imposed exit controls. Hence, the refugees from the Third World -the majority of the world refugees- were given temporary asylum in camps or in neighboring states, with no prospect of effective long-term solutions.

The 1990s, which was the era of the rising of nationalism, the violent fragmentation of the existing states, the formation of the new nation states and the tension between rich and the poor, was also a new era for refugees. Refugee movements, which were assumed to hold a new degree of political importance in the discourse about global and regional security, were likely to be the result of the ethnic, communal and religious conflicts and sharp socioeconomic inequalities. With the end of the Cold War, governments everywhere were also becoming more restrictionists and were putting pressure on UNHCR to return refugees to their home countries as quickly as possible. However, the emphasis was shifted well before the end of the Cold War; it was during the 60s and 70s that the industrialized countries started to put new barriers, entry-restrictions and limitations both for the refugees and all kind of migrants. By this time, repatriation was increasingly perceived as the only solution to the refugee question. UNHCR permitted to expand its help to refugees in their country of origin, because the possibility to help them was being shrunk in the industrialized countries. To respond to the new international political climate of the early 1990s, UNHCR began to emphasize repatriation as the principle solution for the refugee problem. Thus, repatriation became a central part of UNHCR's new global strategy.

Consequently, it can easily be argued that the international refugee regime is mainly shaped by the political agenda of the day. Furthermore, as the primary agency of the international refugee regime, the UNHCR's primary concerns and policies had been also shaped and affected by the donor states due to the political atmosphere of the time. The policies of UNHCR and the international refugee regime that are given here with a general overview show that the main intention was to protect the powerful states rather than the protection of the refugees. Certainly, the regime helped the world's displacement population; however this was for the protection of political stability and security.

Another point that needs to be mentioned for showing the donor state's power in the organization is that 80% of funds are earmarked according to donor priorities.³⁷ Victims of humanitarian emergencies that fail to attract or sustain attention in the media and donor communities are considerable disadvantaged. When forgotten humanitarian agencies fall off the media, and donor radar screen, they fail to attract adequate funding. Clearly, the situation refers more than being fall of the media; refugee groups are not threatened equally within the international regime, the Western European and North American donor community is simply biased. In 1999, the donor response to the Consolidated Appeal Process (CAP)³⁸ for the Former Yugoslavia was \$207.29 per capita; in the same year the response to

³⁷ Bookstein, A. (2001) "UNHCR and Forgotten Emergencies: Can Funds be Found", *Forced Migration Review*, Vol.10, pp 47.

³⁸ UN Consolidated Appeal Process (CAP) is a linked fundraising appeal that brings together requests from all UN agencies operating in a specific country or region.

the emergency in Sierra Leone was \$16 per capita and for the Democratic Republic of Congo a mere \$8.40.³⁹ In 1999, the European Commission Humanitarian Office (ECHO) spent more than 50% of its budget in Former Yugoslavia, four times the amount of the aid to the 70 countries in Africa, the Caribbean and Pacific states combined.⁴⁰

2.5 Alternative Attempts to Define the Concept “Refugee”

Though the 1951 Convention Relating to the Status of Refugee provides a well-known definition of the concept refugee, this internationally accepted definition has proven inadequate to deal with the problems posed by the millions of externally displaced persons in the Third World. Thus, broader refugee definitions have been advanced in the regional conventions and declarations. The 1969 Organization of African Unity Convention Concerning the Specific Aspects of Refugee Problems in Africa (hereafter the OAU Convention) and the Cartagena Declaration on Refugees in 1984 (hereafter the Cartagena Declaration) formulated for providing different definitions at the regional level. The inclusion of persons displaced by war is based on the Charter of the Organization of African Unity and the Cartagena Declaration in regard to the Western hemisphere.

³⁹ Bookstein, A. (2001) “UNHCR and Forgotten Emergencies: Can Funds be Found”, *Forced Migration Review*, Vol.10, pp 47.

⁴⁰ *Ibid.*

2.5.1 Africa

The refugee question in Africa was the product of 1960s, the decade of maximum decolonization and of the intensification of the struggles for the independence by African nations. During 1960s most of the world's refugees were located in Africa, and despite their acceptance of the 1951 Convention, most African states agreed that the definition of the concept refugee is inadequate for the situation of the African Refugees.

On 10 September 1969, the Organization of African Unity (OAU) adopted a comprehensive Convention Governing the Specific Aspects of the Refugee Problem in Africa. The OAU Convention extended the United Nations definition of a refugee, stating that, in addition to the definition, which appears in article 1 A, paragraph 2, of the 1951 Convention,

The term 'refugee' shall also apply to every person, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality.⁴¹

This definition made the term 'refugee' applicable to asylum seekers who left their country of origin owing to external aggression, occupation, foreign domination, or events seriously disturbing the public order. Thus individuals in these situations would acquire, ipso facto, the status of refugee

⁴¹ OAU Convention Governing the Specific Aspects of Refugee Problems in Africa (1969).

without justifying their fear of persecution, as would have been required under the 1951 Convention.⁴²

The Convention was adopted by the Assembly of Heads of State and Government of OAU at Addis Ababa and came into force in 1974 after ratification by one third of the nation-states. This OAU Convention showed that well-founded fear of persecution was not sufficient to cover all refugee situations in Africa, given the growing number of refugees fleeing from wars and internal conflicts.

2.5.2 Latin America

There is a long tradition of asylum in Latin America; it dates from the Montevideo Treaty on International Penal Law, signed in 1889, which was the first regional instrument to address the issue of asylum.⁴³ The Treaty reflected the political stability of Latin America at the time and the need to protect the victims of political persecution. The 1889 Montevideo Treaty was followed by a series of regional conventions dealing specifically with the subject refugee. Conventions were concluded in February 1928 in Havana; December 1933 and March 1940 in Montevideo; March 1954 in Caracas; and November 1969 in San Jose, Costa Rica.⁴⁴ These conventions all dealt with the problem of “territorial” and “diplomatic” asylum.

⁴² Chimni, B.S. (2000) *International Refugee Law*, Sage Publications, New Delhi, pp 65.

⁴³ United Nations (1998) *International Migration Policies*, New York: UNDESA, pp 201.

⁴⁴ Chimni, B.S. (2000) *International Refugee Law*, Sage Publications, New Delhi, pp 67.

The outbreak of the conflict and violence in Central America in 1980s resulted in hundreds of thousands of people to flee their homes and the established regulations of asylum were ill suited to handle this massive displacement. Therefore the “Coloquio sobre la Proteccion Internacional de los Refugiados en America Central, Mexico y Panama: Problemas Juridicos y Humanitarios”⁴⁵ was held at Cartagena, Colombia in November 1984 to address the refugee problem in the region.

The 1984 Cartagena Declaration also provided a ‘refugee’ definition for the region.

The Declaration calls for consideration of the objective situation in the country of origin and the particular situation of the person or groups of persons seeking protection as refugees. This definition requires that two conditions be met to be declared a refugee: that there exist a threat to life, security, or liberty; and that the threat(s) result(s) from one of five factors: generalized violence; foreign aggression; international conflicts; massive violations of human rights; or circumstances seriously disturbing public order.⁴⁶

Though the Declaration, like 1969 OAU Convention broadens the definition of the term ‘refugee’, the definition of the 1951 Convention and its

⁴⁵ “Colloquium on Asylum and the International Protection of Refugees in Latin America”. The Colloquium was sponsored by the University of Cartagena, the Regional Center for Third World Studies, and the UNHCR and was held under the auspices of the Colombian Government.

⁴⁶ Chimni, B.S. (2000) *International Refugee Law*, Sage Publications, New Delhi, pp 70.

Protocol still provides the most acceptable definition of the term. However, who is credible for being a refugee is the critical question. The 1951 Convention is an instrument of its time and the definition reflects the anti-discrimination concerns that were prevalent in the years of that followed 1945. As it was mentioned before, the Convention was dealing with the events that occurred before 1 January 1951 in Europe, thus the adaptation of persecution as the central characteristic of the refugee was made to fit a Western interpretation of asylum seekers. As Keely mentions;

The definition would include political refugees from Eastern Europe, and would stigmatize the fledging communist regimes as persecutors. It was also perceived to be an appropriate way of dealing with the concerns of religious and ethnic minorities in Europe, especially the Jews, who were anxious to ensure that, in the event of the future persecutions, international arrangements existed for facilitating departure and resettlement elsewhere (Keely, 1993:57).

Besides, taking 'persecution' as the vital determinant point for being a mandate refugee, the Convention's definition excludes people who are displaced because of economic dislocations. Differentiating the economic migrants and the "real" refugees is one of the important discussions that take place both in the UNHCR and the First World countries. Former High Commissioner Ogata argues that;

Their need for international protection sets refugees apart from economic migrants. Refugees flee because of their governments are unwilling or unable to protect them from persecution for reasons of race, nationality, political opinion or religious belief. More commonly refugees flee from the brutal effects of internal conflict and violence. Economic migrants on the other hand, move in search of improved employment opportunities or for other personal reasons. Though their reasons for moving may be compelling, they are not at the same life-threatening quality as in the case of refugees (Ogata, 1995:30).

The focus on the political dimension for movement excludes people who move because of economic reasons, natural disasters, scarcity, and domestic violence. Moreover, this clearly brings 'ethical' and 'humanitarian' questions, and to privilege political persecution over scarcity and lack of any means to make a living.

Consequently, it is now clear that the definition of the 1951 Convention is far from reflecting today's refugee flows and being a solution for today's refugee question. The international refugee law's image of refugee identity is so narrow that it effectively excludes from its scope the majority of the world's displaced population.⁴⁷ As it was mentioned in the previous parts, the bulk of the world's refugees are from Asia and Africa, and the 1951 Convention's definition is not adequate both for defining and protecting the displaced people in these areas.

⁴⁷ Harvey, C.J. (2000) "Dissident Voices: Refugees, Human Rights and Asylum in Europe", *Social and Legal Studies*, Vol.9, No.3, pp 369.

United States and Europe as being both the founders of the international refugee regime and the most important donors of the UNHCR, still define the exclusion and inclusion dynamics of the refugee regime. Thus, the refugee law that exists today serves fewer and fewer people as the time passes, and the legal definition acts as a limiting device for the refugee protection. The regime in practice mainly operates in exclusionary ways and it constructs the walls of exclusion for the people who are outside the well-known definition of the concept refugee. As Harvey mentions, refugee protection was constructed as compromise between the desire of states to control entry and the continuing existence of the mass human displacement.⁴⁸

2.6 Rethinking the Refugee Regime in Contemporary Era

The refugee law that exists today mainly acts as a device that pictures the ones who are excluded by the international refugee regime. The First World countries have generally preferred to insist upon the narrower meaning of the concept, and refugees and asylum seekers are faced with increasingly restrictive legal regimes in the contemporary era rather than in the past.

The increase in asylum applications by arrivals in Europe and the U.S has led to a series of legal and policy changes making it more difficult to apply for asylum or to expedite the adjudication process, including restricting the judicial review of asylum decisions by administrators.⁴⁹ The industrialized

⁴⁸ Harvey, C. (2000) "Dissident Voices: Refugees, Human Rights and Asylum in Europe", *Social & Legal Studies*, Vol: 9, Issue: 3, pp 373.

⁴⁹ Keely, B.C (2000) "The International Refugee Regime(s): The End of the Cold War Matters", *International Migration Review*, Vol.35, No.1, pp 313.

states are increasingly reluctant to allow people to enter their countries and apply for political asylum.

Security concerns, inter-state tensions, 'backdoor migration', social and political unrest and environmental damages are all cited as 'negative' costs in the asylum ledger in the First World.⁵⁰ Hence, the majority of refugees remain in their geographical region of birth. There are no options both legal and illegal to move outside their regions. The main problem for these people is that the rich industrialized countries do not accommodate the demand through legal migration. While Tanzania hosts one refugee for every 76 Tanzanians, the figure for Britain is one in 530.⁵¹ The European Union, a collection of some of the world's richest nations, hosts less than 5% of the world's refugee population.⁵²

Besides, the idea of "Fortress Europe" is also another challenge for the refugees and all other kinds of migrants. The Schengen Agreement, which came into force on 26 March 1995, abolishes internal border controls between EU member states. However, the elimination of internal border checks is accompanied by the reinforcement of external border controls, and nationals from outside the European Union is subjected to stricter controls than in the past.

⁵⁰ Feller, E. (2001) "The Convention at 50: The Way Ahead for Refugee Protection", *Forced Migration Review*, No: 10, pp 7.

⁵¹ Bookstein, A. (2001) "UNHCR and Forgotten Emergencies: Can Funds be Found", *Forced Migration Review*, Vol.10, pp 48.

⁵² *Ibid.*

The Convention Determining the State Responsible for Examining Applications for Asylum Lodged in One of the Member States of the European Communities, popularly known as the Dublin Convention also introduced the rules for determining which state was responsible for examining asylum applications and it addressed the conditions that govern the transfer or readmission of applicants between member states.⁵³ The Dublin Convention also established the principle that refugees must apply for asylum in the first member state in which they arrive.

As a consequence, the European refugee policy affects and is affected by the Schengen and Dublin agreements within the European Union framework, which bring stricter border controls. However, as Loescher mentions, simply building new barriers around Western countries will not make the refugee question go away.⁵⁴ The restrictive refugee regime which is adopted by the Western countries will not solve the problem of refugee but pass it on to some other country –especially to a Third World country- to solve.

On the other hand, though immigration and racism cannot be taken with the only and particular correlation, it is clear that the new anti-immigrant climate feeds the contemporary racisms and gives them a focus. To put it other terms, racism and xenophobia are important concepts that need to be taken into consideration while dealing with the refugee issue in contemporary

⁵³ United Nations. (1998) *International Migration Policies*. New York: UNDESA, pp 202.

⁵⁴ Loescher, G. (1993) *Beyond Charity: International Cooperation and the Global Refugee Crisis*, Oxford University Press, New York.

era, particularly in Europe. In this sense, it is important to pay attention to “Europe”, what is Europe, what it means and what it will be signify tomorrow, what is the meaning of trying to construct a new European identity that also refers to constructing the barriers of Fortress Europe. in this sense, it is also important to emphasize that the efforts for the construction of ‘Fortress Europe’ go hand in hand with the discrimination and xenophobia in terms of the immigration and asylum policies, policing, criminal and justice policies, health, education and so on. Implications of racism are introduced because many of the asylum seekers and refugees are from Third World countries, rather than from Eastern and Central Europe or the Soviet Union. Thus, there had occurred an increase in the share of votes received by far-right political parties, which can easily be seen also as an increase in racism in Europe.

Therefore, it can easily be argued that the Convention regime has gaps; it is no panacea for the problems of displacement. In this respect, the refugee regime that exists today needs revolution and reconsideration in terms of refugee definition, refugee protection and durable solutions for helping displaced people in the world. Furthermore, there occurs a need for taking the racism into consideration because of the anti-immigrant climate that rises in the First World.

CHAPTER III

TURKEY AS A WAITING ROOM

3.1 The Turkish Regulations on Refugees

Turkey is one of the original drafters and signatories of the 1951 Convention but for a better understanding of the refugee issue and its reflections in Turkey, it is important to take the case with a historical point of view. In this sense, in this chapter, some important regulations relating to the refugee issue will be discussed while taking the case from 1934 Resettlement Law, which can be taken as the main theoretical framework of the contemporary regulations on migration.

3.1.1 1934 Resettlement Law

The Turkish Republic, and before that the Ottoman Empire has had a long history of receiving refugees. However, despite the vital role that Turkey plays in the international arena, it had no specific refugee policy from 1923 until the 1950s. With the 1934 Resettlement Law, which can be taken as the first law that deals with migration, the policies about migration were drawn in general. However, it is important to mention that the main focus of this law was not considering the issue of refugees. The main idea, which lay behind

this regulation, was the idea of nation state, and according to this law, the ones who have 'Turkish descent and culture' can be granted the possibility to migrate and settle in Turkey, or acquire refugee status.

Article 3 defines a refugee as someone who has arrived in Turkey to seek asylum as a result of compulsion and who has the intention to stay in Turkey temporarily.⁵⁵ The Article also puts that only those who are of Turkish decent and culture can choose to stay and integrate. Who falls within this definition has been left to the Council of Ministers, but in practice it has included Turks, mostly from the Balkans, as well as Albanians, Bosnians, Circassians, Pomaks (Bulgarian speaking Slav Muslims), and Tatars.⁵⁶ As Kirisci mentions also a small proportion of immigrants and refugees were also admitted from the countries to the east of Turkey, such as Kazaks, Kyrgyz, Turkmen, Uzbeks and Uyghurs (Kirisci, 2001).

Furthermore, it is also important to put that Turkey always felt responsible for the ethnic Turks and Muslims in the Balkans and this responsibility also shaped this and later regulations on the issue of migration and refugee policies.

Accordingly, the 1934 Regulation was the only instrument that has dealt with migration since the acceptance of the 1951 Convention Relating to the Status of Refugees.

⁵⁵ Kirisci, K. (2001) "UNHCR and Turkey: Cooperating for Improved Implementation of the 1951 Convention Relating to the status of Refugees", *International Journal of Refugee Law*, Vol: 13, No: 1/2, pp 73.

⁵⁶ *Ibid.*, 74.

3.1.2 The 1951 Convention Relating to the Status of Refugees

With the end of World War II, there occurred a 'need' for the international refugee regime, and with the ratification of the 1951 Convention Relating to the Status of Refugees, the international law and standards of this law were recognized. Turkey ratified the Convention in August 1961 and this Convention can be taken as the second major legal source for the issue of migration in Turkey, but the first source that has dealt with the refugee issue.

Turkey's acceptance of the 1951 Convention carried a geographical and time reservation like other signatories. With the 1967 Protocol, while almost all other signatories were removing their reservations on the refugee definition, Turkey did not remove her geographical reservation that excluded non-Europeans from recognition as refugees. Accordingly, Turkey has applied the 1951 Convention to any person who becomes refugee as a result of the events in Europe, without considering the 1967 Protocol and its extensions. This Eurocentric reservation basically meant that Turkey would give the refugee status and asylum only to the individuals who are escaping from communist persecution in Eastern Europe and Soviet Union. Additionally, this can also be taken as the continuity of the responsibility for the Muslims in the Balkans.

Thus, with the ratification of the 1951 Convention there occurred a different categorization of refugees. These are Conventional refugees, ethnic Turkish refugees (National Refugees) and refugees from neighboring Middle East countries (Non-Conventional refugees).

The former group (Conventional refugees) is composed of those who have come from East European countries. For these refugees Turkey is simply the country of first asylum and they remain in Turkey until a new country of settlement is found for them usually with the help of the International Catholic Migration Commission (ICMC) and UNHCR.⁵⁷ These refugees enjoy the full protection of the 1951 Convention and were most of them resettled in a third country by the help of international organizations.

As it was mentioned, Conventional refugees were capturing the refugees that are coming from the East European countries and the Soviet Union. Accordingly, there were two main and political reasons of the favorable treatment to these refugees in the area of the Turkish Republic. Firstly, the attitude of Turkey to these refugees was also showing Turkey's position during the Cold War. As a supporter of the anti-communist policy, it was natural to help refugees that are escaping from the communist persecution. The second has to do with the fact that refugees from Eastern Europe had always come in small numbers and West European commitment to help such refugees to resettle in the West has meant that they only used Turkey as a staging post on their way to the actual country of asylum.⁵⁸ The people that are coming from these countries were in small numbers and it was

⁵⁷ Kirisci, K. (1991) "The Legal Status of Asylum Seekers in Turkey: Problems and Prospects", (*Paper Prepared for the Presentation at the Colloquium on 'The 1951 Convention and Relating to the Status of Refugees: Principles, Problems and Potential'*), Geneva, Switzerland.

⁵⁸ Kirisci, K. (1991) "Refugee Movements and Turkey", *International Migration*, Vol: 29, No: 4, pp 6.

easy to manage this refugee movement since the international organizations met the costs of sheltering and resettling.

The second group (national refugees) comprised of basically ethnic Turks or ethnic groups that are closely related to Turks or Muslims who were not Turks but coming from the descents that are very closely associated to the Ottoman Empire. Turkish municipal law grants the possibility of ethnic Turks to migrate to Turkey.⁵⁹ Besides, as it was mentioned in the earlier parts, the Law on Resettlement also stipulates that only refugees of 'Turkish ethnic decent and Turkish culture' are entitled to Turkish citizenship. As a status determination, these people are treated as 'immigrants' rather than refugees.⁶⁰

With this immigrant status, these people have the chance of getting much greater administrative, economic and political advantages than the Conventional refugees. Hence, Bulgarians, Albanians, Bosnians and Pomaks who are not ethnically Turkish benefited from this policy due to their historical, religious and cultural ties.

The third categorization are the non-conventional refugees who are mostly Middle Eastern asylum seekers composed of mainly Iranians, Iraqis, Kurds and others that are coming from different parts of Middle East, Asia and Africa. According to Turkey's involvement to the 1951 Convention and 1967 Protocol, these people who are coming from outside Europe are out of Turkey's responsibility and concern. Due to the geographical reservation, the large number of asylum seekers that are coming from the Middle Eastern

⁵⁹ Ibid., 4.

⁶⁰ Ibid.

countries, especially from Iran and Iraq cannot have the status of refugee and cannot enjoy the full protection of the 1951 Convention in the Turkish Republic. Furthermore this limitation and practice has also been accompanied by a clear understanding that asylum is granted in the condition that the refugees would be resettled under third countries.⁶¹

However, this was not a big problem since the late 80s, Turkey was successful with the management of the migration patterns since these dates but after 1980s there occurred an influx from the Middle Eastern countries especially from Iran and Iraq. The influxes from these countries created a big problem when we consider that Turkey is lacking a consistent refugee policy.

Turkey experienced the first mass influx of non-conventional refugees with the arrival of the Iranians after the Islamic Revolution. People that were escaping from Ayatollah Khomeini's regime began to arrive to Turkey and the absence of the visa requirements for Iranian nationals made their entry relatively easy. However, the influx of the Iranian people did not create a big problem since they did not overstay and violate the national laws. Most of the Iranian people had used Turkey as a transit route on their way to the West.

From the late 1980s onwards, asylum seekers from countries other than Iran started to pour into Turkey. The largest group among them was from Iraq. Between 1988-1991, the people that escaped from the extensive use of chemical weapons in Iraq and human-rights violations did not wish to be repatriated; hence for the most part these people had mostly been resettled in

⁶¹ Ibid.

third countries. After the Fall of 1991 another important influx occurred from North Iraq. However, Turkish officials refused them the right to seek asylum in the area of the Turkish Republic, arguing that Northern Iraq is safe from persecution and they kept the right to deport them.⁶² Turkish authorities believed that under the international law and due to the geographical reservation of the 1951 Convention, Turkey did not have any obligations to these refugees and they preferred to use the terms such as “guests” or “peshmergas” for these Kurds that sought asylum in Turkey rather than the term “refugee”.

Following the repatriation of the Kurdish refugees who had fled to Turkey in April 1991 and the establishment of a safe zone in Northern Iraq, Turkish authorities became increasingly reluctant to apply the working relationship to asylum seekers from this area.⁶³ According to their point of view, Northern Iraq was safe and the people that are coming from this area were ‘illegal migrants’ who are looking for better life.

There were many reasons for this reluctance in attitude toward the Kurdish refugees that escape from Northern Iraq. First of all, the internal problems such as the Kurdish refugees also influenced the authorities’ understanding of the Kurdish refugees in Turkey. The Turkish officials were reluctant to see any flow of refugees from Northern Iraq because of the Kurdish question in the southeastern part of Turkey. Accordingly, the officials

⁶² Kirisci, K. (2001) “UNHCR and Turkey: Cooperating for Improved Implementation of the 1951 Convention Relating to the Status of Refugees”, *International Journal of Refugee Law*, Vol: 13, No: ½, 77.

⁶³ Ibid.

were concerned that such a flow from the North Iraq could add momentum to the separatist Kurdish movement in the country. Thus, the presence of the Kurdish refugees is perceived as a threat for the nation-state and the national security.

Secondly, Interior Ministry officials were increasingly concerned that movements of these people were occurring beyond their control, and hence in violation of national laws.⁶⁴ They were particularly disturbed by the growing number of individual asylum seekers entering the country illegally, remaining inside the country illegally and often trying to leave the country illegally.⁶⁵

Furthermore, many officials felt that the asylum seekers that took shelter in Turkey undoubtedly created economic, political and social problems. According to this point of view, Turkey was not getting any recognition for the economic and other sacrifices it was making to protect and assist refugees, especially from Northern Iraq. Accordingly, the officials argued that Turkey was not bound by the obligations of the Convention in regard to the asylum seekers and refugees from outside Europe. Hence, the Turkish officials use the discourse of 'humanitarian aid' for the refugees that escape from Northern Iraq.

The presence of the Kurdish refugees had become a major source of conflict between Turkey and Western Europe. Eventually, in July 1994 the Turkish authorities introduced their status determination, which was then

⁶⁴ Ibid., 79.

⁶⁵ Ibid.

formalized with the introduction of the Asylum Regulation in November 1994.

3.1.3 1994 Regulations

The Regulation on asylum, introduced in November 1994, which aims to take over the refugee status determination from the UNHCR, to which it had been left in practice. As Kirisci mentions the 1994 Regulation on Asylum was a direct outcome of the dramatic changes in the nature and size of movements of people into Turkey during the course of preceding ten years.⁶⁶ This regulation, which is entitled as “Regulation on the Procedures and the Principles Related to Mass Influx and the Foreigners Arriving in Turkey or Requesting Residence Permits with the Intention of Seeking Asylum from a Third Country”, was an attempt to bring the status determination under the Ministry of Interior without actually lifting the geographical limitation.

The 1994 Regulation is divided in five sections. The first section depicts the purpose of the regulation and it also indicates the organizations that shall be in charge, to determine the principles and procedures relating to possible mass influxes and the foreigners arriving in Turkey as individuals or in groups wishing to seek asylum either from Turkey or requesting residence permits from Turkey with the intention of seeking asylum from a third country, under the 1951 Convention Relating to the Status of Refugees and

⁶⁶ Kirisci, K. (1991) “UNHCR and Turkey: Cooperating for Improved Implementation of the 1951 Convention Relating to the Status of Refugees”, *International Journal of Refugee Law*, Vol: 13, No: 1/2, 78.

the Protocol of 31 January relating to the Status of Refugees.⁶⁷ This part also puts that there are four types of asylum seekers and gives the definitions of them⁶⁸:

Refugee: A foreigner who as a result of events occurring in Europe and owing to well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such a fear, is unwilling to avail himself to the protection of that country: or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable to or owing to such a fear is unwilling to return to it.

Asylum Seeker: A foreigner who owing to well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such a fear, is unwilling to avail himself to the protection of that country: or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable to or owing to such a fear is unwilling to return to it.

⁶⁷ The Regulation on the Procedures and the Principles Related to Mass Influx and the Foreigners Arriving in Turkey either as Individuals or in Groups Wishing to Seek Asylum Either from Turkey or Requesting Residence Permits with the Intention of Seeking Asylum from a Third Country, 1994.

⁶⁸ In the "Regulation on the Procedures and the Principles Related to the Mass Influx and the Foreigners Arriving in Turkey or Requesting Residence Permits with the Intention of Seeking Asylum from a Third Country"

Belligerent Foreign Army Member: A military person, allowed into or captured in Turkey, whose country of origin is in a state of war or armed conflict with a third country.

Individual Case: An individual person or a family consisting of a father, mother and under-age children.

These definitions also bring a different approach to the difference between the terms 'asylum seeker' and 'refugee'. Normally, an asylum seeker is considered to be a person claiming to be a refugee whose status has not yet been determined by an adjudicator. However, according to the Turkish regulations, the distinguishing feature between a refugee and an asylum seeker is whether or not the person in question is of European origin.

The second part puts the procedures and principles for asylum applications in Turkey. According to Article 4, the individual foreigners who are either seeking asylum from Turkey or requesting residence permits with the intention of seeking asylum from a third country shall apply within five days to the local Governorates if they entered into the country legally; and shall apply within five days to the Governorates at the city where they entered into the country 'illegally'. The foreigners registration will be done by taking their photographs and fingerprints and interviewing them according to the 1951 Convention, and in the next step the interview documents, along with the comments of the Governate, are sent to the Ministry of the Interior and until further instructions from the Ministry of Interior the foreigners are kept under surveillance.

Furthermore, the regulation identifies the Interior Ministry as the final decision-making body for status determination and once a decision is made, then the foreigners are entitled to live in a specific provincial city where they are responsible for a signature duty⁶⁹.

The third and fourth parts of the regulation deal with mass asylum. Article 8 expresses that:

Without prejudice to Turkey's obligations under international law and considering the geographical characteristic of a mass influx, it is essential to stop such a movement and the advance of asylum seekers at the borders. The authorities in charge shall take necessary and effective measures to do so.

This article shows the reluctance of Turkish authorities to accept the mass influxes especially from outside Europe. Furthermore, these parts also deal with the establishment of reception camps for the asylum seekers, settlement and visit by the representatives of foreign states and international organizations.

Lastly, part five introduces general rules and is concerned with asylum in general. Article 28 requires who shall be granted temporary residence to find a third country for resettlement within an 'reasonable' period of time and that if s/he fails to do so, the person may find residence permit not extended and be asked to leave the country. Accordingly, the Ministry of the

⁶⁹ This duty means that refugees have to go to the police station in the city where they are entitled to live for signing to prove that they are in the city where they are officially settled.

Interior shall carry out repatriation of individual cases and a refugee or an asylum seeker who is residing in Turkey legally can only be deported by the Ministry of Interior within the framework of the 1951 Convention Relating to the Status of Refugees or for reasons of national security and public order.

In short, though the regulation was seen as an improvement at the very beginning, the practice was very disappointing. In another saying the situation evolved from bad to worse in a few years due to the reason that such a regulation needs fully organized people who know the international laws, language and such important knowledge about refugees. As Kirisci mentions, the Turkish authorities were clearly caught unprepared to carry out the actual status determination (Kirisci, 2001).

However, though the Regulation created big problems and different interpretations, the most serious problem was the problem of deportations. The Regulation calls for the deportation of those persons whose cases had been rejected and had not filed for asylum within five-day limitation. This limitation was a big problem when we consider that asylum seekers do not know the language and this five-day limit. Besides, also for asylum seekers that enter the country illegally, the Regulation required them to fill the application form at the border provinces where they entered the country. However, most of the illegal asylum seekers move to the big cities such as Istanbul and Ankara after they enter. Besides, for the accepted refugees, Article 28 says resettlement has to be done within a 'reasonable' time period, which lends itself to subjective interpretations. As an outcome, there occurred great problems in terms of deportations and the principle of non-refoulement.

Thus, though the Turkish Republic recognizes the principle of non-refoulement, with the deportations there occurred a violation of this principle and this created a crisis between the international community and Turkish authorities.

In 1997 a positive development occurred in relations between UNHCR and Turkish Government; Turkish authorities sent an instruction to officials in border towns requiring them to direct asylum seekers to the UNHCR and then UNHCR was permitted to open its branch office in some of the border towns such as Agri and Van. These offices made asylum seekers to apply before the deadline of the time limitation and made the offices that they can get information from more reachable. As Kirisci points, more importantly, coordination between UNHCR and Turkish Government reached such a level that de facto, to all intents and purposes, UNHCR carried out status determination.⁷⁰

In 1999, Turkey amended its 1994 Asylum Regulation, extending from five days to ten the deadline for registering asylum claims with the authorities after arriving in the country.

These improvements and transformations in the regulations and discourse of the Turkish authorities are not only the outcomes of the international criticisms. Rather, the wish to control the borders, and join the European Union are the main reasons for such a transformation.

⁷⁰ Kirisci, K. (2001) UNHCR and Turkey: Cooperating for Improved Implementations of the 1951 Convention Relating to the Status of Refugees", *International Journal of Refugee Law*, Vol: 13, No: 1/2, 72.

Consequently, Turkey continues to resist lifting the geographical limitation and it is far from being an ideal implementer of the 1951 Convention. However, though Turkey needs higher standards of law, bureaucratic and socio-economic standards both for the Turkish citizens and asylum seekers it is also important to notice the improvements in terms of refugee regulations, besides noticing the long way to go...

3.2 UNHCR in Turkey

UNHCR opened its Branch Office in Ankara, Turkey in 1960. From then onwards, the organization played a vital role for the refugee issue in Turkey. UNHCR's primary role in Turkey is based on the refugee status determination for non-European countries and their resettlement in third countries. Since Turkey accepts only people who come from 'Turkish culture or descent', the integration of non-European refugees to the Turkish culture is not a case for the Branch Office. Moreover, due to the unstable conditions of the countries that non-European asylum seekers and refugees come from - refugees mostly came from Middle Eastern countries, especially from Iran and Iraq- repatriation of these people cannot be taken into the agenda of the UNHCR, and the only durable solution is resettlement in a third country. Contrary to the 1994 Regulation, status determination continues to be done by the UNHCR, with the concurrence of the Turkish authorities.

Table 1. Statistics on Refugee Status Determination

STATISTICS ON REFUGEE STATUS DETERMINATION ⁷¹ (As of 31/July/2002)				
PERIOD OVERE	ARRIVALS REGISTERED	TOTAL NUMBER OF APPLICANTS	TOTAL DECISIONS	
			POSITIVE	NEGATIVE
1998	6838	5243	2230	3013
1999	6605	6169	1903	4266
2000	5777	7203	2726	4477
2001	5192	7602	2867	4735
2002	1762	2813	1953	2968

The discrepancy in the aggregate of accepted and rejected cases and the actual total results from cases that get carried to the following year.

UNHCR's principle activities of Turkey have principally concerned the needs of the individual asylums from Iran and Iraq, which constitute 94.2 % of the asylum seekers in Turkey. Following figures show the arrivals registered according to the country of origin as of 31/July/2002⁷²;

Table 2. Arrivals Registered According to the Country of Origin

PERIOD OVERE	Iranlans	Iraqis	Other	TOTAL
1998	1979	4672	187	6838
1999	3843	2472	290	6605
2000	3926	1671	180	5777
2001	3485	998	709	5192
2002	1106	494	162	1762
TOTAL	14339	10307	1528	26174

Table indicates number of persons.

⁷¹ Source: Ankara Branch Office, UNHCR

⁷² Source: Ankara Branch Office, UNHCR.

After the status determination, the main concern of UNHCR is to resettle non-European mandate refugees in third countries. According to the UNHCR Ankara Branch Office's statistics, most of the mandate refugees are resettled in the following countries;

Table 3. Resettlement Countries

	1997	1998	1999	2000	2001
AUL	309	326	342	318	154
CAN	281	340	576	666	636
DEN	36	43	22	5	25
FIN	200	72	135	162	97
FRA	0	0	0	0	4
GER	14	45	48	19	38
GBR	7	23	13	6	14
ITA	0	0	0	0	3
NET	11	51	2	10	3
NZL	0	9	9	4	5
NOR	220	268	275	62	608
SWE	133	154	55	122	200
SWI	0	0	0	0	1
U.S.A	322	268	356	952	959
OTH	41	30	11	8	0
TOTAL	1574	1929	1844	2334	2747

Yearly departure figures give the number of persons.

UNHCR has no direct involvement in sheltering refugees and asylum seekers. Once the refugees are granted status they must reside in the satellite cities determined by the Turkish government where they are obligated to have

signature duty. According to the UNHCR Ankara Branch Office, the statistics of the mandate refugees in Turkey as of 31/July /2002 due to their residence:

Table 4. The Statistics of Mandate Refugees in Turkey Due to Their Residence

CITIES	Iranian		Iraqi		Other		TOTAL	
	Case	Person	Case	Person	Case	Person	Case	Person
Ankara	15	22	30	89	31	70	76	181
Istanbul	20	40	17	41	32	54	69	135
No Info	0	0	1	1	1	1	2	2
Sub Total	35	62	48	131	64	125	147	318
Adana	0	0	0	0	1	1	1	1
Afyon	34	75	12	38	0	0	46	113
Agri	7	11	1	4	1	1	9	16
Aksaray	70	135	0	0	0	0	70	135
Amasya	40	89	3	10	2	2	45	101
Bilecik	32	71	0	0	0	0	32	71
Burdur	76	109	0	0	0	0	76	109
Çankırı	35	72	3	9	0	0	38	81
Corum	9	13	8	21	6	12	23	46
Hatay	0	0	0	0	1	1	1	1
Eskişehir	74	154	5	19	1	4	80	177
Hakkari	0	0	1	1	0	0	1	1
Izmir	0	0	0	0	1	1	1	1
Isparta	30	66	1	1	0	0	31	67
Karaman	17	45	0	0	0	0	17	45
Kastamonu	29	56	2	9	0	0	31	65
Kayseri	165	373	21	60	0	0	186	433
Kırıkkale	0	0	6	19	0	0	6	19
Kırşehir	67	135	3	10	0	0	70	145
Konya	22	48	7	26	3	19	32	93
Kutahya	26	67	6	24	0	0	32	91
Nevşehir	59	133	3	13	0	0	62	146
Nigde	63	141	6	13	0	0	69	154
Sirnak	1	4	2	2	1	1	4	7
Sivas	2	3	13	28	3	7	18	38
Tokat	0	0	4	9	2	9	6	18
Antalya	0	0	0	0	3	3	3	3
Van	228	418	8	26	5	15	241	469
Yozgat	5	12	8	33	2	5	15	50
Sub Total	1091	2230	123	375	32	81	1246	2686
Grand Total	1126	2292	171	506	96	206	1393	3004

Besides the status-determination and resettlement functions, UNHCR also helps the mandate refugees in terms of medical and financial support when they are in need of. Accordingly, the Program Unit deals with these assistances and financial interviews are done with the mandate refugees who declare that they are in bad economic conditions. Thus, a certain amount of financial support is paid to the ones who meet UNHCR's assistance criteria. Travel costs are also paid for the refugees that are invited for refugee-status determination or resettlement interviews.

Refugees and asylum seekers are not permitted to work, but their children are allowed to attend school. However, the children cannot get any certificates from the schools that they attend. UNHCR also provides a certain amount of education assistance to children that attend to a school.

3.3 Turkey as a Transit Country

Turkey has been a main actor in international transit migratory movements for the last two decades. Until very recently Turkey had been recognized as a "sending country" in terms of migratory flows, however today, it also became both "receiving" and "transit" country.⁷³ Therefore, today, Turkey plays a triple role in the case of refugees as a refugee-sending, refugee receiving and transit country.

⁷³ IOM. (1995) *Transit Migration in Turkey*, Migration Information Programme, pp 1.

As Icduygu points, “transit migrants” are the people who come to a country of destination with the intention of going to and staying in another country.⁷⁴ Not only refugees but also other types of migrants such as so called economic migrants, clandestine migrants use Turkey as a transit way on their way to the West. Thus, thousands of migrants with the intention of temporary stay come to Turkey to find a way to the developed world.

Economic difficulties in the former communist countries and the ongoing political problems in the Middle East increased the number of people who try to migrate for a more secure and better life. Thus, not only migrants from Middle Eastern countries but also migrants from Black Sea, Asian and African countries as diverse as China, Morocco, and Algeria use Turkey as a transit country on their way to the preferred destinations. Due to the strict border controls and the visa requirements in the West European countries, the proximate countries to this area such as Poland, Czech Republic and Turkey started to be used as a transit route to the West. The open-border policy, which accompanied with the increasingly restrictive measures in closing the border to non-EU countries, and the idea of “Fortress Europe” also provoke every kind of immigrants to use these transit countries on their way to the preferred Western countries.

Thus, Turkey’s role as a transit country gained much more importance in the contemporary migration flows. According to Icduygu;

⁷⁴ Icduygu, A. (2000) “The Politics of International Migratory Regimes: Transit Migration Flows in Turkey”, *International Social Science Journal*, Vol: 52, Issue: 166, 358.

There are three factors that seem to be shaping these migratory movements to Turkey. First, the ongoing political turmoil and clashes occurring in neighboring areas have pushed people from their homelands in their hope for a better life, security and protection from persecution. Second, Turkey's geographical location between East and West and South and North has made the country a suitable transit zone for those intending to reach Western and Northern countries. Third, the policies of "Fortress-Europe", applying very restrictive admission procedures and increasing immigration controls, have diverted immigration flows targeting Europe to peripheral zones around it, like Turkey (Icduygu, 2000:358).

Besides, Turkey's geographical reservation that excludes non-Europeans is also another reason for being a transit country especially for asylum seekers and refugees. The refugees and asylum seekers who applied for the status determination to UNHCR have to wait for a period of time-four to six months for the first interview-. Moreover, the non-European refugees who are recognized by UNHCR as refugees have to move to a third country for resettlement, but the period of waiting for a receiving country can change between 8 months to 2 years. Nevertheless, the intentions and plans can develop or change at any stage, and the transition period can take a few days or several years. Briefly, Turkey is a 'waiting room' for a vast number of non-European refugees and asylum seekers who try to move to a third place.

According to the International Migration Office's study⁷⁵ which is done on the transit migration in Turkey, less than 60% of the sampled migrants had been in Turkey for less than one year, while more than 10% had been residing there for more than one year. According to the same study, the average duration of stay for Iranians was almost four years, whereas for Iraqis, Bosnians and Africans it was 26, 21 and 13 months respectively.

According to the official statistics based on data compiled by the State Institute of Statistics, over the last 20 years (1979-1999) more than 55 million foreigners arrived into Turkey.⁷⁶ Most of these arrivals were tourists but unfortunately, there is no database that can give the true statistics of the transit migrants in terms of asylum seekers and refugees in Turkey.

Besides asylum seekers and refugees who use Turkey as a transit route, Turkey is also attractive for any other kinds of migrants who try to move to the West either because of economic, political and other reasons. Newspapers frequently reported stories of immigrants that are apprehended by authorities who pass the Turkish borders illegally. Many of these also join to illegal immigrants trying to enter Europe with the help of organized crime and many people are being caught on international waters between Greece and Turkey while they were trying to pass to Europe. In recent years, these events have become by no means unusual. Turkey has long been a transit route for people trying to get into the European Union illegally, with

⁷⁵ IOM. (1995) *Transit Migration in Turkey*, Migration Information Programme.

⁷⁶ Icdygu, A. (2000) "The Politics of International Migratory Regimes: Transit Migration Flows in Turkey", *International Social Science Journal*, Vol: 52, Issue: 166, 359.

organized crime creaming off large profits from human smuggling operations.

These trafficking problems that occur in Turkey for years are vital when Turkey's aspirations to become a member of European Union are taken into consideration. While EU instruments such as Dublin and Schengen Conventions are trying to limit even the legal entrance of asylum seekers and refugees in the area of European Union, Turkey's back door is open to all kind of immigrants. Thus, because of the fear that Turkey is becoming a 'buffer zone', EU calls Turkey to adjust its asylum legislation to the EU regulations. Accordingly, EU invites Turkey to lift its geographical limitation, improve its border control, open reception facilities for asylum seekers and refugees, put into place administrative structures to perform status determination, sign readmission treaties with EU members, and adjust its visa regime to that of EU.⁷⁷ As Kirisci mentions, the practice of imposing 'readmission treaties' on EU candidate countries is strengthening the tendency towards 'Fortress Europe', and Turkey is under pressure to tighten up control of illegal transit migration.⁷⁸

The Turkish National Programme that addresses the demands rose by the EU, responded with a new law relating to the transit migration nowadays. A new law passed in the Turkish Parliament regarding human smuggling and trafficking on 3 August 2002. There are two important points that need to be

⁷⁷ Kirisci, K. (2001) "UNHCR and Turkey: Cooperating for Improved Implementation of the 1951 Convention Relating to the Status of Refugees", *International Journal of Refugee Law*, Vol: 13, No, ½, pp 96.

⁷⁸ Ibid., 96.

mentioned in this law. Firstly, addendum to human smuggling as an article to the Penal Code penalizing migrant smuggling with sentences like 2 to 5 years heavy imprisonment of the perpetrators and fines not less than 1 billion Turkish Liras. If someone dies due to the conditions of the medium of smuggling/trafficking (containers, ships, etc), perpetrators might be sentenced to 10 years imprisonment. Secondly, people who confiscate passports of other people they trafficked in and selling of a part of these people's bodies shall be punishable by 5-10 years of heavy imprisonment. If deemed to be organized crime, the sentence might be 10-20 years imprisonment.

Consequently, Turkey is an important transit route not only for asylum seekers and refugees but also for all other types of migrants who seek protection or betterment in their lives. Thus, considering the restrictions in the immigration and asylum policies of the Western countries, countries such as Turkey are becoming a buffer zone for the people who try to reach industrialized countries of the West. In this sense, there is a vitality to take this into consideration, and there occurs an urgency to deal with these immigration questions at both national and international levels.

CHAPTER IV

TOWARDS A WIDER UNDERSTANDING OF THE REFUGEE EXPERIENCE IN TURKEY

*People are strange
When you are a stranger
Faces look ugly when you are alone
-The Doors*

*The act of hospitality can only be poetic
-Jacques Derrida*

4.1 The profile of the Interviewees

For a better understanding of the refugee issue in the Turkish Republic, ten in-depth interviews were conducted with the recognized refugees who are presented or to be presented to a third country for resettlement. As it was mentioned in the introduction chapter of this study, the in-depth interviews were held between the dates of 01/05/2002 and 31/08/2002, and UNHCR Ankara Branch Office was used as the place for conducting the in-depth interviews. The refugees who came to UNHCR Ankara Branch Office for a so-called financial interview are chosen randomly between the mentioned dates. Though ten in-depth interviews and the

information that these interviews provided cannot represent the whole refugee population in Turkey, it is assumed that both the observations of the author and the in-depth interviews can give a modest but insightful opinion about the experiences of refugees in Turkey.

The in-depth interviews were lasted about one hour and the interviews were conducted asking and using a set of semi-structured questions.⁷⁹ Moreover, as it was emphasized before, the interviews were held with the help of interpreters at UNHCR. Thus, in this part a general profile of the refugees with whom the in-depth interviews were conducted will be drawn.

Sex, Age and Marital Status:

The numbers of male and females interviews were equal. The majority of the sample –both men and women- were young they were between the age 20 and 44. Only one of the interviewees was 58 years old. Thus, the average age for the entire sample is 34, with a minimum of 20 and a maximum of 58.

Four of the refugees were single and six of them were married, traveled with their children or sent for them after arriving to Turkey. Four of them, who were married, were living with their spouse while one of them, whose husband is in Canada, was waiting for the family reunification. Only one of the refugees was widowed and living with her children in Turkey.

⁷⁹ You may see the framework of the semi-structured questions in the Appendix A of this study.

Country of Origin, Religion and Education:

Due to the reason that most of the refugee cases in Turkey are coming from Middle Eastern countries, especially from Iran and Iraq, the random sample was made up of five Iranian and five Iraqi refugees. Three of the Iranian interviewees were Baha'i examples, and only one of the refugees was Christian, one of them was an atheist and the remaining 6 cases were Muslims.

Because the refugees interviewed were coming from neighboring countries, Iran and Iraq, they find it relatively easy to adapt to the Turkish context and to manage the situation. All of the refugees perceived Turkey as quite similar to other Middle Eastern countries. Azerbaijani refugees, who came from Iran, feel that there are many cultural, historical and language similarities between Turkey and their ethnic background and they feel relatively comfortable when compared with the other groups of refugees.

More than half of the refugees interviewed, six of them had completed high school education, three of them had secondary school education, and one of them had a graduate degree.

Motive for departure from country of origin:

Six of the refugees, five Iraqi cases and one Iranian case, referred to political problems as being their motive for departure. This is strongly related with the unstable political systems and political pressure exercised on minorities in Iran and Iraq. The other four cited socio-cultural motives- including religion-based codes applied in Iran as major reasons for leaving the

country. The persons that came from Iran also emphasized the lack of social rights and discrimination as important push factors that made them move from their country of origin.

Reasons for Choosing Turkey:

The main reason for choosing Turkey as a transit route is, it is both close to Europe and to the country of origin. Because Turkey is being a neighboring country the cost of escape actually remains cheap. The second reason for moving to Turkey was the presence of the United Nations High Commissionaire for Refugees Office in Turkey.

Besides this, Baha'i examples also mentioned that they chose Turkey because UNHCR recognized them here in a quite short time as 'refugees' and then they can move to United States easily.

Cost of the Escape:

Turkey has been voluntarily chosen as a country of transit by all of the interviewees. The total economic cost for the refugee leaving the country of origin has not been estimated. The financial cost of traveling to Turkey depends on whether the migrant has adequate documents (legal entry) or not (illegal entry). For all refugees who entered Turkey legally, transportation was considered cheap. According to the information provided by refugees the total cost for entering Turkey legally is approximately \$75 per person. Only those who entered Turkey illegally have to pay higher prices to the traffickers.

Trafficking:

Six of the refugees entered Turkey without valid documents such as passports. The ones, which entered Turkey without a valid document, were Iraqi citizens. They said that they entered Turkey with the help of traffickers.

Iraqi refugees mentioned that they arrived from Iraq on foot or traveled by bus. They reported that there were bus services available for trafficking of people. The ones who entered Turkey legally said that they arrived in Turkey by bus or by train.

Length of stay in Turkey /Residence and Work Permit:

Except the Baha'i cases, who are in Turkey for four, five and six months, the refugees interviewed were staying in Turkey for more than one year. The average length of stay among the other refugees was 3.2 years, with a minimum of one year and a maximum of seven years.

Only one of the refugees had a work permit. The rest of the refugees, who are working are doing their jobs illegally i.e. without a work permit. Besides, three of the refugees have no residence permit for the Turkish Republic, the remaining are living in the country with a residence permit.

Housing, Employment and Income:

Only two of the refugees were living in a rented house and were not sharing with others, whilst another four were sharing a rented house with other families. Four of the single refugees were sharing their rooms with their friends.

During the interview, only two of the refugees, who are living in a rented house without sharing with other families, informed that they are satisfied with their housing in Turkey.

Five of the refugees are unemployed in Turkey, while the other five are employed in full time jobs.

The majority of the refugees have been living at income levels considerably lower than they were used to in their country of origin. Two of the refugees were receiving money from their relatives from their country of origin and three of them were receiving money from their relatives living abroad in countries such as USA, Australia and Canada.

Perception of UNHCR:

Except the Baha'i examples, which mentioned that they trust in UNHCR without but all of the refugees said too that they trust to UNHCR because they have no alternative. According to the interviewees, UNHCR does not understand their problems and their decisions on refugees are arbitrary and far from being a solution to the refugee problem in Turkey.

Furthermore, refugees mentioned that the UNHCR is deciding on Baha'i refugees in a much shorter time than deciding on other cases and the refugees named this as discrimination.

Perceptions of Turkey:

Almost all of the refugees were not satisfied with food, clothing and housing in Turkey. As it was emphasized earlier, the majority of the refugees

have been living at income levels considerably lower than they were used to in their country of origin.

Besides, the majority of the refugees argued that there occur both economic problems and 'human rights' problems in Turkey. Moreover, all of the refugees emphasized that the Turkish government has no direct policy on the refugee issue and they considered it as a consequence of the general discontent of the government on refugees.

Concomitantly, except Mrs. X who lives in Izmir, all of the refugees put that the native population has a negative perception about them. They argue that people are hesitating to contact them. Moreover, except Mrs. X, all of the refugees mentioned that they live problems while they are communicating with the local authorities such as police, and admittedly, the majority of the refugees put that they are distrustful to the Turkish police.

When the interviewees were asked whether they would recommend coming to Turkey to their relatives and friends only two of the refugees said "yes". This group was consisting of the Iraqi woman who stays in Izmir and one Baha'i case that has stayed in Turkey for four months. These people who recommend Turkey had a residence permit and one of the refugee's husband had a work permit in the Turkish Republic.

Going back to the Country of Origin as an alternative

Refugees are also asked whether they would consider going back to their homeland as an alternative. None of the refugees interviewed intended to return to his/her country of origin. All wanted to reach their envisaged

destination and only one of the refugees said that she would prefer to stay in Turkey (Izmir) if she had the chance.

Refugees are also asked whether they would have left their homeland if they had known all the problems they would encounter beforehand. All of the refugees said “yes”.

Final Destination:

Refugees are asked to report on the factors that they considered when choosing their final destination. All of the refugees said that they consider better living standards and more social and legal rights.

Five of the refugees were planning to go to the United States as their final destination. The three of the refugees were the Baha’i examples, which mention that they will feel more comfortable and freer in terms of religion in this country. Another two were planning to go the United States because they have family members there such as brothers and sisters. Three of the refugees were planning to go to Australia because of that they have family members over there and they are quite familiar with the culture of the country because again having family members that living there. One of the refugees preferred to go to Sweden because of the family members live there. One of the refugees was planning to go to Canada as part of family reunification, because her husband had got an acceptance from Canada and started to live there a few months ago.

As it can easily be seen from the provided information the main determination point for choosing the country for the final destination are the

family ties. Though it is difficult to generalize the result to all of the refugees, according to the observations of the author, family members or relatives of a refugee play a crucial role for choosing the final destination because refugees think that they will not feel alone in the country that they will migrate to. Moreover, it is also important to take into account that the final destination of a refugee cannot be determined by the refugee himself/herself, rather UNHCR and the potential country for destination choose who is available for resettlement due to the refugees' educational cultural and vocational background.

4.2 Experiencing “the Stranger”

The fixity of home and the movement from home are strongly emphasized in the discussions of refugee movements. The movement from home, leaving the country of origin, the act of migration, and having a touch with two or more cultures are essential for being a refugee and these bring the concepts of “social belonging” and “identity” into question while discussing the refugee issue. In this part, the in-depth interviews, which have been conducted with the recognized refugees in Turkey, and the experiences of these refugees, will be analyzed with paying attention to related concepts such as “identity”, “stranger” and “hospitality”. From a sociological point of view, the main emphasis of this chapter will be on the experiences of refugees during their transition period and their perception of this period in Turkey. For a better understanding of their temporary integration to the country, the refugees' experiences will be analyzed in terms of housing, job opportunities,

health and education service and language. The main aim for doing so is to analyze the perceptions of refugees while emphasizing the main dimensions of their lives in Turkey. Therefore, these will be analyzed by emphasizing the importance of international migration and migratory flows of the globalizing world on the policies and politics of the locale.

Rarely upon his / her own will, the refugee leaves home and therefore s/he is crucially different than a migrant in general. Motivations for departure are so different than the motivations of a traveler or a Third World migrant, free floating intellectual, labor migrant or a clandestine migrant. As Kunz argues, it is the reluctance of to uproot oneself, and the absence of positive original motivations to settle elsewhere, which characterizes all refugee decisions and distinguishes the refugee from the voluntary migrants⁸⁰. Accordingly, refugee leaves the country of origin for a secure life and there remains no expectation of coming back to the country of origin.

My motive for departure was a political one. My children experienced what war is. It was really horrible and now I am looking a safe future for my children and for myself. It is because of this reason that I left Iraq.

As Mr. X⁸¹ mentions, rather than the betterment of his life, the main aim for departure was to escape from persecution and to live in a secure place.

⁸⁰ In: Wahlbeck, O. (1999) *Kurdish Diasporas*, Macmillan Press, U.K, pp 8.

⁸¹ You may look at the Appendix B of this study for the additional information of the refugees that are interviewed.

However, what distinguishes refugees from the other types of migrants can also be discussed by taking their relation to the 'state'. Also in their relation to the state, whether in the country of origin, during the flight, during their transition period or during the "adaptation" or "integration" in the country of asylum, refugees are also distinguished from other types of migrants. Their 'refugee status' is a relationship to the states. These relationships take various forms during the uprooting, transition, and resettlement periods. In this sense, because of the absence of a voluntarily movement, because of the persecution that a refugee faced in the country of origin, and because their official 'refugee status' which is given by an international organization (UNHCR), their perception of the world, their life styles and the conditions that refugees are faced with are different than those of voluntarily migrants. As Wahlbeck mentions, from a sociological point of view it is important to note that a refugee belongs to a group of people, which has very distinctive relationships with both of the countries that s/he has been forced to flee from, and the country where s/he is involuntarily settled.⁸²

The differences between other types of migrants and refugees could be listed in a more detailed way, however, the main argument is that after the action of migration starts to take place, a refugee becomes a 'stranger' both for the country of origin and for the place or country that s/he moved in. S/he is a stranger on the account that s/he cannot define her/himself as one of the full members of these two or more societies and cultures. In other words, s/he

⁸² Wahlbeck, O. (1999) *Kurdish Diasporas*, Macmillan Press, U.K, pp 8.

cannot be defined as a full member of the society that s/he came from on the one hand, and on the other hand, s/he becomes 'a member with a difference' in the society that s/he came to. S/he is always perceived as lacking a full identity. Most of the time s/he is somewhere in between, and his/her social position is fraught with ambivalence. Therefore, the situation of a refugee is opaque in terms of belonging, and thus for a better understanding, the issue of refugee needs be taken into account with discussions of "identity".

In this context, it is crucial to point out that, concepts like "identity", "ethnicity", "race" and so on have many problems. As Brubaker and Cooper point out "These concepts mean too much and too little".⁸³ Moreover, these concepts are usually considered to emerge with the confrontation of different cultures, and this brings a fundamental argument that there exist different and distinct cultural identities. However, the main problem and the main question is whether these identities are 'fixed' (Primordialism) or 'fluid' (Circumstantialism) even before this confrontation.

When this question is asked in regard to the refugee issue, it can be seen that the discussions on refugees mainly emphasize that after the movement from 'home', refugees experience that they are "different", and even after they resettled in a country, they are 'members with a difference'. Accordingly, the main experience that a refugee perceives and experiences after the action of migration starts to take place is being a 'stranger'. According to Simmel, all social relations rebound between the organizational principles of nearness and remoteness, thus the problematic of a stranger is

⁸³ Brubaker, R. & Cooper, F. (2000) "Beyond Identity", *Theory and Society*, No: 29, pp 2.

form of relationship that plays a dominant role in modernity.⁸⁴ The “stranger” for him is not the individual who has been totally divested of any sense of belonging, rather the stranger has the potential for both wandering and fixation; located somewhere between the rootless nomad and rooted member of a group the stranger is defined as ‘the person who comes today and stays tomorrow’.⁸⁵ In this regard, a refugee who comes today and stays tomorrow strongly reflects “the stranger”. However, as it was mentioned before, it is vital to ask that whether a refugee is a stranger, or a ‘member with a difference’ in the country of origin even before the migration started to take place, and whether “identity” is “pure”, in other words ‘fixed’ and ‘unpolluted’ before the migration and confrontation with the other cultures.

We don't belong to Iran, our home was there but we did not feel that we are members of the society. We were living difficulties for finding a job and our children did not have the chance of getting a university education in Iran....

Mrs. P, who is a Baha'i example⁸⁶, gives an example of feeling ‘different’ in the country of origin. It is clear from these words that she

⁸⁴ Simmel, G. (1967) “The Stranger”, in *“The Sociology of Georg Simmel”*, Kurt, M. (eds), The Free Press, New York, pp 402-408.

⁸⁵ Papastergiadis, N. (1993) *Modernity as Exile*, Manchester University Press, New York, pp 94.

⁸⁶ Baha'i cases are the people who live religious persecution because of belonging to the Baha'i religion. Baha'i asylum seekers and refugees are mostly coming from Iran and these people do not have the right to get university education in this country. According to the observations these cases are recognized as refugees by UNHCR in a short time period and they stay really short time in Turkey and they move to a third country when we compare with the other groups of refugees.

experienced negative attitudes due to the cultural differences in the country of origin. She faced with discrimination, and it is because of this she decided to leave the place that she lived in. To put it in different terms, it is just due to the reason that feeling different starts before leaving the country of origin, it is essential to take into consideration the concept “identity” and the meaning of “identity” while analyzing the ‘strangeness’ of a refugee both in the country of origin, during the transition period, and in a country that s/he migrated to.

In this context, it is important to consider two main approaches while discussing the concepts such as ‘cultural identity’ or ‘ethnicity’: “Primordialism” and “Circumstantialism”. While the former one argues that “ethnicity” is an unchanged and fixed entity, basic to human life, “given” by the facts of birth, the latter one says that “ethnicity” is fluid, changeable, a product of circumstances of the moment. In this study, the concept ‘identity’ is taken considering this latter understanding that mentions that the concept is fluid and it represents a position of becoming rather than being.

With this point of view, it is important to emphasize Hall, who argues that we must think of the concept of identity in a process, which is never complete:

Perhaps instead of thinking of identity as an already accomplished fact, which the new cultural practices then represent, we should think, instead, of identity as a ‘production’ which is never complete, always in

process, and always constituted within not outside representation.⁸⁷

Hall mentions 'social transformation' while discussing the concept 'identity' and talks about two ways of thinking about cultural identity. In the former one "cultural identity" is defined in terms of a single, shared culture in which people have a common history and ancestry. And in the latter one, "cultural identity" becomes the matter of becoming rather than being, and accordingly; it does not explain a state of being:

There are at least two ways of thinking about 'cultural identity'. The first position defines cultural identity in terms of one shared culture, a sort of collective 'one true self', hiding inside the many other, more superficial or artificially imposed 'selves', which people with a shared history and ancestry hold in common...Cultural identity in the second sense is a matter of becoming rather than being, it belongs to the future as much as to the past.⁸⁸

The second position in which identity is perceived always in progress also gives an important basis for the discussions of integration and adaptation. Refugee integration and adaptation to a different society depicts a visible picture of being affected by a different culture and learning a different

⁸⁷ Hall, S. (1990) "Cultural Identity and Diaspora", In Rutherford, J. (eds.) *Identity: Community, Cultural, Difference*, Lawrence and Wishart, London pp 222.

⁸⁸ Ibid. pp 223-225.

culture. However, as it was mentioned in the earlier discussions on 'identity', this is not an issue that starts after migration takes place. Being affected by other cultures starts at 'home' due to the differences and different cultures in a society. In other words, the processes and discourses that establish a difference between 'us' and 'them' are common in all societies, and the unity of the people is always constituted across their differences from other people. Concomitantly, though the identity is always negotiated against difference, it also includes differences inside. To put it in different terms, there occurs heterogeneity of the homogeneity even at 'home':

It is always negotiated against difference. It had to absorb all the differences of class, of region, in order to present itself as a homogeneous entity.⁸⁹

At this point, it is important to point at Bakhtin's role because of his contributions to the discussions of cultural identity. Bakhtin is usually assumed to have had a more profound impact on literary theory than on cultural studies. However, his arguments about the "hybridity of the language" can be discussed in the debates on "cultural hybridity". In this sense, Bakhtin's point of view makes us to think about the concept "identity" again. According to him, a language is hybrid before coming across with other languages. In other words, according to his point of view, it is difficult

⁸⁹ Hall, S. (1991) "Old and New Identities, Old and New Ethnicities", In King, A. (eds.), *Culture, Globalization and the World System*, Macmillan, Hound Mills pp 22.

to talk about a pure, untouched and stable language. When this argument is taken into account for argumentations on identity, it can easily be seen that it is also seems impossible to speak about a pure and stable culture or identity. Consciously or unconsciously a culture or an identity is affected by other cultures and identities and it is also possible to say that a culture or identity is hybrid before the visible confrontation with other cultures, so are identities. Thus, the concept hybridity can be taken as a response to the fixed definition of the concept identity.

The positive feature of hybridity is that it invariably acknowledges that identity is constructed through a negotiation of difference, and that the presence of fissures, gaps and contradictions is not necessarily a sign of failure. In its most radical form, the concept also stresses that identity is not the combination, accumulation, fusion or synthesis of various components, but an energy field of different forces.⁹⁰

It is argued that being affected by other cultures is not a matter that comes with the visible confrontation of two different cultures. Meanwhile, it is obvious that a refugee that experiences movement from the country of origin and then a different culture can be seen as a typical example of being 'hybrid':

⁹⁰ Papastergiadis, N. (1997) "Tracing Hybridity in Theory", In Modood, T. & Werbner, P (eds), *Debating Cultural Hybridity*, Zed Books, London, pp 258.

When we come to UNHCR for any kind of interviews we cannot have a contact with the refugees that came from Iran. We are Kurds from Iraq and we know Kurdish and Arabic, while their mother tongue is Farsi. However, our children play together with using the Turkish language.

Mrs. S's words can be taken as an example of being hybrid both before and after migration.⁹¹ Because of the "Arabization" of the Kurdish population in Iraq, Kurdish people affected by the Arabic culture, they know both the languages of Kurdish and Arabic.⁹² Moreover, after the migration takes place, when refugees move to Turkey, children of refugees are learning the Turkish language more easily than the aged ones, and they communicate in this language. However, due to their temporary stay in Turkey, refugee's integration to Turkish culture is limited. As it was mentioned earlier, they know that their stay in Turkey is a temporary one and they will move to a third country so they do not try to integrate to the society and culture.

Additionally, it is also important to consider that the interviewees also emphasized that because they are coming from neighboring countries, their culture has many similarities with the Turkish culture and they do not experience too much difficulty during their temporary integration to the Turkish culture after they moved to the country.

According to Mrs. S:

⁹¹ These words can also be taken as a ground for the discussions of 'language', which will be analyzed as an important dimension of the refugee experience in Turkey in the further parts of this chapter.

⁹² Because this issue is a matter of problems in the country of origin, it will not be taken with a deeper analyze in this study.

We are coming from a Middle Eastern country, Iraq. We are Muslims and Turkish people are also Muslims. Moreover, we have many similarities with the Turkish culture and Turkish traditions. Even we have some similar words in our languages. Thus, except living difficulties for speaking the language, we do not experience any kind of difficulties for adapting to the Turkish culture.

Being in between two or more cultures and taking something from these cultures, in other words being hybrid and the concept hybridity gained much more importance in the post colonial literature which defends the view that the borders of any 'social thing' are not so strict. Papastergiadis argues that may be the most important achievements of these debates were to liberate the subjects from the fixity and purity in origin.⁹³ Like Bakhtin's arguments, this assumption also mentions that there occurs no fixity in the origin and what we call "identity" cannot be stable and fixed; it changes, it affects, it is affected, and this is an ongoing process.

Besides this, Bakhtin also argues that hybridity constitutes a third space, energy space of the forces in which different elements encounter and transform each other.⁹⁴ Thus, Bakhtin's argumentations on hybridity can be analyzed in this context. Both for Bakhtin and for Bhabba, hybridity is

⁹³ Papastergiadis, N. (1997) "Tracing Hybridity in Theory", In Modood, T. & Werbner, P (eds), *Debating Cultural Hybridity*, Zed Books, London, pp 257.

⁹⁴ Bhabba, H. (1996) "Culture's In-Between", In Hall, S & Du Gay, P. (eds), *Questions of Cultural Identity*, Sage Publications, London.

celebrated as a response and resistance to the authority. In the Bakhtinian sense, the hybridity and hybridization refers to positive resistance. In this sense, Bakhtin's attention to the mixture of languages within a text ironises and unmask authority, demonstrates a new level of linking the concept of hybridity to the politics of representation and the language of hybridity becomes a means for critique and resistance to the monological language of authority.⁹⁵

Mr. T's words can be analyzed in this manner;

We are perceived as a 'threat' in Iraq, in our home country. We are Kurds and we were different from the Arabs. And now in Turkey, because we are Kurds, not Turks, we are also seen as a 'threat'... Nobody likes the ones who are not from them.

At this point another important aspect needs to be mentioned; the debate of hybridity is mostly taken as a positive concept and it is seen as an antidote of essentialist subjectivity, which gives way both for criticizing authority and essentialism. Meanwhile, in the present deconstructive moment concepts like "culture" and "identity" also open way for the criticism of being essentialist. Hence, the discussions of hybridity too seem to start from a sense of essentialist point of view; when we consider that both in the discussions of "identity", and "hybridity" the main point, which is strongly emphasized, is

⁹⁵ Papastergiadis, N. (1997) "Tracing Hybridity in Theory", In Modood, T. & Werbner, P (eds), *Debating Cultural Hybridity*, Zed Books, London, pp 267.

the idea of “belonging”. The starting point of the discussions of hybridity assumes that a person belongs to a culture, no matter if the culture is fixed or stable, and then s/he confronts with the other culture and this confrontation constitutes the condition of hybridity.

Ethnic purity, racism and hybridity are variations on the same essentialised and fundamentally objectified notion of culture that is continuously reproduced by a specific form of identification, or identity in practice, in combination with the general properties of social experience acquired in different positions within the local hierarchies of the global system.⁹⁶

In other words, according to his point of view, hybridity is constructed on the metaphor of purity and the notion of hybridity is a self-contradiction. In this manner, it is important to remember that concepts such as identity, ethnicity, and hybridity ‘mean too much and too little’. Accordingly, because these concepts are both a category of practice and a category of analysis, these concepts also part of everyday life and cultural politics in various forms, and therefore, it is important how we use these concepts. To put it in different terms, it is due to these reasons that it is important how we are considering these concepts and their meanings while dealing with the refugee issue. Moreover, it is also important to consider the social circumstances and

⁹⁶ Friedman, J. (1997) “Global Crisis, the Struggle for Cultural Identity and Intellectual Porkbarrelling: Cosmopolitans versus Locals, Ethnics and Nationals in an Era of De-Hegemonisation”, In Modood, T. & Werbner, P (eds), *Debating Cultural Hybridity*, Zed Books, London, pp 82.

contexts in which the different forms and discourses of these concepts are considered.

In this manner, it is important to consider that despite the refugee issue has become a global credo; it has different implications and consequences in different locale, hence it is important to emphasize different circumstances while discussing the refugee issue. Thus, it can be argued that the case of refugee is faced with different contexts in different countries. The politics and policies can be conservative or radical or social policy based and they can have different implications and outcomes depending on the context in which identity and refugee issue is negotiated. However, it is also vital to recall that because the local policies are strongly interrelated with the globalization and international politics, the situation of a refugee is stalwartly related with international migration environment and the international politics. In this sense, both the definition of the concept 'refugee' and the international refugee regime need to be considered while discussing the refugee experiences in different locale.

From this point of view, the situation of a refugee in the Turkish Republic is strongly related with the international political environment and international migration politics. Therefore, experiences of refugees in the Turkish Republic need to be taken into account both while considering the national context of Turkey, Turkish refugee policies and politics on the one hand, and the place of Turkey in the international migration scene, and the international migration and refugee regime on the other.

4.3 Being a Refugee in Turkey

Because of the discussed refugee politics and policies of the Turkish Republic⁹⁷, a refugee in Turkey is aware of the fact that s/he has to move to a third country and there occurs no opportunity to resettle in the Turkish Republic. However, though it is argued that the situation of a refugee can change due to different contexts, and due to the migration and refugee policies of the country that s/he migrated in, the main fact which does not differ is; the refugees are different and they are ‘the strangers’ in the Turkish Republic. They are rather “guests” in the country.

In this sense, considering the Turkish refugee policies, a refugee in Turkey can be defined in analogy to Simmel’s words: a refugee in Turkey is “the person who comes yesterday, stays today and leaves tomorrow”. Despite s/he cannot estimate the time period that s/he will stay in Turkey, s/he knows that s/he is a stranger in the country and has to move to a third place.

I do not have any contact with the Turkish people around me, such as neighbors and so. I interact with them when I have to, such as when I go to police to sign or when I go to shopping. I think there is no need for having an interaction with the Turkish people. Furthermore I even do not know the language... I am a refugee and I am waiting for a country to move. I believe there is no need for learning the language and no need for interaction.

⁹⁷ In this study, Chapter III.

This perception of Mrs. A is widespread among the refugees and they think that they are somewhat “temporary guests” in Turkey who have to move to a third country. Nevertheless, the level of this consciousness differs within the refugee groups. Baha’i examples, who leave their country of origin because of the religious persecution, know from the other Baha’i experiences that they will move to a third country in a quite short time and they do not try to learn Turkish. However, the other examples put that they are trying to learn Turkish because they cannot estimate the time period that they will stay in Turkey. Thus, due to the reason that they need the language during their interactions both with the Turkish government and during their daily life, they try to learn Turkish as a foreign language.

On the other hand, the words of Mrs. A also give some clues on how refugees perceive their general situation in Turkey. It becomes clear with her words that refugees are conscious about their situation of being guests in Turkey who have to move to a third country. Moreover, they also put that what they experience in Turkey is a ‘transition period’. Thus, what they are mainly doing in the country is waiting:

I think it is a transition period. It is a hard transition period. What we are mainly doing in Turkey is waiting; we are waiting for a third country to move. Even before this, we were waiting for our refugee status. We waited one year for gaining the refugee status. You know, even you cannot wait for a third country before this status, it is crucially important.

We waited for it and now we are waiting for a third country. We are waiting for our future, for our lives.

These words of Mr. T draw a clear picture of a general perception of the refugees in Turkey. As it was mentioned earlier, the asylum seekers and refugees who applied for the status determination to UNHCR have to wait for a period of time –four to six months for the first interview- and after being recognized as refugees they have to move to a third country for resettlement but the period of waiting for a receiving country can change between 8 months to 2 years. In this sense, due to the reasons that they are temporary in Turkey and they live a transition period in the country, their integration to the assumed ‘Turkish culture’ and ‘Turkish society’ is limited.

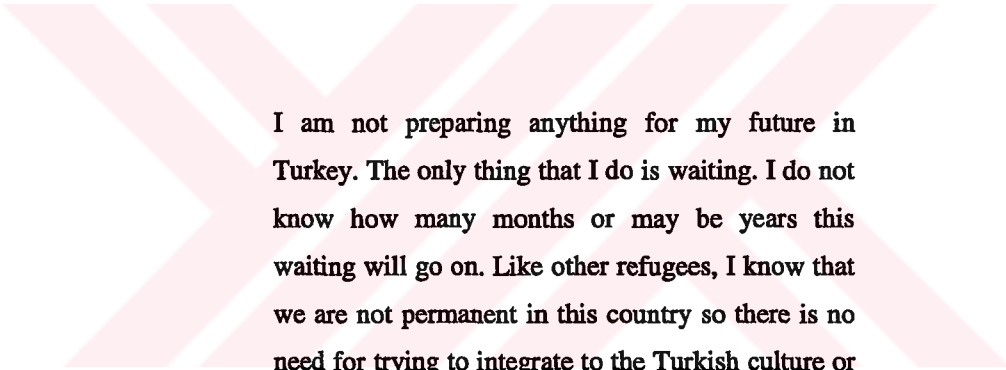
As Mrs. P mentions:

We know that we will move to a third country so, we are not trying to have too much contact with the Turkish people around us, we are not trying to learn more about the society.

An important point that needs to be mentioned while discussing the transition period of refugees in Turkey is that the transition period of refugees in Turkey is not a ‘process’. Accordingly, a process represents a continuous action, operation or a series of changes taking place in a definite manner, it means a systematic series of actions directed to some end. However, what

refugees experience in the transition period is only waiting, and they are stationary in terms of their future. They are not the main actors and deciders of their lives and except their application for the refugee status to UNHCR Ankara Branch Office; they are not showing any endeavors and actions directed to moving to a third country. Therefore, the transition period of refugees, which can be explained with the verb 'waiting', cannot be taken as a 'process'. So, the life in Turkey is a transition period for the refugees, thus the Turkish Republic is the waiting room on their way to the West; they are waiting here for a third country, so for their lives and for their future.

With Miss. R's words:



I am not preparing anything for my future in Turkey. The only thing that I do is waiting. I do not know how many months or may be years this waiting will go on. Like other refugees, I know that we are not permanent in this country so there is no need for trying to integrate to the Turkish culture or there is no need for adaptation to the life in Turkey. I am parrying my life in Turkey.

So what the refugees are experiencing while parrying their lives in Turkey? And how is their temporary integration to the Turkish society and culture?

I am not doing anything particular. I get up, eat something, go to sign and sit at home during the whole day.

These words of Miss. R depict a general picture of the lives of the refugees in Turkey. However, the experiences and the life style can change due to the criteria such as having a job, the city they are living in, gender, and marital status, but the actions of the refugees in Turkey cannot be seen as a step for their future life. In other words, as it was assumed in the introduction part of this study, refugees' situation can be taken as temporary strategies for survival rather than systematic series of actions directed to an end. The transition that refugees experience in Turkey is a 'period' rather than a 'process'.

From here onwards, this study will try to demonstrate the experiences of the refugees in terms of housing, job opportunities, health and education service, and language. From a sociological point of view, it is assumed that these dimensions can give a general idea about the lives and experiences of refugees in Turkey. Therefore, these dimensions of well-being will be analyzed for a better understanding of the refugee experiences during the transition period.

So what are the different experiences of the refugees, and can we talk about a general situation of the refugees in Turkey?

At this point, it is important to note that though this study did not assume that there occur different experiences due to the different cities that

refugees are living in, according to the information provided by the refugees, there remains a vital difference in the experiences of the refugees in regard to the different official resettlement. Thus it can be argued that the experiences of refugees differ due to the cities that they are officially settled.

4.3.1 The City

I didn't experience any kind of negative things in Turkey. I am living in Izmir and there are no refugees in Izmir except my children and me. Of course nobody knows that we are refugees who are waiting for a third country to move. I think there is no need to say that we are refugees... There is almost nothing that I can define as a negative attitude to us; everything is going fine in my life and in Izmir.

Mrs. X, who is the owner of these words, is a Kurdish woman from Northern Iraq. She graduated from Business Administration in one of the universities of Northern Iraq and she completed a graduate study. The motive for departure from the country of origin was political, and she entered Turkey illegally with her family.

When they first moved to Izmir, her husband, who is a Professor of Statistics, started to work at 9 Eylül University as a lecturer and they were quite happy in terms of money and living conditions due to the saved capital that they had brought from their country of origin. However, the husband

couldn't get his salary from the university because of the difficulties of being a "foreigner" and "coming from a Middle Eastern country" and he had to deal with bureaucratic problems for being a legal lecturer at the University. Approximately for 6 months he worked as a lecturer at the University without earning any money. Now the husband moved to Canada with the help of the UNHCR and she and her children will move to this country as a part of family reunification.

As it can easily be seen from the words of Mrs. X, she is content of being in Turkey despite the fact that they have lived some bureaucratic problems of being foreigner in the country. During the interview she argued that she would be willing to stay in Turkey, in Izmir if they had the opportunity, - she was the only one who preferred to stay in Turkey if there could be an opportunity-. Nevertheless, according to the information she gave nobody knows that she and her family are refugees. She argues that there is no need to say that they are refugees who are trying to move to a third country.

Mrs. X and her family is one of the rarely seen "happy" refugees in Turkey. They have both work permit and residence permit and they have a really good contact with the Turkish people in the city that they live in. This happiness is also strongly related with the city Izmir that is one of the important urban provinces of Turkey. Izmir is nearby the Aegean Sea and the city is used to see tourists, and any kind of foreigners. Moreover, because of the official resettlement program, residents in Izmir do not directly confront

with the refugee population as it is in other parts of Turkey such as Eskisehir, Kirikkale, and so they have a limited idea about refugees.

According to the observations, and the information, which are provided by the refugees interviewed, the experiences and the living conditions of a refugee are strongly related with the city that the refugees are officially settled. These differences between the cities are also strongly related with the socio-economic conditions, crowdedness, density of population, and urbanization within these cities. Thus, it can be expected that the situation of a refugee who is resettled in the Western part of Turkey, in a metropolis such as Izmir, and the situation of a refugee who is resettled in Eastern provinces such as Van is quite different.

There are thousands of refugees in Van. If you want to understand the real situation of refugees in Turkey you have to go to Van. When you see the city, there occurs almost no need to ask any question to the refugees who live there. Everywhere is full of refugees and you can understand how they suffer from their eyes.

These words of Mr. B can be a good example of the idea that assumes different cities reflects different refugee experiences. It is clear that the situation is so different in the cities that accommodate more refugees such as Van, Kayseri, Aksaray and Kirsehir. Because of the visibility of refugees, the native population has a perception of a refugee, and this perception is usually a negative one.

As Mr. B mentions:

Native population in Van does not like refugee people. There are thousands of refugees, - legal or illegal- in the city.

While dealing with the refugee situations in Turkey, it is vital to consider not only the city differences but also the regional differences within the country. It can easily be seen from the provided chart⁹⁸ in the second chapter that refugee population usually are resettled in the middle part of the country. These regions are mostly known as the most conservative parts of the country - cities like Nevsehir, Kirsehir and Yozgat are seen as the “castles of the nationalist front” in Turkey-, and majority of the population in these cities are from Turkish ethnic background. So it can be assumed that the population in these cities is less tolerant to ‘strangers’ especially to the ones who are coming from the Kurdish ethnic background due to the ‘Kurdish problem’ in the country. Accordingly, it can be argued that the Turkish refugee politics and policies especially consider the regional differences within the country while resettling the refugee population within the country.

As Balibar mentions:

In essence modern racism is never simply a relationship to “the other” based upon a perversion of cultural and sociological difference; it is a

⁹⁸ In this study, pp 54.

relationship to “the other” mediated by the intervention of the state.⁹⁹

Within these cities, which have a considerable number of refugee populations, Van has a special position. Due to the reason that the city is so close to the border and the majority of the city’s population is from Kurdish ethnic background, the situation in Van brings harder economic and social conditions to the refugees.

You know the situation in Van. Turkish people who settled in the West side of the country do not like the people that settle in the Eastern part. And people who settle in the Eastern part of the country do not like refugees. I mean they are also in bad conditions, and their economic and social conditions are really hard. Sometimes I can understand them, but we are also really in a hard position and we need some bread for our survival; so we do the hard jobs for a lower price.

These words of Mr. Z can also be seen as one of the examples of the mentioned argumentation: ‘heterogeneity of the homogeneity’. It is apparent that just before the discussions of the “the other’ for the refugee population in the country, there existed Kurdish population as “the other”. The problem of Kurdish population and Kurdish ‘identity’ is one of the important discussions in the Turkish Republic that has a reflection on both nationalism and

⁹⁹ Balibar, E. (1991) “Es Gibt Keinen Staat in Europe: Racism and Politics in Europe Today”, *UER*, No: 186, pp 15.

discrimination discussions. In other words, Kurdish population represents 'the other' in the Turkish Republic and needs a deeper analysis.¹⁰⁰ Furthermore, because of the native Kurdish population in Van, the idea of 'security' and 'national security' represents something different in Van than in the other parts of the country.

As Mr. B mentions:

We are Kurds and the government and police in Turkey do not like Kurds. Furthermore, we are more than Kurds in Turkey; we are both Kurds and refugees. Sometimes when we go to sign on time, police makes us wait outside the building and after the signature time passed, they say that we are late to sign and be ready for the results of it.

Because of the 'national identity' argumentations of the Turkish Republic, refugees in these parts of the country experience negative attitudes, and in consequence prejudice towards them is quite visible. Thus, the interaction between the refugees and Turkish police is quite hard, and the refugee population, especially the Kurdish refugee groups, lives the difficulty of this "national security" argumentation and they are perceived as a 'security threat' in a wider perception.

As Mr. T mentions:

¹⁰⁰ This issue, which will not be the main subject of this study, is also taken into consideration and the author of this study is also aware of the fact that the problem of 'the otherness' in the Turkish society starts from the discussions on the Kurdish problem. However, with considering this fact, the main aim of this study is to study on the refugee experience in Turkey rather than studying 'the other' in Turkey. Therefore this study tries to demonstrate the refugee experience as the major subject in Turkey and will not give a deeper analysis of the Kurdish issue.

We are Kurds; we are here because we are Kurds. I am a refugee because I am Kurd but I cannot express myself in Turkey, though I escaped from my country due to the reason that I am a Kurd, I cannot express that I am a Kurd in the country that I moved. Can you imagine what I am feeling?

It is important to note that negative attitudes towards foreigners in the Turkish Republic cannot be reduced to the Eastern parts of the country. According to the interviews, refugees experience 'being a stranger' in every province where they are officially settled by the Turkish police and 'housing', 'health and education services' and other dimensions describe this situation with its general points.

4.3.2 Housing

As it was mentioned earlier, UNHCR has no direct involvement in sheltering refugees. Once the refugees are granted status, they must reside in the satellite cities¹⁰¹ determined by the Turkish government, and it is their duty to find a place for sheltering. Thus, after they moved to the city where they are officially settled, refugees look for a place to shelter. Neither state nor Non Governmental Organizations (NGOs) help them in terms of housing,

¹⁰¹ It can also be assumed that the term 'satellite city' also can be taken as a proof of the mentioned argument in the previous part. According to this conceptualization, Ankara which is the capital city of Turkey and which is at the middle part of the country is taken as the central point, and refugees are officially settled around the cities in Ankara. Thus, the state's official resettlement programme resettles refugees in the 'satellite cities' such as Nevsehir, Kirsehir, and Yozgat, which are mostly known as the most conservative parts of the country, rather than the countryside provinces such as Izmir, Muğla, and Trabzon.

so it is their duty to find money for housing and to find a place for sheltering. Officially only the city to live is assigned and after they moved to this city they are upon their own. Therefore, it can be assumed that the lack of resettlement programme in terms of housing makes their situation initially chaotic.

In this sense, it can be argued that refugees experience difficulties in terms of housing, and they live a serious problem of both finding enough money finding a house and for rent. Because of the reason that they cannot get any support from Turkish government and NGOs, refugees use their informal contacts for finding a place to shelter. They get help from other refugees, and they use their private savings that they brought from county of origin.

Mr. K's words can be taken as a support of this argument:

When native people recognize that you are a refugee, you have to pay more for rent than the natives. We hear from refugee friends that sometimes their rents are increased every month.

According to the information, which the interviewees provided, refugees are experiencing problems for finding a house, and the houses and flats that are available are generally of a low standard and usually smaller than those the refugees have been used to in their country of origin.

Miss R's words can be taken as an example of the situation in Turkey:

I am living in a room. It is quite little and there is no sunshine in the room. It is really hard to live in such a condition when you think that I am staying at home during the whole day.

Moreover, refugees, in many ways, are insulated from Turkish society. Due to the problems of rental cost and negative perceptions of the natives towards 'strangers', refugees are directed outside the city. Thus, it can be argued that the refugee population is segregated from the native population in terms of housing, and in terms of living indeed.

According to Mrs. S:

We cannot rent the houses, which are in the city center. Besides that they are too expensive, Turkish people do not want refugees near them. Sometimes the owner of the house accepts refugees but people who are living around that place argue that they do not want to see strangers around their houses.

Mr. H's words, which are given below, also give another example of segregation. Throughout these examples, it can be argued that the native population in the cities does not want the foreigners near by them, so there occurs segregation between native and refugee populations.

We can find houses outside the city, and refugees who move to Yozgat can find houses in this part of the city. I can easily say that the area, that we live in, is the worst part of the city.

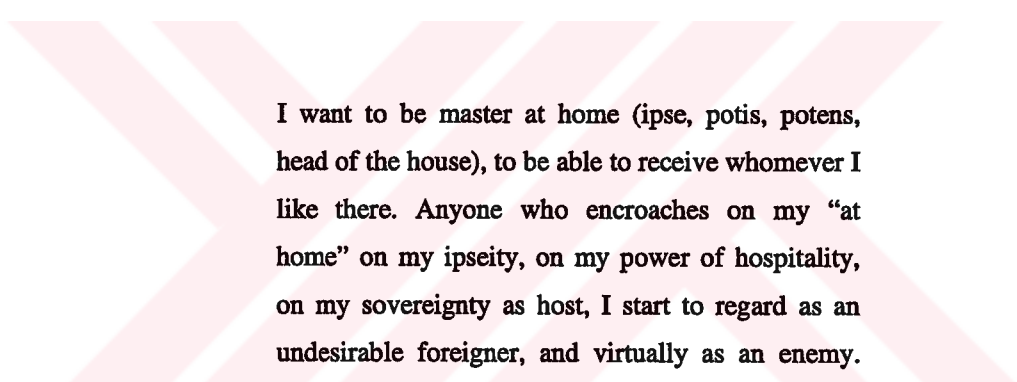
As it was mentioned earlier, the rental cost can also be taken as one of the important dimensions in which negative attitudes towards refugees can be negotiated.

I am living in Kayseri and the most important problem for me in this city is the rental cost. We are giving our rent in terms of dollars and the native population wants a one-year rent in advance. Can you imagine though I cannot estimate how many days, months or years I will stay in Turkey, I have to pay one-year rent in advance? Furthermore, I believe, if I can move to a third country earlier I cannot get my money back.

This situation that Mrs. S mentions also needs to be taken with considering the perception of the local population. For the native population, refugees are the 'strangers' and this creates a distrustful situation; refugees may move without paying the rent. In this sense, this perception and discontent of the native population may be the cause of taking one-year rent in advance. Concomitantly, this situation is also related with the fact that neither the state nor NGOs such as UNHCR do not have a direct policy for housing. In other words, they do not guarantee that they will help refugees in terms of housing, so there exists a distrustful situation both for the refugee and native population. Refugees are officially settled by the Turkish Republic, however, they cannot get any kind of support after this resettlement procedure, so there occurs no guarantee both for the native and refugee population that the rent

will be paid. As a proof of this distrustful situation, the observations and the experiences of refugees show that taking one-year rent in advance is not a common behavior, this is only for refugees, and the native population does not take the rent in advance from the native population.

On the other hand, it is clear with these experiences of the interviewees and from the observations that the native population in the cities is aware of the fact that they are the natives –so the master- in the country and thus they are the decision makers during their interaction with the refugees. Therefore, their relation with the refugee population is reflecting the idea that they are the rulers of this interaction.



I want to be master at home (ipse, potis, potens, head of the house), to be able to receive whomever I like there. Anyone who encroaches on my “at home” on my ipseity, on my power of hospitality, on my sovereignty as host, I start to regard as an undesirable foreigner, and virtually as an enemy. This other becomes a hostile subject and I risk becoming their hostage.¹⁰²

Thus, the native people put that they are the rulers in this interaction and they present attitudes to foreigners that represent this perception. Attitudes such as taking the one-year rent in advance and increasing the rent every month show that the native population is using their power as the master of the interaction. Refugees are the strangers within their reign, and

¹⁰² Derrida, J. & Dufourmantelle, A. (2000) *Of Hospitality*, Stanford University Press, Stanford, pp 53.

this gives the native to use his/her power during their relation with these strangers.

According to Mr. K:

They know we have to find a place to shelter. We have to rent a house, so they do decide the conditions. We have no choice; because the rent is expensive for us we usually share our house with other refugees.

Another point that needs to be emphasized for housing of refugees is the situation of sharing. Many refugees are forced to live with other refugees for a long time, may be for the whole transition period, until they manage to find a place of their own.

I am staying with a refugee. I did not know her before but I am sharing my room with him in Turkey. We are all refugees and we need each other and we are trying to help each other here.

As it is emphasized with these words of Mr. Z, refugees are sharing their private places, their houses and sometimes even their rooms with other people. According to the in-depth interviews, only two of the refugees are not sharing their houses with other refugee families or friends. This information shows that the refugee population, which actually cannot be taken as a homogeneous entity, shares even their most private places, their houses/rooms

with other refugees. The only common ground is being a refugee, rather than status, class, income and such.

At this point, it is important to consider that though refugees are taken as a homogeneous entity and being a refugee is taken as the main basis in debates on the refugee issue, it is vital to note that they have different backgrounds and stories. They are coming from different countries, they have different educational and vocational background, their motives for departure differ and this list can be extended and detailed in many ways. In other words, it can be argued that the condition of 'heterogeneity of homogeneity' remains significant also within the refugee population. However, after they moved from their country of origin the name of all people becomes 'refugee' and their differences are not considered. In this sense, for a wider analyze of the refugee experiences it is vital to consider the differences within the refugee population. At this point, once more Baha'i examples can be taken as a visible proof of this argumentation.

4.3.3 Job Opportunities

As it was mentioned in the earlier parts, refugees in Turkey are not officially permitted to work. According to the interviews, only one of the refugees, Mrs. X said that her husband, who is a Professor of Statistics, holds a work permit in Turkey. Thus, the refugees who cannot hold a work permit have no chance of working legally in the country. If s/he has the opportunity to find a job, a refugee works without permission, thus s/he is illegal.

Because of the reason that we do not have a work permit, employers are hesitating to give a job to refugees.

As Mr. K mentions employers are hesitating to employ refugees because they are threatened with a punishment. However, it is also important to consider that employers are the main beneficiaries of the illegal employment of refugees, as they avoid insurance and social costs. This condition also constitutes another dimension of job opportunity; accordingly, if refugees are able to find a job, they work for relatively lower prices.

Because we are in need of money we do the hard jobs for a relatively little price. If Turkish people take 10 million for one-day work, we do the job for 1 million. We work more than Turkish people but we take less money.

This situation that Mr. B explains is obviously related with the situation of the local labor market. The refugee population, who needs money for their survival and does not hold a work permit, do the jobs for a relatively lower price and this creates a pressure on the local labor market. Thus, in the highly competitive labor market, the cheap 'labor' provided by the refugee population constitutes a potential for conflict and feeds negative attitudes towards the refugee population.

According to the information provided by the refugees five of the refugees have illegal employment in Turkey. Money is earned for subsistence not to finance the costs of further immigration.

As Mr. H mentions:

Of course I cannot earn enough money, it is only enough for my survival here. With the money that I earn, I can give my rent, I can buy some bread...In short, I can survive!

As it was mentioned before, because they do not have the chance of working legally in the Turkish Republic, refugees are driven both to illegality and to informal sector. Thus, it can be assumed that refugees are employed well below their qualifications, and they work for relatively lower prices. Due to the reason that neither state and nor NGOS do not guarantee their housing, and food expenses, they have to work for their living in the country.

As Mr. Z mentions:

I was a teacher in Iraq but I am a carrier here in Turkey. Yes I am earning some money. But it is not enough for my children and me. My family is sending some money from Iran and with this help we can live in Turkey.

In this sense, because of the reason that they bring a limited amount of money with them, the ones who cannot find jobs and who cannot earn enough money for their needs are dependent their family members in the country of origin or relatives abroad. As it was emphasized before, two of the refugees are receiving money from their relatives from their country of origin and three of them were receiving money from their relatives living abroad in countries

such as United States, Australia and Canada. But the majority of the refugees have been living at income levels considerably lower than they were used to in their country of origin.

4.3.4 Health and Education Services

Health:

Health service is one of the two services that refugees can get support both from UNHCR and from the state. UNHCR helps the recognized refugees in Turkey in terms of medical support when they are in need of. The names of the recognized refugees are sent to the state hospitals at the satellite cities, and they can get health service and medicine with paying % 10 of the expenses. Moreover, who settle in Ankara can also get health service from Cankaya Polyclinic without paying whenever they need. However, the main basis for taking support from UNHCR is to be a recognized refugee. Asylum seekers are sent to the Cankaya Polyclinic only in the case of emergency.

Meanwhile, both asylum seekers and refugees can get medical service from the state hospitals paying same amount of money with natives.

I know we have the chance of going to the state hospitals. I did not experience any negative attitude from the doctors. But most of the time we have to wait for the natives. Only after Turkish population gets their service from the doctor we can get the medical service. The doctors in the hospitals do not intervene to this, it is the natives who make us wait.

These words of Mrs. A can also be a support of the mentioned argument in the previous part. Refugees can get the health service from the Turkish hospitals but they have to wait, Turks are the masters and so the rulers. To put it in different terms, natives open their home, welcome the foreigner, give a place to them on the one hand, but also put the rules and limit of their entrance and depict the limits of the interaction with the other.

Mr. B's words can be taken as another example of this situation.

We can get health service but I only get this service in the case of emergency. Natives say that 'I want my service before "this". And as you can imagine "this" refers to refugees, to us.

Accordingly, it is their right to get health service from the state hospitals, but refugees experience a sense of discrimination while getting this service.

Education:

Education, which can also be taken as one of the important dimensions of the refugee 'integration', can be analyzed for a better understanding of the temporary adaptation of refugees to the Turkish society. Besides, as it was mentioned before, education service is the second service that refugees can get support both from UNHCR and the state.

According to the Turkish Constitution, everyone has the right to get education in the Turkish Republic. Thus, refugee children have the right to get

education from schools of the country. However, though they are allowed to attend school in the country, children cannot get any certificates from the schools.

Meanwhile, the children's attendance to school and their success can change due to the length of stay in Turkey. For example, children of Baha'i refugees usually do not prefer to go to school because of the idea that they will move to the country in a quite short time and there is no need both to learn Turkish and to attend school.

Mrs. P's words can be taken as a proof of this argument:

We will move to United States. So my children will go to school there. I believe there is no need to go to school here because they do not know Turkish. It would take time to learn the language but I believe we will move in a few months.

However, other examples show that children of refugees attend the Turkish schools if they are in Turkey for a long time.

According to Mrs. X:

My children are going to school here. We are here for six years and they are like Turks. They speak really good Turkish and nobody can understand that they are Kurds from North Iraq.

Besides, if the children of refugees are attending to schools, they can get education assistance from UNHCR Ankara Branch Office to cover their

education expenses. But the average amount of this money is 140 million Turkish Liras per semester; thus, this assistance is far from covering all the expenses of refugee children in terms of book, clothing and such.

4.3.5 Marital Status

So far, this study mainly asked the question of 'what is the experience of a refugee' in the Turkish Republic, but there occurs another important question that also needs to be mentioned: who is the refugee women and what is the experience of a refugee woman in Turkey?

Although many of the problems refugees experience are the same for men and women, female refugees are especially disadvantaged in many respects. Since the interviewed refugees are coming from Iran and Iraq where women have traditionally been confined with the private sphere of life, female refugees often have limited personal contacts with the society. Women cannot be seen in public places. Refugee women are obligated to take care of traditional assigned duties as housewives and mothers. Therefore, it can be argued that the experiences of refugee women also include gender discrimination and they do not only suffer of being a refugee but also both suffer for being a refugee and for being a woman.

As the below information provided by Mrs. S mentions:

I prefer to stay at home during the day. I do not have any contact with the Turkish people. I am lucky that I am not alone; I came here with my husband. Sometimes we go to our Turkish

neighbors with my family. But when I am alone I do not go outside and I prefer to stay at home.

According to the information that the interviewees provided; refugee women are also often the victims of sexual harassment.

Mr. B's words can be a good example for this situation:

I do not know why, but Farsi women are seen as prostitutes in Van. We heard about lots of stories on sexual harassment and I heard from one of my friend that a refugee woman was raped last year in this city.

To summarize, refugee women are in many ways disadvantaged compared with the refugee men. Furthermore, it can also be argued that women and children are not only the victims of the persecution that they live in the country of origin or victims of the hard conditions that they live in the country that they migrated in, but also are the main place of both discrimination and prejudice.

According to the observations and the interviews, the ones, which came to the country with their family, are quite lucky in terms of relationships with the other people, especially in the interaction with Turkish families. However, the single refugees have no interaction with the Turkish families, and most of the time they are spending their time with their refugee friends.

As Mr. T mentions:

I am spending all my time with my friends from Iraq. I am single and I came to Turkey alone. My friends who came to the country with their families are quite lucky because they can have a contact with the Turkish people more easily. I mean, the wife needs some salt and goes to the Turkish neighbors and then there occurs some relationship. However, Turkish people are hesitating to contact with the single refugee men as of single women.

4.3.6 Language

At this point it is important to note that there occurs also another important dimension, the language, that makes the strangers', so the refugees' interaction easily or vice versa. According to the information provided by the refugees, the frequency of contact with the Turks increases if the refugee speaks Turkish as a foreign language:

Now in Turkey even we cannot express ourselves, we do not know the language, and of course we do not belong to here. When we go to a third country for resettlement, I believe, we will also feel as a stranger. It will take time to learn the language and even after we learn the language I think we won't feel comfortable because our culture is different.

These words of Mr. Z put that the language effect is crucial both for feeling as a stranger, and for having a satisfactory interaction with the native population. At this point, the issue of language and being foreign to a

language can also be taken as one of the most important dimensions of being a stranger and points at another aspect of being a refugee in Turkey:

.... Among the serious problems we are dealing with here is that of the foreigner who, inept at speaking the language, always risks being without defense before the law of the country that welcomes and expels him; the foreigner is first of all foreign to the legal language in which the duty of hospitality is formulated, the right to asylum, its limits, norms, policing, etc. He has to ask for hospitality in a language which by definition not his own, the one imposed on him by the master of the house, the host, the king, the authorities, the nation, the state, the father, etc. This personage imposes on him translation into his or her own language, which is the first act of violence. That is where the question of hospitality begins: we must ask the foreigner to understand us, to speak our language, in all the senses of this term, in all its possible extensions before being able and so as to be able to welcome him into our country? If he was already speaking our language, with all that that implies, if we already shared everything that is shared with a language, would the foreigner still be a foreigner and could we speak of asylum or hospitality in regard to him?¹⁰³

Refugees who cannot express themselves in their mother tongues are strangers in the country, and they experience this strangeness every moment.

¹⁰³ Derrida, J. & Dufourmantelle, A. (2000) *Of Hospitality*, Stanford University Press, Stanford, pp15.

They are stranger because they do not know the legal language of the country. Moreover, because of their foreignness to the language they cannot even introduce themselves to the natives of the country that they migrated in. In another saying, a refugee is a stranger by language and s/he have to use the language of the other -which s/he foreign- for interaction.

Admittedly, in the very beginning language is the refugees' biggest problem. Due to the reason that there is no interpretation service during contacts with authorities, a refugee who is foreign to language also experience difficulties of finding a job, finding a place to shelter, shopping, getting health and education service, and during their contact with the local authorities and natives. They cannot communicate, so they cannot say their needs or their perceptions on the issues. Even they cannot express themselves in the case of emergency. In this sense, a good knowledge of Turkish can be regarded as a source that can solve many of their problems of refugees. At least they can express their needs with using the language.

On the other hand, even after a refugee learned the language, s/he can experience being different. Throughout the words of Mr. Z, we can also see the hesitation of feeling different, and not belonging to the culture or identity that they confront even after the resettlement to a third country.

There is almost nothing that I can define as a negative attitude to us everything is going fine in my life and in Izmir. I am here in Turkey for six years and I can speak the Turkish language quite easily. So I can easily have a contact and good

relation with the Turks around me such as neighbors and so. However, I noticed that there occurs a great difference between the attitudes of Turkish people to the people like us and to foreigners. I mean people like us are people that are coming from the Middle Eastern countries or from Asia, while foreigners are the people that are coming from the European countries. Turkish people are more tolerant to the foreigners.

Another important point that needs to be mentioned is hidden in Mrs. X's words. She points out the differences between the differences. To put it in other terms, she points that there occurs some differences also within the concept of foreigner and so the stranger. Though except the police nobody knows that they are refugees and nobody presents a negative attitude to them, Mrs. X strongly points out the different attitudes of Turkish people to the people that are coming from the Western countries and the others. This perception and experience represent also being a stranger in the society. However, the difference that has been pointed out by Mrs. X also shows a different kind of racism, which is not constituted around biological differences but around the cultural ones. The argumentations and the general focus of racism cannot be reduced to biological arguments any more; the contemporary racism is now dealing with the "difference" in the cultural sphere. In Taguieff's words this refers to the appearance of "differentialist racism":

Presenting itself as an “authentic” anti-racism, this neo-racism has two major characteristics. On the one hand, its ideological parameters are no longer defined in terms of inequality –a fixed universal scale of values, a concern for status, an obsession with hereditary defects and with the rise of “inferior” peoples- but in terms of the distance between “cultural” communities. It postulates a radical heterogeneity between cultural traditions. On the other hand, this “cultural” racism moves from the idea of zoological races (physical anthropology) to that of ethnicity and “culture” (social and cultural anthropology) where some positions held by the ethnological community can be legitimated.¹⁰⁴

The contemporary focus on cultural differences is well organized and formally systematized. The new discourse of racism, which is based on the “difference”, started to present itself as the supporter of the diversity and tolerance in opposition to the imperial uniformity and the deculturation of people. Before that focus on difference, racism was referring to the attempt to impose a unique and general model as the best, which implies the elimination of the differences, and anti-racism was found on the absolute respect of differences between different ethnically and culturally heterogeneous collectivities. But the new racism continues to play with the race card in which preserving the diversity of the world is strongly mentioned, and the new discourse of this racism focus on the traditional anti-racism in which the

¹⁰⁴ Taguieff, A. P. (1993/94) “From Race to Culture: The New Right’s View of European Identity”, *Telos*, No: 98-99, pp 101.

right to differ is strongly emphasized. In that sense, 'the right to differ' changed from being a means of defending oppressed minorities and their cultural rights into an instrument for legitimating the most extreme interests for the self-defense of a threatened national identity.

According to Taguieff, the right to difference is presented, as the most effective ideological weapon of differentialist racism and the most important point, which makes this discourse racist, is the mixophobic –phobia of mixing- point of view. Taguieff argues that racism can be expressed both in the rejection and in the praise of the difference, in terms of races or culture, intellect tradition and belief, but the important point here is that it is fundamentally mixophobic.¹⁰⁵ This new form of racism, which can also be defined as racism without races, does not postulate the superiority of certain groups or peoples in relation to others, but focuses on the homogeneity of culture, harmfulness of abolishing frontiers, the incompatibility of life styles and traditions as P. A. Taguieff pointed out.¹⁰⁶

In other words, in the new decades the racist recognizes difference and wants difference on the basis of the argument that assumes the mixture of different cultures would be damaging to everybody. However, in the case of Turkey this reflects itself quite different; the state and its organs capture a dual-strategy in the refugee issue and this can be defined as 'verbal recognition but actual neglect'. The state is emphasizing doing a

¹⁰⁵ Taguieff, A. P. (1993/94) "From Race to Culture: The New Right's View of European Identity", *Telos*, No: 98-99, pp 99-125.

¹⁰⁶ Balibar, E. & Wallerstein, I. (1991) *Race, Nation, Class*, Verso, London, pp 21.

'humanitarian aid' by opening the borders for the non-Europeans for a temporary stay. In practice, however, we can see that the experiences of refugees depend strongly on informal relations and informality, thus the actual situation of refugees in Turkey shows that these people are living really in hard conditions in Turkey.

Mr. B's words can be a good example of this dual strategy in Turkey:

I know my rights as a refugee. Most importantly, they cannot send me back to Iran because I am a refugee. But who will check this? Turkish police? It is nonsense, what I am sure is my rights in Turkey as a refugee depend on the Turkish police and are limited with the Turkish police, so they can send me back to Iran.

Admittedly, according to the news of DIHA dated 16/10/2002, an asylum seeker Xalid Sowki, who was a member of Democratic Party of Kurdistan (KDP), was send back to Iran by the Turkish police and he was executed on 08/10/2002 in Iran.

Therefore, though the Turkish Republic uses the discourse of 'humanitarian aid' in the refugee issue, it is clear with the experiences of refugees that they are living in really hard conditions in terms of security, housing, job opportunities and such. Turkish Republic resettles non-European refugees –though the discourse of the Turkish Republic strongly emphasizes that they are not obligated to do so according to the 1951 Convention– however, refugees are upon their on after this resettlement. The only

intervention of the state is to make refugees use the health and education services. But the experiences of refugees in these services can also be taken as a proof of the dual strategy that the Turkish Republic captures. Supposedly, they can use the services but they experience neglect during these services. For example children of refugees cannot get any certificates from the schools that they attend.

At his point we could come to a discussion of state racism and how this articulates itself in and with popular racism. In other words, it can be assumed that it is the state racism that creates popular racism in which citizenship, settlement, education and the other important policies are used in a way that creates discrimination against refugees. The discussions on racism and discrimination generally assume the presence of migrants as the main cause of the emergence of racism. However, as Balibar argues while the present pattern of migration does not inevitable produce racism –as certain conservative discourse frequently maintains- it does give a contemporary racism a focus.¹⁰⁷ In this sense it can be assumed that in Turkey anti-immigration racism is directed at the refugees and their families. So, if the refugees are assigned by the authorities not only as strangers but also potential “threat” in form of criminal, deviant, taking away jobs, prostitutes; these feed again, negative attitudes towards refugees and this makes the life more harder for the refugee population in the country.

¹⁰⁷ Balibar, E. (1991) “Es Gibt Keinen Staat in Europa: Racism and Politics in Europe Today”, UER, No: 186, pp 6.

So, what is the meaning of 'humanitarian' if refugees are living in such hard conditions, and cannot find legal jobs and cannot use the services such as education, health, and housing easily and effectively? Concomitantly, the question is 'how to settle refugees in a humanitarian approach?'

At this point another dimension that needs to be emphasized is the "informality" that the refugee population experiences. Due to the reason that their formality is limited, -such as not having the chance of working in a legal job- they are pushed into informal relations and informality. The state does not give any guarantee in terms of housing, they use informal relations for finding a house; the state does not permit refugees to hold a legal job in the country so refugees are eventually pushed to illegality for finding money for their survival. As it was emphasized while analyzing the experiences of the interviewees, refugees are pushed into informality and illegality in many ways in Turkey.

As a conclusion remark we might say that a sociological analysis of the situation of the refugees in Turkey gave us important insights. The descriptions of life, their strategies of survival, their personal experiences and what becomes even more real than "reality", are their perceptions about Turkey and the native population. Obviously they do feel discriminated by the native people, by the state and even by the UNHCR. However, they have no alternatives and temporaries of their stay in Turkey help them to manage their situations.

There is a need for more studies dealing the life (everyday life) and experiences of refugees in the Turkish Republic. An analysis like this can

only be complete if we settle it in a context of globalization, international migration and the specific Turkish policies in relation to refugee migration. The refugee issue should not be reduced to concepts such as 'persecution', 'migration' and 'resettlement', needs to be studied by focusing on the individuals and by emphasizing the distinctive idea of 'belonging', i.e. identity-hybridity.



CHAPTER V

CONCLUSION

*Once they had left their homelands, they remained homeless;
Once they had left their state, they became stateless;
Once they had been deprived of their human rights, they were rightless;
The scum of the earth*

Hannah Arendt

As we have stated in the introduction, the refugee question is by no means a new one, but the discourses and concepts on this issue have changed due to the social, economic, political and historical transformations in the world and due to different international, national and locale contexts. Therefore, we emphasized the importance of the international environment and the discourses on refugee issue while analyzing the case in the locale.

Throughout this study, we tried to elaborate the meaning of the concept of 'refugee', the international refugee regime at a global scale and their reflections on the locale. Recall that, we began with a portrayal of the refugee definition and transformations and alternatives of this definition since the First World War in which the vitality of the subject is realized. This part constituted the first episode of the interplay of a set of conflictual processes that we regarded as giving rise to a refugee definition and protection, and thus

an international refugee regime. In addition, we defined two more processes that have been influential in the definition of the concept of 'refugee': the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol. Furthermore, the alternative definitions in Africa and America are also mentioned with paying attention to the international contexts. We argued that the changes in the economic and political domains throughout the world led to an international refugee regime, however this regime has been a political response rather than an humanitarian one, thus it has its flaws.

To uncover the ways in which different locales are interpreting the international refugee regime, we began with a critical evaluation of the Turkish refugee politics and policies in a historical perspective. We drew the picture of Turkish refugee politics by taking the issue from 1934 Resettlement Law and then we moved to the ratification of the 1951 Convention and its 1967 Protocol, which Turkey accepted with a geographical reservation that excluded non-European refugees from recognition as refugees in the Turkish Republic. Onwards, we moved to the 1994 Regulation that has implications on refugees and we tried to depict the picture of refugees with giving some statistical data on the issue. In the last part of the third chapter, the study turned to Turkey's role as a transition country with reference to her triple role as a 'refugee sending', 'refugee receiving' and 'transit country' in the international migration arena.

The discussion finally turned to and focused on experiences of refugees in the Turkish Republic. We first highlighted the general profile of

the interviewees' with paying attention to the dimensions such as sex, age, education, country of origin, motive for departure, housing in Turkey, general perception about Turkey. Then, we explored the meaning of being a refugee in Turkey and the in-depth interviews, which have been conducted with the recognized refugees in Turkey, and the experiences of these refugees, were analyzed with paying attention to related concepts such as "identity", "stranger" "hybridity" and "hospitality". In the last part of the fourth chapter, the study finally turned to a discussion on the experiences of refugees during their transition period in Turkey and their temporary integration to the country in terms of housing, job, opportunities, health and education services, and language used. In this part, how politics and policies of the Turkish Republic contribute to refugee isolation and segregation within society, and hence sharpen the hardness of the refugee experiences, confining them to strictly defined 'threats' were also analyzed.

Let us briefly restate the conclusions reached at in this study. Firstly, the international refugee regime, which is also the result of the social and economic transformations in general, is far from being a solution for today's refugee question. It has its gaps, and the definition that the 1951 Convention and its 1967 Protocol provided; act as a limiting device for the refugee protection. The regime in practice mainly operates in exclusionary ways and it constructs the 'walls of exclusion' for the people who are outside the well-known definition of the concept refugee. Thus, the focus on a political dimension for movement excludes people who move because of other reasons like economic reasons, natural disasters, hunger and domestic violence.

Furthermore, due to the anti-immigrant climate and 'security concerns', the restrictive refugee regime, which is adopted by Western countries will not solve the problems faced by refugees but simply passes it to other countries – especially to Third World countries- to be solved. Thus, the bulk of the world refugees who are from Asia and Africa are given refugee by their neighboring countries in the Third World. In other words, the majority of the world's refugees remain close to their reasons of escape.

Secondly, as one of the important transit countries, Turkey is in lack of effective refugee politics and policies. The regulations for the refugee issue are far from being a solution for the refugee issue that the country faced and faces. Thus, after the official resettlement of refugees, Turkey has no direct involvement for sheltering them. The only intervention of state to the refugee issue is to provide health and education services.

Thirdly, refugee experiences show that the transition period in Turkey cannot be taken as a process. Refugees are using Turkey as a waiting room on their way to the West, and during this period they are not main actors and deciders of their lives. The main action of refugees in Turkey is waiting, so the transition period that refugees experience in Turkey cannot be considered as a process in which the individuals 'integrate' (socially, economically, culturally, and politically) to their "transit-homes".

Fourthly, according to the information provided by the interviewees, and the observations of the author during the seven-month internship at UNHCR Ankara Branch Office, refugees' experiences differ due to the

specific cities that they are settled. The interviews and observations highlighted the fact that refugees perceive discrimination in the Turkish Republic. The situations that the refugees described in terms of housing, and job opportunities, are maintaining the idea that they are 'strangers' and they are living segregated from the native population in terms of housing, so living indeed. Furthermore, the experiences of refugees while taking health and education services again were presented by emphasizing that the native population sets the rules and they showed a negative attitude.

Lastly, it is argued that Turkish refugee politics and policies are showing a dual strategy; verbal recognition but actual neglect. The state is emphasizing doing a 'humanitarian aid' by opening the borders for the non-Europeans for a temporary stay. In practice, however, we can see that the experiences and living strategies of refugees depend strongly on informal relations (family ties: even reaching back to their countries of escape) and informality (for finding a house they have to use kin-friend-refugee networks, not knowing the language they need informal mediators, to survive they have to join the illegal labor market, they hardly get working permits).

In regard to the fact that their formality is limited, -such as not having the chance of working in a legal job- they are pushed into informal relations and informality. The state does not give any guarantee in terms of housing, they use informal relations for finding a house; the state does not permit refugees to hold a legal job in the country so refugees are pushed into illegality and informal sector for finding money for their survival.

In this sense, to question the meaning of 'humanitarian' is crucial for the Turkish case. If refugees are living in hard conditions in terms of housing, job opportunities, education and health services, which can be taken as welfare dimensions of a state, can we define the act of opening the borders as humanitarian? Therefore, the discourse, which is used by the Turkish authorities, depicts a picture "state racism that articulates itself in popular racism". To put it in different terms, it can be assumed that it is the state racism that creates the popular racism in which citizenship, education and other important policies are used in a way that creates discrimination against the refugees.

Concomitantly, as it was mentioned again and again in the earlier parts of this study, Turkish refugee politics and policies need to be analyzed by considering the international context and international politics. In this regard, the dual strategy that Turkey captures can also be taken as a part of the ongoing international refugee regime. Thus, it is also a dual strategy that the international refugee regime now captures. In other words, the international refugee regime, which is adopted by the Western countries, recognizes that there remains a worldwide refugee question, but it passes it to some other countries –especially to Third World countries- to be solved. After this, however, these countries are upon their own. Thus, neighboring countries in the Third World give refuge to the bulk of the world refugees who are from Asia and Africa. Meanwhile, nobody deals with these countries who are faced with refugee questions.

Turkey as one of the important transit countries in the international migration arena faces with this situation. As it was mentioned in the previous parts, economic difficulties in the former communist countries, and the ongoing political problems in the Middle East increased the number of people who try to migrate for a more secure and better life. As a buffer zone, Turkey has a crucial role for the Western countries that try to limit the entrance of any kind of migrants including refugees and asylum seekers. The open-border policy which accompanies the increasingly restrictive measures such as strict border controls and the visa requirements, in closing the border to non-EU countries and the idea of “Fortress Europe” also provoke every kind of immigrants to use transit countries such as Turkey on their way to the West.

The restrictive measures for crossing the borders can also be taken as a push factor into illegality. Any kind of migrants including asylum seekers and refugees have a limited chance to use the formal ways of moving to a third country. Refugees, even after they got their status as a ‘refugee’ have to wait for a period of time without having any guarantee in terms of shelter, food, or job. Due to these reasons, there exists a potential for them join to illegal immigrants trying to enter Europe with the help of organized crime. As an example we can look at a growing number of people being caught on international waters between Greece and Turkey while they are trying to pass to Europe.

According to the news dated 09/12/2002 of the Anatolia News Agency (Ankara, Turkey):

EDIRNE -- Security forces intercepted 62 foreigners in northwestern province of Edirne in the last five days as they were trying to proceed to Greece and Bulgaria illegally. Sources told AA Anatolia correspondent on Monday 9 December that the foreigners of Iraqi, Moroccan, Algerian, Azerbaijani, Iranian, Tunisian and Afghan origin were taken into custody for violating the Turkish borders and passport law. They will be deported once the legal proceedings are completed.

In recent years these events become by no means unusual. Therefore, the refugee issue needs to be taken beyond charity both in international and locale contexts.

As a consequence, it is important to consider that this study mainly describes the refugees' perceptions and their experiences in the Turkish Republic. Thus for a better analysis of the refugee issue in Turkey there exists a need for studying the perceptions of the native population and the state. The author of this study tried to make the refugees speak; however, there remained "multiple filters" during the interviews. The interviews were held in different languages and then translated to English. Moreover, beside the language factor, there existed also 'interpreters' who we can define as another filter for this study. The author of the study is aware of the fact that she could only analyze the data that remains after these filters.

Responsibility for the final results rests in the usual place.



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APPENDICES

APPENDIX A

IN -DEPTH INTERVIEW GUIDELINE

- Sex: Age: Religion:
- Education:
- Job in the country of origin:
- Marital Status:
- Number of Family members in Turkey and the composition:
- Country of Origin: Native Language:
- Type of claim/motive for departure:
- How did the refugee entered to Turkey (legal/illegal):
- Who helped them during the escape?
- The cost of escape:
- Why did s/he chose Turkey as a transit country:
- The period of stay in Turkey:
- The city that they stay in Turkey
- Did s/he stayed any other cities before the last residence place
- Does s/he has a residence permit:

- Does s/he has a work permit:
- Sources of income (same question with the FA): **THE FA FORM WILL BE USED**
- Type of house (rent/relative's place/friend's place/hotel/sharing rented/other):
- What do they do in their daily lives in this transition period;
- What does wife/husband do in their daily life;
- Who helped them in solving problems in their migration process;
Turkish officials / Religious organizations / National organizations
International organizations /Relatives /Turkish Friends
Friends in their country of origin / other
- Do they know Turkish / Do they speak/understand Turkish
- Do they have any networks with Turks and what type
- Number and frequency of contacts
- What is the reason for contacts
- Character of contacts
- How people behave during these contacts;
 - Their perception of this contacts, how they define these contacts;
- What is their relationship with police?
- What type of attitudes they encounter during the health services (do they wait too long, do they feel that they are exposed to a different type of behavior because they are foreigners)

- Are they satisfied with the with the medical care;
- What type of attitudes they encounter during the education services
(do they wait too long, do they feel that they are exposed to a different type of behavior because they are foreigners)
- Are they satisfied with the education services;
- Opportunity to find a job;
- Type of behaviors that they encounter if they work;
 - How much they earn and does it differ from the Turkish citizens who do the same work
- Do they get any help from Turks;
 - Who help / Type of supports provided by Turks
- Are they satisfied with their situation in Turkey:
- Are they satisfied with the attitudes towards foreigners in Turkey:
- What they like and dislike in this attitudes
- Do they recommend coming to Turkey
- General opinion about life in Turkey
- Do they want to stay in Turkey if they had the opportunity
- Target countries for destination and why
- Do they know their rights as a refugee:
- What is the meaning of the term “refugee”, how they define;
- What are their future plans
- What are they expecting to find

- Do they prepare something for their future destination and plans? If so what are they preparing?
- Do they trust UNHCR? Why?
- Do they trust any organization or any people in Turkey



FINANCIAL ASSESSMENT (FA) FORM USED BY UNHCR

Case Number:	Interview Date:
Last Name:	First name:
Document:	Status:
Place:	Date of Entry:
Marital Status:	No of Dependents:
Composition of Dependents:	Total Amount Borrowed:
Specify Vulnerable Persons (If any):	
How much money did you bring:	Money at hand
Monthly Rent:	Food:
Electric, Water, Heating:	Medical:
Interviewer's Assessment:	Others:

Interviewer's recommendation:

Decision:

Date:

Signature:

APPENDIX B

SOCIO-DEMOGRAPHIC DATA OF THE INTERVIEWEES

Mrs. X: (44) She is a Kurd from Northern Iraq. She graduated from Business Administration and she completed a graduate study. The motive for departure from the country of origin was a political one and she entered Turkey illegally with her family.

She is in Turkey since 1996 and since that date she and her family is staying in Izmir. She said that she is happy in terms of housing and she is not sharing her house with anybody.

She and her family had a residence permit and besides, her husband held a work permit in Turkey. Her husband moved to Canada, and she and her two children will move to this country as a part of family reunification. Her husband from Canada and her brother from Iraq are sending money for their survival.

Mr. B: (31) He is a Kurd from Northern Iraq. He graduated from secondary school and he is single. The motive for departure from the country of origin was a political one. He moved to Turkey illegally in March 2001. He is sharing his room with three friends. He stayed ten months in Van and three months ago he is officially settled in Kastamonu. He has a residence permit but he does not hold a work permit in Turkey. But he works illegally as a car washer.

He wants to move to United States but his case is presented to Norway.

Mrs. A: (58) She is a Baha'i from Iran. She graduated from secondary school. The motive for departure was a religious one. She is widowed and she entered to Turkey legally with her son and daughter five months ago. She stays in Nigde and she and her family do not share their flat. She and her family have a residence permit. His son is working as a carrier illegally but they are also getting help from their family members in United States in terms of money. She wants to move to the United States.

Mr. K: (28) He is a Kurd from Iran. He graduated from secondary school. He is single. His motive for departure was a political one. He moved to Turkey legally and he is in Turkey for 22 months. He is officially settled in Kirikkale and he shares his flat with refugee friends. He has a residence permit but he

does not hold a work permit in Turkey. He works illegally as a carrier and car washer.

He wants to move to Australia.

Mrs. P: (34) She is a Baha'i from Iran. She is a high school graduate. The motive for departure is a religious one and the lack of social rights. She entered to Turkey legally six months ago with her husband and four children. She and her family have a residence permit and they are officially settled in Kirsehir. His brother from United States is sending money for their expenses. She wants to move to the United States.

Miss R: (20) She is a Baha'i from Iran. She is graduated from high school and she is single. The motive for departure was a religious one. She entered to Turkey legally but she does not have a residence permit. She is officially settled in Eskisehir. She is in Turkey for four months and she is living with her private savings that she had brought from the country of origin. . She is planning to move to the United States with the help of UNHCR.

Mr. Z: (24) He is a Kurd from Northern Iraq. He graduated from high school. He is single. The motive for departure was a political one and he entered into Turkey illegally. He does not have a residence permit. He is in Turkey for 11 months and he is officially settled in Nevsehir. He works illegally as a carrier in this city.

He wants to move to Australia.

Mrs. S: (28) She is a Kurd from Northern Iraq. She is a secondary school graduate. The motive for departure was a political one. She entered to Turkey illegally with her husband and three children. She stays in Kayseri and he has a residence permit. Her relatives in the country of origin help them for their expenses in Turkey.

She wants to move to Australia.

Mr. T: (32) He is a Kurd from Northern Iraq. He is a high school graduate. He is atheist. His motive for departure from Iraq was a political one. He is married and he has one child. He and his family entered to Turkey illegally in October 2001 and they stayed in Ankara for three months and they are officially settled in Kayseri. They have residence permit. He worked as a dishwasher illegally but he is unemployed now. He is sharing his flat with other refugees.

He wants to move to United States.

Mr. H: (44) He is a Christian from Iran. He is a high school graduate. He is married and his wife and two children are in Turkey with him. His motive for departure was a religious one. He entered to Turkey legally and he is in Turkey for seven years. He does not have a residence permit. He lives in Istanbul and he works in this city illegally as a car washer.

He wants to move to Sweden.

